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IN THIS ISSUE

State Agencies 3494
Final Rules
Indiana State Department of Health 3496
Indiana State Board of Education 3499
Fire Prevention and Building Safety Commission 3505
Indiana Emergency Medical Services Commission 3506
Errata
Indiana Gaming Commission 3580
Office of the Secretary of Family and Social Services 3580
Emergency Rules
Indiana Board of Tax Review 3581
State Lottery Commission 3582
Natural Resources Commission 3587
Office of the Children's Health Insurance Program 3587
Notice of Rule Adoption
Office of the Children's Health Insurance Program 3589
Change in Notice of Public Hearing
Air Pollution Control Board 3590
Notice of Intent to Adopt a Rule
State Ethics Commission 3593
Bureau of Motor Vehicles 3593
Indiana State Department of Health 3593
Division of Disability, Aging, and Rehabilitative Services 3593
Professional Standards Board 3593
Fire Prevention and Building Safety Commission 3593
State Board of Dentistry 3594
Home Inspectors Licensing Board 3594
Proposed Rules
Indiana Department of Administration 3595
Department of Local Government Finance 3603
Natural Resources Commission 3604
Air Pollution Control Board 3605
Water Pollution Control Board 3606
Solid Waste Management Board 3696
Office of the Secretary of Family and Social Services 3698
Division of Disability, Aging, and Rehabilitative Services 3701
Professional Standards Board 3703
Indiana Board of Veterinary Medical Examiners 3704
Readopted Rules 3705
AROC Notices
Department of Local Government Finance 3707
IC 13-14-9 Notices
Air Pollution Control Board 3708
Other Notices 3710
Executive Orders/Proclamations 3772
Nonrule Policy Documents 3774
Rules Affected by Volume 27 3802
Index 3831

INDIANA REGISTER

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RELATION OF THE INDIANA REGISTER TO THE INDIANA ADMINISTRATIVE CODE

The Indiana Register is an official monthly publication of the state of Indiana. The Indiana Legislative Council publishes the full text of proposed rules, final rules, and other documents, such as executive orders and attorney general's opinions, in the Indiana Register in the order in which the Indiana Legislative Council receives the documents.

The Indiana Administrative Code is an official annual publication of the state of Indiana. It codifies the current general and permanent rules of state agencies in subject matter order.

The Indiana Register acts as a source of information about the rules being proposed by state agencies and acts as an "advance sheet" to the Indiana Administrative Code. With few exceptions, an agency may not adopt a rule, i.e., a policy statement having the force of law, without publishing a substantially similar proposed version in the Indiana Register. Although a rule becomes effective without publication in the Indiana Register, an agency must file an adopted and approved rule with the Indiana Legislative Council. The Council publishes these final rules in the Indiana Register.

RETENTION SCHEDULE

A person must consult the following publications to find the current rules of state agencies:

(1) 2004 Indiana Administrative Code (CD-ROM version).

(2) Volume 27 of the Indiana Register (CD-ROM version).

The Indiana Administrative Code and Indiana Register are distributed in CD-ROM format only. Both are also accessible at www.in.gov/legislative/ic_iac/.

The 2003 Edition of the Indiana Administrative Code and other volumes of the Indiana Register may be discarded. (Please consider recycling.)

JUDICIAL NOTICE AND CITATION FORM

IC 4-22-9 provides for the judicial notice of rules published in the Indiana Register or the Indiana Administrative Code. Subject to any errata notice that may affect a rule, the latest published version of a final rule is prima facie evidence of that rule's validity and content.

Cite to a current general and permanent rule by Indiana Administrative Code citation, regardless of whether it has been published in a supplement to the Indiana Administrative Code. For example, cite the entire current contents of title 312 as "Title 312 of the Indiana Administrative Code," cite the entire current contents of the third article in title 312 as "312 IAC 3," cite the entire current contents of the fourth rule in article three as "312 IAC 3-4," and cite part or all of the current contents of the second section in rule four as "312 IAC 3-4-2." IC 4-22-9-6 provides that a citation in this form contains later adopted amendments. Cite a noncodified rule provision by LSA document number, SECTION number, and Indiana Register citation to the page at which the cited text begins. If a reference to a particular version of a rule or a page in the Indiana Register is appropriate, cite the volume, page, and year of publication as "25 Ind. Reg. 120 (2002)." A shorter Indiana Register citation form is "25 IR 120."

PRINTING CODE

This style type is used to indicate that substantive text is being inserted by amendment into a rule, and ~~this style type~~ is used to indicate that substantive text is being eliminated by amendment from a rule. ~~This style type~~ is replaced by a single large "X" to show the elimination of a form or other piece of artwork. **This style type** is used to indicate a rule is being added. *This style type* and **this style type** also are used to highlight nonsubstantive annotations to a rule and to indicate that an entry in a reference table or the index concerns a final rule.

REFERENCE TABLES AND INDEX

The page location of rules and other documents printed in the Indiana Register may be found by using the tables and index published in the Indiana Register. A citation listing of the general and permanent rules affected in a volume and a cumulative index are published in each issue. Cumulative tables that cite executive orders, attorney general's opinions, and other nonrule policy documents printed in a calendar year are published quarterly.

FILING AND PUBLISHING SCHEDULE

NOTICE AND PUBLICATION SCHEDULE. The Legislative Services Agency publishes documents filed by 4:45 p.m. on the tenth day of a month (no later than the twelfth day of a month, excluding holidays or weekends) in the following month's Indiana Register according to the schedule below:

PUBLICATION SCHEDULE

Closing Dates:	Publication Dates:	Closing Dates:	Publication Dates:
July 9, 2004	August 1, 2004	February 10, 2005	March 1, 2005
August 10, 2004	September 1, 2004	March 10, 2005	April 1, 2005
September 10, 2004	October 1, 2004	April 11, 2005	May 1, 2005
October 12, 2004	November 1, 2004	May 10, 2005	June 1, 2005
November 10, 2004	December 1, 2004	June 10, 2005	July 1, 2005
December 10, 2004	January 1, 2005	July 11, 2005	August 1, 2005
January 10, 2005	February 1, 2005	August 10, 2005	September 1, 2005

Documents will be accepted for filing on any business day from 8:00 a.m. to 4:45 p.m.

AROC NOTICES: Under IC 2-5-18-4, the Administrative Rules Oversight Committee is established to oversee the rules of any agency not listed in IC 4-21.5-2-4. As a result, certain notices to the AROC are required and are printed in the Indiana Register.

CORRECTIONS: IC 4-22-2-38 authorizes an agency to correct typographical, clerical, or spelling errors in a final rule without initiating a new rulemaking procedure. Correction notices are printed on errata pages in the Indiana Register.

EFFECTIVE DATE: IC 4-22-2-36 provides that, unless a later date is specified in the rule, a rule becomes effective thirty (30) days after filing with the Secretary of State.

EMERGENCY RULES: IC 4-22-2-37.1 provides summary rulemaking procedures for certain specified categories of rules.

INCORPORATION BY REFERENCE: IC 4-22-2-21 requires that a copy of matters that are incorporated by reference into a rule must be filed with the Attorney General, the Governor, and the Secretary of State along with the text of the incorporating final rule.

NONRULE POLICY DOCUMENTS: IC 4-22-7-7 requires that any nonrule document that interprets, supplements, or implements a statute and that the issuing agency may use in conducting its external affairs must be filed with the Legislative Services Agency and published in the Indiana Register.

NOTICE OF INTENT TO ADOPT A RULE: IC 4-22-2-23 requires an agency to publish a Notice of Intent to Adopt a Rule at least thirty (30) days before publication of the proposed rule.

PROMULGATION PERIOD: In order to be effective, the final version of an adopted rule must be approved by the Attorney General and the Governor within one (1) year after the date that the notice of intent is published. The final rule must then be filed with the Secretary of State.

PUBLIC HEARINGS: IC 4-22-2-24 requires that the public hearing on a proposed rule be scheduled at least twenty-one (21) days after a notice of the hearing is published in the Indiana Register and in a newspaper of general circulation in Marion County.

RULES READOPTION: IC 4-22-2.5 provides that a rule adopted under IC 4-22-2 expires January 1 of the seventh year after the year in which the rule takes effect, unless the rule contains an earlier expiration date.

State Agencies

ALPHABETICAL LIST

AGENCY	TITLE NUMBER
Accountancy, Indiana Board of	872
Accounts, State Board of	20
Adjutant General	270
Administration, Indiana Department of	25
†Administrative Building Council of Indiana	660
†Aeronautics Commission of Indiana	110
†Aging and Community Services, Department on	450
Agricultural Development Corporation, Indiana	770
Agricultural Experiment Station	350
†Agriculture, Commissioner of	340
Agriculture, Commissioner of	375
†Air Pollution Control Board	325.1
Air Pollution Control Board	326
†Air Pollution Control Board of the State of Indiana	325
Alcohol and Tobacco Commission	905
Amusement Device Safety Board, Regulated	685
Animal Health, Indiana State Board of	345
Architects and Landscape Architects, Board of Registration for	804
Athletic Trainers Board, Indiana	898
Attorney General for the State, Office of	10
Auctioneer Commission, Indiana	812
Barber Examiners, Board of	816
Boiler and Pressure Vessel Rules Board	680
Boxing Commission, State	808
Budget Agency	85
Chemist of the State of Indiana, State	355
Children's Health Insurance Program, Office of the	407
Chiropractic Examiners, Board of	846
Civil Rights Commission	910
†Clemency Commission, Indiana	230
Commerce, Department of	55
Community Residential Facilities Council	431
Consumer Protection Division of the Office of the Attorney General	11
Controlled Substances Advisory Committee	858
Coroners Training Board	207
Correction, Department of	210
Cosmetology Examiners, State Board of	820
Creamery Examining Board	365
Criminal Justice Institute, Indiana	205
Deaf Board, Indiana School for the	514
Dentistry, State Board of	828
Developmental Disabilities Residential Facilities Council	430
Dietitians Certification Board, Indiana	830
Disability, Aging, and Rehabilitative Services, Division of	460
†Education, Commission on General	510
Education, Indiana State Board of	511
Education Employment Relations Board, Indiana	560
Education Savings Authority, Indiana	540
Egg Board, State	370
†Election Board, State	15
Election Commission, Indiana	18
†Elevator Safety Board	670
Emergency Management Agency, State	290
Emergency Medical Services Commission, Indiana	836
Employees' Appeals Commission, State	33
†Employment and Training Services, Department of	645
Engineers, State Board of Registration for Professional	864
Enterprise Zone Board	58
Environmental Adjudication, Office of	315
Environmental Health Specialists, Board of	896
†Environmental Management Board, Indiana	320
Ethics Commission, State	40
Fair Commission, State	80
Family and Children, Division of	470
Family and Social Services, Office of the Secretary of	405
Financial Institutions, Department of	750
Fire Marshal, State	650
Fire Prevention and Building Safety Commission	675
Firefighting Personnel Standards and Education, Board of	655
Forensic Sciences, Commission on	415
Funeral and Cemetery Service, State Board of	832
Gaming Commission, Indiana	68
Geologists, Indiana Board of Licensure for Professional	305
Grain Buyers and Warehouse Licensing Agency, Indiana	824
Grain Indemnity Corporation, Indiana	825
Hazardous Waste Facility Site Approval Authority, Indiana	323
Health, Indiana State Department of	410
Health Facilities Council, Indiana	412
Health Facility Administrators, Indiana State Board of	840
†Highways, Department of	120
Home Inspectors Licensing Board	878
†Horse Racing Commission, Indiana	70
Horse Racing Commission, Indiana	71
Hospital Council	414
Housing Finance Authority, Indiana	930
Human Service Programs, Interdepartmental Board for the Coordination of	490
†Industrial Board of Indiana	630
Information Technology Oversight Commission, State	28
Insurance, Department of	760
Labor, Department of	610
Land Surveyors, State Board of Registration for	865
Law Enforcement Training Board	250
Library and Historical Board, Indiana	590
Library Certification Board	595
Local Government Finance, Department of	50
Lottery Commission, State	65
Medical and Nursing Distribution Loan Fund Board of Trustees, Indiana	580
Medical Licensing Board of Indiana	844
Mental Health and Addiction, Division of	440
Meridian Street Preservation Commission	925
Motor Vehicles, Bureau of	140
†Natural Resources, Department of	310
Natural Resources Commission	312
Nursing, Indiana State Board of	848
Occupational Safety Standards Commission	620
Optometric Legend Drug Prescription Advisory Committee, Indiana	857
Optometry Board, Indiana	852
Parole Board	220
†Personnel Board, State	30
Personnel Department, State	31
Pesticide Review Board, Indiana	357
Pharmacy, Indiana Board of	856
Plumbing Commission, Indiana	860
Podiatric Medicine, Board of	845
Police Department, State	240
Political Subdivision Risk Management Commission, Indiana	762
Port Commission, Indiana	130
Private Detectives Licensing Board	862
Professional Standards Board	515
Proprietary Education, Indiana Commission on	570
Psychology Board, State	868
Public Access Counselor, Office of the	62
Public Employees' Retirement Fund, Board of Trustees of the	35
Public Records, Oversight Committee on	60
Public Safety Training Institute	280
Real Estate Commission, Indiana	876
Reciprocity Commission of Indiana	145
Revenue, Department of State	45
Safety Review, Board of	615
School Bus Committee, State	575
Secretary of State	75
Securities Division	710
Seed Commissioner, State	360
Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board	839
†Soil and Water Conservation Committee, State	311
Soil Scientists, Indiana Board of Registration for	307
†Solid Waste Management Board	320.1
Solid Waste Management Board	329
Speech-Language Pathology and Audiology Board	880
Standardbred Board of Regulations, Indiana	341
†Stream Pollution Control Board of the State of Indiana	330
Student Assistance Commission, State	585
Tax Review, Indiana Board of	52
†Teacher Training and Licensing, Commission on	530
Teachers' Retirement Fund, Board of Trustees of the Indiana State	550
Television and Radio Service Examiners, Board of	884
†Textbook Adoptions, Commission on	520
Toxicology, State Department of	260
†Traffic Safety, Office of	150
†Transportation, Department of	100
Transportation, Indiana Department of	105
Transportation Finance Authority, Indiana	135
Underground Storage Tank Financial Assurance Board	328
†Unemployment Insurance Board, Indiana	640
Utility Regulatory Commission, Indiana	170
†Vehicle Inspection, Department of	160
Veterans' Affairs Commission	915
Veterinary Medical Examiners, Indiana Board of	888
Victim Services Division	203
Violent Crime Compensation Division	480
†Vocational and Technical Education, Indiana Commission on	572
†Wage Adjustment Board	635
War Memorials Commission, Indiana	920
†Watch Repairing, Indiana State Board of Examiners in	892
Water Pollution Control Board	327
†Water Pollution Control Board	330.1
Worker's Compensation Board of Indiana	631
Workforce Development, Department of	646

†Agency's rules are repealed, transferred, or otherwise voided.

NUMERICAL LIST

TITLE NUMBER

GENERAL GOVERNMENT

10 Office of Attorney General for the State
11 Consumer Protection Division of the Office of the Attorney General
†15 State Election Board
18 Indiana Election Commission
20 State Board of Accounts
25 Indiana Department of Administration
28 State Information Technology Oversight Commission
†30 State Personnel Board
31 State Personnel Department
33 State Employees' Appeals Commission
35 Board of Trustees of the Public Employees' Retirement Fund
40 State Ethics Commission
45 Department of State Revenue
50 Department of Local Government Finance
52 Indiana Board of Tax Review
55 Department of Commerce
58 Enterprise Zone Board
60 Oversight Committee on Public Records
62 Office of the Public Access Counselor
65 State Lottery Commission
68 Indiana Gaming Commission
†70 Indiana Horse Racing Commission
71 Indiana Horse Racing Commission
75 Secretary of State
80 State Fair Commission
85 Budget Agency

TRANSPORTATION AND PUBLIC UTILITIES

†100 Department of Transportation
105 Indiana Department of Transportation
†110 Aeronautics Commission of Indiana
†120 Department of Highways
130 Indiana Port Commission
135 Indiana Transportation Finance Authority
140 Bureau of Motor Vehicles
145 Reciprocity Commission of Indiana
†150 Office of Traffic Safety
†160 Department of Vehicle Inspection
170 Indiana Utility Regulatory Commission

CORRECTIONS, POLICE, AND MILITARY

203 Victim Services Division
205 Indiana Criminal Justice Institute
207 Coroners Training Board
210 Department of Correction
220 Parole Board
†230 Indiana Clemency Commission
240 State Police Department
250 Law Enforcement Training Board
260 State Department of Toxicology
270 Adjutant General
280 Public Safety Training Institute
290 State Emergency Management Agency

NATURAL RESOURCES, ENVIRONMENT, AND AGRICULTURE

305 Indiana Board of Licensure for Professional Geologists
307 Indiana Board of Registration for Soil Scientists
†310 Department of Natural Resources
†311 State Soil and Water Conservation Committee
312 Natural Resources Commission
315 Office of Environmental Adjudication
†320 Indiana Environmental Management Board
†320.1 Solid Waste Management Board
323 Indiana Hazardous Waste Facility Site Approval Authority
†325 Air Pollution Control Board of the State of Indiana
†325.1 Air Pollution Control Board
326 Air Pollution Control Board
327 Water Pollution Control Board
328 Underground Storage Tank Financial Assurance Board
329 Solid Waste Management Board
†330 Stream Pollution Control Board of the State of Indiana
†330.1 Water Pollution Control Board
†340 Commissioner of Agriculture
341 Indiana Standardbred Board of Regulations
345 Indiana State Board of Animal Health
350 Agricultural Experiment Station
355 State Chemist of the State of Indiana
357 Indiana Pesticide Review Board
360 State Seed Commissioner
365 Creamery Examining Board
370 State Egg Board
375 Commissioner of Agriculture

HUMAN SERVICES

405 Office of the Secretary of Family and Social Services
407 Office of the Children's Health Insurance Program
410 Indiana State Department of Health
412 Indiana Health Facilities Council
414 Hospital Council
415 Commission on Forensic Sciences
430 Developmental Disabilities Residential Facilities Council
431 Community Residential Facilities Council
440 Division of Mental Health and Addiction
†450 Department on Aging and Community Services
460 Division of Disability, Aging, and Rehabilitative Services
470 Division of Family and Children
480 Violent Crime Compensation Division
490 Interdepartmental Board for the Coordination of Human Service Programs

TITLE NUMBER

EDUCATION AND LIBRARIES

†510 Commission on General Education
511 Indiana State Board of Education
514 Indiana School for the Deaf Board
515 Professional Standards Board
†520 Commission on Textbook Adoptions
†530 Commission on Teacher Training and Licensing
540 Indiana Education Savings Authority
550 Board of Trustees of the Indiana State Teachers' Retirement Fund
560 Indiana Education Employment Relations Board
570 Indiana Commission on Proprietary Education
†572 Indiana Commission on Vocational and Technical Education
575 State School Bus Committee
580 Indiana Medical and Nursing Distribution Loan Fund Board of Trustees
585 State Student Assistance Commission
590 Indiana Library and Historical Board
595 Library Certification Board

LABOR AND INDUSTRIAL SAFETY

610 Department of Labor
615 Board of Safety Review
620 Occupational Safety Standards Commission
†630 Industrial Board of Indiana
631 Worker's Compensation Board of Indiana
†635 Wage Adjustment Board
†640 Indiana Unemployment Insurance Board
†645 Department of Employment and Training Services
646 Department of Workforce Development
650 State Fire Marshal
655 Board of Firefighting Personnel Standards and Education
†660 Administrative Building Council of Indiana
†670 Elevator Safety Board
675 Fire Prevention and Building Safety Commission
680 Boiler and Pressure Vessel Rules Board
685 Regulated Amusement Device Safety Board

BUSINESS, FINANCE, AND INSURANCE

710 Securities Division
750 Department of Financial Institutions
760 Department of Insurance
762 Indiana Political Subdivision Risk Management Commission
770 Indiana Agricultural Development Corporation

OCCUPATIONS AND PROFESSIONS

804 Board of Registration for Architects and Landscape Architects
808 State Boxing Commission
812 Indiana Auctioneer Commission
816 Board of Barber Examiners
820 State Board of Cosmetology Examiners
824 Indiana Grain Buyers and Warehouse Licensing Agency
825 Indiana Grain Indemnity Corporation
828 State Board of Dentistry
830 Indiana Dietitians Certification Board
832 State Board of Funeral and Cemetery Service
836 Indiana Emergency Medical Services Commission
839 Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board
840 Indiana State Board of Health Facility Administrators
844 Medical Licensing Board of Indiana
845 Board of Podiatric Medicine
846 Board of Chiropractic Examiners
848 Indiana State Board of Nursing
852 Indiana Optometry Board
856 Indiana Board of Pharmacy
857 Indiana Optometric Legend Drug Prescription Advisory Committee
858 Controlled Substances Advisory Committee
860 Indiana Plumbing Commission
862 Private Detectives Licensing Board
864 State Board of Registration for Professional Engineers
865 State Board of Registration for Land Surveyors
868 State Psychology Board
872 Indiana Board of Accountancy
876 Indiana Real Estate Commission
878 Home Inspectors Licensing Board
880 Speech-Language Pathology and Audiology Board
884 Board of Television and Radio Service Examiners
888 Indiana Board of Veterinary Medical Examiners
†892 Indiana State Board of Examiners in Watch Repairing
896 Board of Environmental Health Specialists
898 Indiana Athletic Trainers Board

MISCELLANEOUS

905 Alcohol and Tobacco Commission
910 Civil Rights Commission
915 Veterans' Affairs Commission
920 Indiana War Memorials Commission
925 Meridian Street Preservation Commission
930 Indiana Housing Finance Authority

†Agency's rules are repealed, transferred, or otherwise voided.

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #03-161(F)

DIGEST

Adds 410 IAC 1-7 to establish procedures subsequent to the testing of pregnant women for HIV and standards regarding the provision of information concerning HIV to women who are pregnant, before delivery, at delivery, and after delivery. Effective 30 days after filing with the secretary of state.

410 IAC 1-7

SECTION 1. 410 IAC 1-7 IS ADDED TO READ AS FOLLOWS:

Rule 7. HIV Counseling and Testing of Pregnant Women

410 IAC 1-7-1 Applicability
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 1. The definitions in this rule apply throughout this rule. *(Indiana State Department of Health; 410 IAC 1-7-1; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3496)*

410 IAC 1-7-2 "AIDS" defined
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 2. "AIDS" means acquired immune deficiency syndrome. *(Indiana State Department of Health; 410 IAC 1-7-2; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3496)*

410 IAC 1-7-3 "Department" defined
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 3. "Department" means the Indiana state department of health. *(Indiana State Department of Health; 410 IAC 1-7-3; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3496)*

410 IAC 1-7-4 "HIV" defined
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 4. "HIV" means human immunodeficiency virus. *(Indiana State Department of Health; 410 IAC 1-7-4; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3496)*

410 IAC 1-7-5 "HIV medical services program" defined
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 5. "HIV medical services program" means those medical and pharmaceutical services available to eligible HIV positive persons provided by the department through the support of state and federal funding. *(Indiana State Department of Health; 410 IAC 1-7-5; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3496)*

410 IAC 1-7-6 "Provider" defined
Authority: IC 16-41-6-11
Affected: IC 16-18-2-295; IC 16-41-6

Sec. 6. "Provider" has the meaning indicated in IC 16-18-2-295. *(Indiana State Department of Health; 410 IAC 1-7-6; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3496)*

410 IAC 1-7-7 Provider's responsibilities to pregnant women who have been tested for HIV
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 7. (a) A provider, or his or her designee, must do the following:

(1) Deliver the test results for HIV infected and HIV uninfected patients in a direct, straightforward, and confidential manner.

(2) Deliver the results at the earliest possible encounter after testing.

(3) Deliver the results face-to-face for HIV infected patients.

(b) If the test results positive, the treating provider, or his or her designee, must do the following:

(1) Explain the side effects of any treatment for HIV in a direct, straightforward, confidential manner.

(2) Discuss pros and cons of initiation of drug therapy.

(3) Discuss treatment recommendations based on the U.S. Public Health Service Task Force recommendation for use of antiretroviral drugs in pregnant HIV-1-infected women for maternal health and interventions to reduce perinatal HIV-1 transmission in the United States, MMWR 51, RR-18.

(Indiana State Department of Health; 410 IAC 1-7-7; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3496)

410 IAC 1-7-8 Pregnant woman on a waiting list for HIV medical services
Authority: IC 16-41-6-11
Affected: IC 16-41-6-5; IC 16-41-6-6

Sec. 8. (a) A pregnant woman must have a complete application for the HIV medical services program on file with the department.

(b) A pregnant woman who meets all the qualifications to participate in the HIV medical services program and tests positive under IC 16-41-6-5 or IC 16-41-6-6 shall be given first priority on a waiting list for the program if a waiting list exists for the HIV medical services program.

(c) A pregnant woman who tests positive under IC 16-41-6-5 or IC 16-41-6-6 may appeal her placement on a waiting

list for HIV medical services by filing a written appeal with the department.

(d) The appeal shall be filed within fifteen (15) days of receipt of the notification of placement on a waiting list.

(e) The appeal will be reviewed by the state health commissioner, or his or her designee, who will also make the determination in the case within seventy-two (72) hours of receipt of all requested medical information and other pertinent documentation, as detailed by section 9 of this rule, necessary to determine the applicant's eligibility for services.

(f) The appeal must include name, date of birth, and mailing address. *(Indiana State Department of Health; 410 IAC 1-7-8; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3496)*

410 IAC 1-7-9 Appeal of placement on a waiting list
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 9. Applicants that appeal their placement on a waiting list for the HIV medical services program shall provide the following:

(1) A signed physician's statement confirming the pregnancy.

(2) A signed physician's statement confirming a HIV treatment regimen.

(Indiana State Department of Health; 410 IAC 1-7-9; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3497)

410 IAC 1-7-10 Information to the pregnant woman
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 10. (a) A provider, or his or her designee, shall provide the following to pregnant women at the appropriate times, which could include before delivery, at delivery, and after delivery:

(1) An explanation of the nature of AIDS and HIV which:

(A) is consistent with MMWR 41, RR-17, and MMWR 43, RR12; and

(B) includes the following elements:

(i) HIV results in a defect in cell-mediated immune response causing increased susceptibility to opportunistic infections and certain rare cancers.

(ii) HIV is a virus that is transmitted from one (1) person to another through blood, semen, vaginal secretions, or breast milk.

(iii) HIV is a virus that, without treatment, aggressively destroys the immune system.

(iv) AIDS is a severe immunological disorder that can result from HIV.

(2) Information that it is unlawful to discriminate against persons living with HIV in areas of employment, housing, and provision of health care services. If the women believe that they have been discriminated against, they may contact the Indiana civil rights commission.

(3) Information that women who have tested positive for HIV or who have been diagnosed with AIDS are not to engage in high-risk activity (including sexual or needle-sharing contact, which has been demonstrated to transmit a dangerous communicable disease) without warning past, present, or future sexual or needle-sharing partners before engaging in that high-risk activity. Carriers who know of their status as a carrier of HIV or AIDS have a duty to warn or cause to be warned by a third party a person at risk, including a spouse of the last ten (10) years, of the following:

(A) The carrier's disease status.

(B) The need to seek health care, such as counseling and testing.

(4) Information about risk behaviors for HIV transmission that is consistent with MMWR 50, RR19. It must include the following:

(A) High-risk activities refer to sexual or needle-sharing contact, which has been demonstrated to transmit HIV.

(B) HIV is known to be transmitted through blood, semen, vaginal secretions, and breast milk.

(5) Information about the risk of transmission through breastfeeding that is consistent with MMWR 50, RR19, including that breastfeeding by an HIV positive woman carries a risk for transmission of the virus from mother to infant.

(b) The department will continue to be a resource for educational information and referral sources. *(Indiana State Department of Health; 410 IAC 1-7-10; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3497)*

410 IAC 1-7-11 Notification to the pregnant woman
Authority: IC 16-41-6-11
Affected: IC 16-41-6-4

Sec. 11. If the mother of a newborn infant has not had a test performed for HIV or if the mother has refused a test for the newborn infant to detect HIV or the antibody or antigen to HIV and a physician believes that testing the newborn infant is medically necessary, the physician overseeing the care of the newborn infant may order a confidential test for the newborn infant in order to detect HIV or the antibody or antigen to HIV under IC 16-41-6-4. The test must be ordered at the earliest feasible time not exceeding forty-eight (48) hours after the birth of the infant. The mother shall be notified of the test and the result of the test. *(Indiana State Department of Health; 410 IAC 1-7-11; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3497)*

410 IAC 1-7-12 Obtaining consent
Authority: IC 16-41-6-11
Affected: IC 16-41-6-2; IC 16-41-6-7

Sec. 12. (a) The provider shall follow the procedures for

obtaining consent of the woman as detailed in IC 16-41-6-2.

(b) The provider shall inform the woman of her options under IC 16-41-6-7. *(Indiana State Department of Health; 410 IAC 1-7-12; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3497)*

410 IAC 1-7-13 Post-test counseling procedures
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 13. Post-test counseling will be conducted in a direct, straightforward, confidential manner by the provider or his or her designee. *(Indiana State Department of Health; 410 IAC 1-7-13; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3498)*

410 IAC 1-7-14 Referral procedures
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 14. The provider shall assess the patient's level of need and provide referrals to the appropriate services, which may include HIV-specific case management services. *(Indiana State Department of Health; 410 IAC 1-7-14; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3498)*

410 IAC 1-7-15 Importance of immediate HIV medical care
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 15. Providers, or their designees, shall counsel the patient regarding the importance of immediate entry into medical care for the duration of the pregnancy. *(Indiana State Department of Health; 410 IAC 1-7-15; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3498)*

410 IAC 1-7-16 Explanation of decreasing transmission of HIV during pregnancy
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 16. (a) Providers shall counsel that HIV can be transmitted to the fetus during pregnancy and treatment can significantly decrease that transmission.

(b) Providers shall counsel, prior to delivery, that giving birth by cesarean section may decrease transmission of HIV to the child, especially when done in combination with medications, if the HIV test results are positive.

(c) Counseling on this matter shall be conducted in a direct, straightforward, confidential manner by the provider or his or her designee. *(Indiana State Department of Health; 410 IAC 1-7-16; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3498)*

410 IAC 1-7-17 Incorporation by reference
Authority: IC 16-41-6-11
Affected: IC 16-41-6

Sec. 17. (a) The following documents are hereby incorporated by reference:

(1) Centers for Disease Control and Prevention publication: MMWR 2001 Revised Guidelines for HIV Counseling, Testing, and Referral and Revised Recommendations for HIV Screening of Pregnant Women – United States, 2001, November 9, 2001, Volume 50, No. RR 19.
(2) Centers for Disease Control and Prevention publication: 1994 Revised Classification System for Human Immunodeficiency Virus Infection in Children Less Than 13 Years of Age, September 30, 1994, Volume 43(RR-12).
(3) Centers for Disease Control and Prevention publication: MMWR 2002 U.S. Public Health Service Task Force Recommendations for Use of Antiretroviral Drugs in Pregnant HIV-1-Infected Women for Maternal Health and Interventions to Reduce Perinatal HIV-1 Transmission in the United States, November 22, 2002, Volume 51/RR18.
(4) Centers for Disease Control and Prevention publication: 1993 Revised Classification System for HIV Infection and Expanded Surveillance Case Definition for AIDS Among Adolescents and Adults, December 18, 1992, Volume 41(RR-17).

(b) All incorporated material is available for public review at the department.

(c) Copies of MMWR publications may be obtained from Centers for Disease Control and Prevention, MMWR Series, Mail Stop C-08, 1600 Clifton Road, N.E., Atlanta, Georgia 30333. *(Indiana State Department of Health; 410 IAC 1-7-17; filed Jun 25, 2004, 11:05 a.m.: 27 IR 3498)*

LSA Document #03-161(F)
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Filed with Secretary of State: June 25, 2004, 11:05 a.m.
Incorporated Documents Filed with Secretary of State: Centers for Disease Control and Prevention publications: MMWR 2001 Revised Guidelines for HIV Counseling, Testing, and Referral and Revised Recommendations for HIV Screening of Pregnant Women – United States, 2001, November 9, 2001, Volume 50, No. RR 19; 1994 Revised Classification System for Human Immunodeficiency Virus Infection in Children Less Than 13 Years of Age, September 30, 1994, Volume 43(RR-12); MMWR 2002 U.S. Public Health Service Task Force Recommendations for Use of Antiretroviral Drugs in Pregnant HIV-1-Infected Women for Maternal Health and Interventions to Reduce Perinatal HIV-1 Transmission in the United States, November 22, 2002, Volume 51/RR18; 1993 Revised Classification System for HIV Infection and Expanded Surveillance Case Definition for AIDS Among Adolescents and Adults, December 18, 1992, Volume 41(RR-17).

TITLE 511 INDIANA STATE BOARD OF EDUCATION

LSA Document #03-150(F)

DIGEST

Amends 511 IAC 6-7-6.1 to require students who enter high school after June 30, 2004, to complete Algebra I or Integrated Mathematics I. *NOTE: Under IC 4-22-2-40, LSA Document #03-150, printed at 26 IR 3938, was recalled by the Indiana State Board of Education, resubmitted for publication, and reprinted at 27 IR 1210.* Effective 30 days after filing with the secretary of state.

511 IAC 6-7-6.1

SECTION 1. 511 IAC 6-7-6.1 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6-7-6.1 Required and elective credits
Authority: IC 20-1-1-6
Affected: IC 20-10.1-4-7; IC 20-10.1-5.7-3

Sec. 6.1. (a) Beginning with students who enter high school in the 2000-2001 school year, a minimum of forty (40) credits is necessary for high school graduation. Twenty-four (24) of the credits shall be earned in the areas of study specified in subsection (b), and sixteen (16) of the credits shall be earned from courses in these and other areas of study listed in subsection (b) and 511 IAC 6.1-5.1.

(b) The twenty-four (24) required credits consist of the following:

(1) Language arts	8 credits
(2) Social studies	4 credits
(3) Mathematics	4 credits
(4) Science	4 credits
(5) Additional credits in the areas above or in technology competency	2 credits
(6) Health and education	1 credit
(7) Basic physical education	1 credit

(c) Courses that may be counted toward the required credits prescribed in subsection (b) are subject to the following provisions:

(1) A minimum of six (6) credits of the language arts requirement shall be from the English language arts area of study and is to provide a balance of writing, reading, listening, speaking, grammar, literature, and media studies. Two (2) credits may be from business technology, family and consumer sciences, technology education, or vocational-technical courses having predominately language arts content. For students who successfully complete a Level III foreign language course, two (2) credits of the language arts requirement may be waived.

(2) The social studies requirement shall include two (2) credits in United States history, one (1) credit in United States government, and one (1) credit in another social studies course or in global economics or consumer economics.

(3) **For students who enter high school after June 30, 2004, mathematics credits must include two (2) credits in Algebra I or Integrated Mathematics I unless a student has completed Algebra I or Integrated Mathematics I prior to entering high school.** A minimum of two (2) credits of the mathematics requirement shall be from the mathematics area of study. Two (2) credits may be from business technology, family and consumer sciences, technology education, or vocational-technical courses having predominately mathematics content.

(4) Subject to subdivisions (5) through (7), the health and education credit shall be from a course in the health and physical education area of study that has comprehensive health education content.

(5) The health education credit may be waived for a student if the student's program includes three (3) credits from the family and consumer sciences courses:

(A) Child development and parenting.
(B) Human development and family wellness.
(C) Interpersonal relationships.
(D) Nutrition and wellness.
(E) Orientation to life and careers or adult roles and responsibilities.

(6) One (1) credit substitution of either a science, family and consumer sciences, or health and physical education credit may be used to fulfill the health education requirement for students qualifying under the religious objection provision of IC 20-10.1-4-7 (hygiene instruction).

(7) The four (4) credits of science shall include content from more than one (1) of the major science discipline categories, which are life science, physical science, and earth and space science. Two (2) credits may be from business technology, family and consumer sciences, technology education, or vocational-technical courses having predominately science content.

(8) The technology competency requirement may be fulfilled by completing courses from the following:

(A) Computer applications.
(B) Computer applications, advanced.
(C) Computer keyboarding/document formatting.
(D) Computer programming.
(E) Business technology lab I.
(F) Business technology lab II.
(G) Computerized accounting services.
(H) Computer operations and/or programming.
(I) Introduction to computer applications.
(J) Computer graphics.
(K) Communications processes.
(L) Technology systems.
(M) Two (2) credits in business technology, family and consumer sciences, technology education, or vocational-technical courses having predominately technology content taught through a project-based approach.

(9) The technology competency requirement may be met by completing a student project that addresses individual, workplace, or community needs and demonstrates the ability to:

(A) evaluate, select, and apply appropriate technology tools and resources;

(B) use telecommunications tools and resources to meet needs for collaboration, research, publication, communications, and productivity;

(C) use technology tools for managing and exchanging information;

(D) use technology tools for information analysis, problem-solving, and decision making; and

(E) design, develop, publish, and disseminate information, models, or other creative products that include printed information and graphics, charts, tables, or other visual elements.

A student who meets the technology competency requirement by demonstrating these performances shall be given two (2) credits in computer applications.

(Indiana State Board of Education; 511 IAC 6-7-6.1; filed Mar 27, 2000, 9:07 a.m.: 23 IR 1999; filed Jun 30, 2004, 1:45 p.m.: 27 IR 3499)

LSA Document #03-150(F)
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Hearing Held: February 5, 2004
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Approved by Governor: June 28, 2004
Filed with Secretary of State: June 30, 2004, 1:45 p.m.
Incorporated Documents Filed with Secretary of State: None

TITLE 511 INDIANA STATE BOARD OF EDUCATION

LSA Document #03-151(F)

DIGEST

Amends 511 IAC 6.1-5.1-9 concerning business technology education and technology education and 511 IAC 6.1-5.1-10.1 concerning vocational-technical courses. Effective 30 days after filing with the secretary of state.

511 IAC 6.1-5.1-9
511 IAC 6.1-5.1-10.1

SECTION 1. 511 IAC 6.1-5.1-9 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-5.1-9 Business technology education; technology education

Authority: IC 20-1-1-6; IC 20-1-1.2-18
Affected: IC 20-10.1

Sec. 9. The following courses may be offered in the business technology education and technology education areas of study:

(1) The following business technology education courses:

(A) The following business technology education and economics courses:

(i) Accounting I.
(ii) Accounting II.
(iii) Business foundations.
(iv) Computer applications.
(v) Computer applications, advanced.
(vi) Computer keyboarding/document formatting.
(vii) Computer programming.
(viii) Digital communication tools.
~~(viii)~~ **(ix)** Marketing.
~~(ix)~~ **(x)** Business mathematics/personal finance.
~~(x)~~ **(xi)** Shorthand/notehand.

(B) The following advanced business technology education and economics courses:

(i) Business, college level.
(ii) Business and personal law.
(iii) Business management.
(iv) Desktop publishing.
~~(iv)~~ **(v)** Entrepreneurship.
(vi) Financial services and planning.
~~(v)~~ **(vii)** Global economics.
~~(vi)~~ **(viii)** International business.
~~(vii)~~ **(ix)** Technical/business communication.

(2) The following technology education courses:

(A) The following technology education courses:

(i) Communication systems (one (1) semester).
(ii) Construction systems (one (1) semester).
(iii) Manufacturing systems (one (1) semester).
(iv) Transportation systems (one (1) semester).
(v) Communication processes (one (1) or two (2) semesters).
(vi) Construction processes (one (1) or two (2) semesters).
(vii) Manufacturing processes (one (1) or two (2) semesters).
(viii) Transportation processes (one (1) or two (2) semesters).
(ix) Design processes (one (1) or two (2) semesters).
(x) Technology enterprises (one (1) semester).
(xi) Technology and society (one (1) semester).
(xii) Technology systems (one (1) or two (2) semesters).
(xiii) Fundamentals of engineering (one (1) semester).
(xiv) Computers in design and production systems (one (1) or two (2) semesters).

(B) ~~After July 1, 2001,~~ Schools involved in Project Lead the Way may substitute the following pre-engineering courses:

(i) Introduction to engineering design (two (2) semesters) in lieu of design processes.
(ii) Principles of engineering (two (2) semesters) in lieu of fundamentals of engineering.
(iii) Computer integrated manufacturing (two (2) semesters) in lieu of computers in design and production systems.

(C) Schools involved in Project Lead the Way may also offer the following pre-engineering courses:

(i) Aerospace technology.

(ii) Biotechnology.

(iii) Civil engineering and architecture.

(Indiana State Board of Education; 511 IAC 6.1-5.1-9; filed Nov 8, 1990, 3:05 p.m.: 14 IR 658; filed Jul 12, 1993, 10:00 a.m.: 16 IR 2853, eff Jul 1, 1993 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #92-143 was filed Jul 12, 1993.]; filed May 24, 1995, 10:00 a.m.: 18 IR 2409; filed May 28, 1998, 4:57 p.m.: 21 IR 3826; errata filed Aug 17, 1998, 10:21 a.m.: 22 IR 127; filed Dec 2, 2001, 12:22 p.m.: 25 IR 1141; filed Jun 30, 2004, 1:45 p.m.: 27 IR 3500)

SECTION 2. 511 IAC 6.1-5.1-10.1 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-5.1-10.1 Vocational-technical courses

Authority: IC 20-1-1-6; IC 20-1-1.2-18
Affected: IC 20-10.1

Sec. 10.1. (a) The following courses may be offered in the vocational-technical area of study:

(1) The following agricultural science and business courses:

(A) Fundamentals of agricultural science and business.

(B) The following agricultural business courses:

(i) Agribusiness management.

(ii) Agricultural mechanization.

(iii) Farm management.

(iv) Landscape management.

(v) Natural resource management.

(vi) Supervised agricultural experience.

(C) The following agricultural science courses:

(i) Animal science.

(ii) Food science.

(iii) Horticultural science.

(iv) Plant and soil science.

(2) The following business services and technology education courses:

(A) Career planning and success skills.

(B) The following business services and technology education laboratory courses:

(i) Business technology lab I.

(ii) Business technology lab II.

(iii) Business management and finance.

(iv) Computer operations and/or programming.

(v) Computerized accounting services.

(vi) Information technology network systems.

(vii) Information technology information support and services.

(viii) Information technology programming and software development.

(ix) Information technology interactive media.

(C) Business cooperative experiences (cooperative/related).

(3) The following health careers education courses:

(A) The following health careers education core courses:

(i) Introduction to health care systems.

(ii) Integrated health sciences I.

(iii) Integrated health sciences II.

(iv) Introduction to dental health careers.

(B) The following health careers education skill courses:

(i) Health careers I.

(ii) Health careers II.

(iii) Health careers III.

(iv) Introduction to medical assisting.

(v) Introduction to health care specialties.

(vi) Introduction to community health services.

(vii) Introduction to pharmacy.

(viii) Introduction to physical therapy.

(ix) Introduction to health care technology.

(x) Introduction to emergency medical services.

(xi) Dental assisting I, II, III, and IV.

(C) The following health occupations, other courses:

(i) Medical terminology.

(ii) Anatomy and physiology.

(D) Health career practicum (extended lab/related).

(4) The following one (1) semester family and consumer sciences courses:

(A) Orientation to life and careers.

(B) Nutrition and wellness.

(C) Child development and parenting.

(D) Interpersonal relationships.

(E) Adult roles and responsibilities.

(F) Consumer economics.

(G) Chemistry of foods.

(H) Advanced foods and nutrition.

(I) Advanced child development.

(J) Human development and family wellness.

(K) Housing and interiors.

(L) Textiles and fashion technologies.

(M) Family and consumer sciences issues and applications.

(5) The following one (1) year occupational family and consumer sciences courses:

(A) The following early childhood education and services courses:

(i) Early childhood education and services I.

(ii) Early childhood education and services II.

(B) The following apparel and textile occupations courses:

(i) Apparel and textile occupations I.

(ii) Apparel and textile occupations II.

(C) The following food industry occupations courses:

(i) Food industry occupations I.

(ii) Food industry occupations II.

(D) The following housing occupations courses:

(i) Housing occupations I.

(ii) Housing occupations II.

(E) The following residential and institutional facilities and equipment courses:

(i) Residential and institutional facilities and equipment I.

(ii) Residential and institutional facilities and equipment II.

(F) The following human services occupations courses:
(i) Human services I.
(ii) Human services II.
(G) The following cooperative occupational family and consumer sciences courses:
(i) Cooperative occupational family and consumer sciences I.
(ii) Cooperative occupational family and consumer sciences II.

(6) The following trade and industrial education courses:
~~(A) The following air conditioning courses:~~
~~(i) Cooling and refrigeration.~~
~~(ii) Heating and air conditioning.~~
~~(iii) Solar heating and cooling.~~
~~(B) The following appliance repair courses:~~
~~(i) Major appliance repair.~~
~~(ii) Small appliance repair.~~
~~(C) The following automotive courses:~~
~~(i) Body and fender repair.~~
~~(ii) Auto mechanics.~~
~~(iii) Auto specialization.~~
~~(D) The following aviation courses:~~
~~(i) Aircraft maintenance.~~
~~(ii) Air frame mechanics.~~
~~(iii) Aircraft mechanics.~~
~~(iv) Aircraft operations.~~
~~(v) Ground operations.~~
~~(E) The following business machine maintenance courses:~~
~~(i) Business machine maintenance.~~
~~(ii) Business machine repair.~~
~~(F) The following commercial art courses:~~
~~(i) Commercial art.~~
~~(ii) Interior design.~~
~~(iii) Product design.~~
~~(G) Commercial fishery.~~
~~(H) Commercial photography.~~
~~(I) The following construction and maintenance courses:~~
~~(i) Building trades.~~
~~(ii) Carpentry.~~
~~(iii) Electricity.~~
~~(iv) Masonry.~~
~~(v) Painting and decorating.~~
~~(vi) Plumbing and pipe fitting.~~
~~(J) The following custodial service courses:~~
~~(i) Custodial service.~~
~~(ii) Building maintenance.~~
~~(K) Diesel mechanics.~~
~~(L) The following drafting courses:~~
~~(i) Architectural.~~
~~(ii) Civil/structural.~~
~~(iii) Engineering.~~
~~(iv) Blueprint reading.~~
~~(v) Die designer.~~
~~(vi) Design.~~
~~(vii) Drafting.~~
~~(viii) Electrical/electronics.~~
~~(ix) Mechanical.~~
~~(M) The following electrical courses:~~
~~(i) Industrial electrician.~~
~~(ii) Lineman.~~
~~(iii) Motor repair.~~
~~(N) The following electronics courses:~~
~~(i) Biomedical.~~
~~(ii) Communications.~~
~~(iii) Computer electronics.~~
~~(iv) Electronic product servicing.~~
~~(v) Industrial electronics.~~
~~(vi) Radio/television repair.~~
~~(vii) Robotics.~~
~~(O) The following fabric maintenance courses:~~
~~(i) Dry cleaning.~~
~~(ii) Laundering.~~
~~(P) Foremanship, supervision, and management development.~~
~~(Q) The following graphic arts-printing courses:~~
~~(i) Graphic arts.~~
~~(ii) Printing.~~
~~(R) Industrial atomic energy.~~
~~(S) The following instrument maintenance and repair courses:~~
~~(i) Instrument maintenance and repair.~~
~~(ii) Watchmaking and repair.~~
~~(T) The following maritime courses:~~
~~(i) Maritime.~~
~~(ii) Marine maintenance.~~
~~(U) The following metalworking courses:~~
~~(i) Foundry.~~
~~(ii) Machine shop.~~
~~(iii) Machine tool operation.~~
~~(iv) Sheet metal.~~
~~(v) Metal fabrication.~~
~~(vi) Welding and cutting.~~
~~(vii) Gas welding.~~
~~(viii) Electric welding.~~
~~(ix) Tool and die making.~~
~~(V) Metallurgy.~~
~~(W) The following precision food production courses:~~
~~(i) Precision food production, general.~~
~~(ii) Meat cutting.~~
~~(iii) Slaughtering and butchering.~~
~~(iv) Precision food production.~~
~~(X) The following personal services courses:~~
~~(i) Barbering.~~
~~(ii) Cosmetology.~~
~~(iii) Electrolysis.~~
~~(Y) Plastics.~~
~~(Z) The following public service courses:~~
~~(i) Fireman training.~~
~~(ii) Law enforcement training.~~
~~(AA) Small engine repair.~~

~~(BB) Stationary energy sources.~~
~~(CC) The following textile production and fabrication courses:~~
~~(i) Textile production and fabrication.~~
~~(ii) Commercial sewing.~~
~~(iii) Tailoring.~~
~~(DD) The following leather working courses:~~
~~(i) Leather working.~~
~~(ii) Shoe repair.~~
~~(EE) Upholstering.~~
~~(FF) The following woodworking courses:~~
~~(i) Cabinet making.~~
~~(ii) Millwork.~~
~~(iii) Furniture making.~~
~~(iv) Woodworking, general.~~
(A) Aerospace engineering technology.
(B) Aircraft operations.
(C) Appliance technology.
(D) Automotive collision repair technology.
(E) Automotive services technology.
(F) Aviation maintenance technology.
(G) Aviation support operations.
(H) Biotechnical engineering.
(I) Building facilities and management.
(J) Building trades technology.
(K) Cabinet and furniture manufacturing.
(L) Civil-architectural engineering.
(M) Commercial art and graphic design.
(N) Commercial photography.
(O) 3D computer animation and visualization.
(P) Computer integrated manufacturing.
(Q) Computer network technology.
(R) Computer repair and maintenance technology.
(S) Cosmetology.
(T) Diesel service technology.
(U) Digital electronics technology.
(V) Drafting and computer aided design (CAD).
(W) Electronics technology.
(X) Engineering.
(Y) Fire science.
(Z) Graphic imaging technology.
(AA) Heating, ventilation, air conditioning, and refrigeration (HVACR).
(BB) Industrial repair and maintenance.
(CC) Law enforcement.
(DD) Plastics technology.
(EE) Precision machine technology.
(FF) Recreational and portable power equipment.
(GG) Tractor/trailer operation.
(HH) Welding technology.
~~(GG)~~ **(II)** The following industrial cooperative training courses:
(i) Related instruction.
(ii) On-the-job training.

(7) The following interdisciplinary cooperative education courses:
(A) Related instruction.
(B) On-the-job training.

(8) The following marketing education courses:
(A) The following marketing courses:
(i) Marketing foundations.
(ii) Marketing, advanced (related).
(B) The following specialized marketing education courses:
(i) Entrepreneurship.
(ii) Fashion merchandising.
(iii) Financial services marketing.
(iv) Hospitality, travel, and tourism.
(v) Marketing seminar.
(vi) Sports, recreation, and entertainment marketing.
(vii) Radio-TV broadcasting/telecommunications.
(C) Marketing field experiences (cooperative).

(b) All of the courses listed in subsection (a) must also meet the requirements of 511 IAC 8.

(c) Schools may qualify their family and consumer sciences programs for vocational status by meeting the following additional requirements:

(1) A minimum offering for vocational family and consumer sciences consists of teaching orientation to life and careers or interpersonal relationships every year and teaching at least four (4) additional courses from the following:
(A) Nutrition and wellness.
(B) Interpersonal relationships.
(C) Child development and parenting or human development and family wellness.
(D) Adult roles and responsibilities.
(E) Consumer economics.
(F) Orientation to life and careers.
This minimum offering must be taught within any consecutive two (2) year time period.

(2) A major in vocational family and consumer sciences education consists of at least six (6) credits, including three (3) of the following:
(A) Orientation to life and careers.
(B) Adult roles and responsibilities.
(C) Nutrition and wellness.
(D) Child development and parenting or human development and family wellness.
(E) Interpersonal relationships.

(3) A minor in vocational family and consumer sciences consists of at least four (4) credits from the following:
(A) Child development and parenting or human development and family wellness.
(B) Nutrition and wellness.
(C) Orientation to life and careers.
(D) Adult roles and responsibilities.
(E) Consumer economics.
(F) Interpersonal relationships.

(Indiana State Board of Education; 511 IAC 6.1-5.1-10.1; filed Jul 12, 1993, 10:00 a.m.: 16 IR 2854, eff Jul 1, 1993 [IC 4-22-

2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #92-143 was filed Jul 12, 1993.]; filed May 28, 1998, 4:57 p.m.: 21 IR 3827; errata filed Aug 17, 1998, 10:21 a.m.: 22 IR 127; filed Dec 2, 2001, 12:22 p.m.: 25 IR 1143; filed Jun 30, 2004, 1:45 p.m.: 27 IR 3501)

LSA Document #03-151(F)
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Incorporated Documents Filed with Secretary of State: None

TITLE 511 INDIANA STATE BOARD OF EDUCATION

LSA Document #03-185(F)

DIGEST

Amends 511 IAC 1-3-1 to add a new definition for data required to be collected by 20 U.S.C.A. 7112(c)(3)(B)(i) and to define truancy rate, unexcused absence, and aggregate unexcused absences. Effective 30 days after filing with the secretary of state.

511 IAC 1-3-1

SECTION 1. 511 IAC 1-3-1 IS AMENDED TO READ AS FOLLOWS:

511 IAC 1-3-1 Definitions
Authority: IC 20-1-1-6
Affected: IC 20-8.1-3; IC 21-3-1.6-1.1; IC 21-3-1.6-3; IC 21-3-4.5-1

Sec. 1. (a) "ADA flat grant" means the distribution of funds provided for in IC 21-3-4.5.

(b) "Additional pupil count" or "APC" means the number of pupils enrolled in programs as specified in IC 21-3-1.6-3.

(c) "Aggregate days of attendance" means the total days of attendance accumulated by all students enrolled in grades K-12.

(d) "Aggregate days of enrollment" means the total student instructional days of enrollment accumulated by all students in grades K-12 during the regular school year.

(e) "Aggregate days of unexcused absence" means the total days of unexcused absence accumulated by all students enrolled in grades kindergarten through 12.

~~(e)~~ **(f)** "Average daily attendance" or "ADA" means the result of dividing the number of aggregate days of attendance for the reporting period by the number of student instructional days during the reporting period.

~~(f)~~ **(g)** "Average daily enrollment" means the result of dividing the aggregate days of enrollment by the number of student instructional days during the regular school year.

~~(g)~~ **(h)** "Average daily membership" or "ADM" means the number of pupils with legal settlement in the school corporation enrolled in the school corporation or in a transferee corporation on the second Friday following Labor Day. Kindergarten pupils attending half-time or more shall be counted as one-half (½).

~~(h)~~ **(i)** "Board" means the **Indiana** state board of education.

~~(i)~~ **(j)** "Department" means the department of education.

~~(j)~~ **(k)** "Postgraduate student" means a person who has received a high school diploma or its equivalent.

~~(k)~~ **(l)** "Reporting period" means:
(1) for purposes of determining ADA for the ADA flat grant, the three (3) week period beginning the first Monday following Labor Day;
(2) for purposes of determining ADA for the regular school year, the period beginning the first day of the regular school year and ending the last day of the regular school year;
(3) for purposes of determining ADA for summer school, the period beginning the first day of the summer school session and ending the last day of the summer school session; and
(4) for other purposes, the period determined by the board.

~~(l)~~ **(m)** "Student attendance rate" means the result of dividing the number of aggregate days of attendance for the regular school year by the number of aggregate days of enrollment.

(n) "Truancy rate" means the result of dividing the number of aggregate days of unexcused absence accumulated by students under eighteen (18) years of age for the regular school year by the number of aggregate days of enrollment.

(o) "Unexcused absence" means an absence from school that is:
(1) not authorized by the local school administrator or local school corporation rule; and
(2) a violation of IC 20-8.1-3.
An out-of-school suspension is not an unexcused absence.
(Indiana State Board of Education; Rule A-1, Sec 1; filed May 8, 1978, 3:21 p.m.: Rules and Regs. 1979, p. 78; filed Mar 15, 1988, 10:45 a.m.: 11 IR 2857; readopted filed Oct 12, 2001, 12:55 p.m.: 25 IR 937; filed Jun 22, 2004, 5:15 p.m.: 27 IR 3504) NOTE: Transferred from the commission on general education (510 IAC 2-1-1) to the Indiana state board of

education (511 IAC 1-3-1) by P.L.20-1984, SECTION 206. Effective July 1, 1984.

LSA Document #03-185(F)
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Approved by Governor: June 18, 2004
Filed with Secretary of State: June 22, 2004, 5:15 p.m.
Incorporated Documents Filed with Secretary of State: None

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #03-278(F)

DIGEST

Amends 675 IAC 12-4-11 of the General Administrative Rules to address the use of Class 1 structures classified as A, B, E, or M occupancies for residential occupancy for up to 30 days in a calendar year. Effective 30 days after filing with the secretary of state.

675 IAC 12-4-11

SECTION 1. 675 IAC 12-4-11 IS AMENDED TO READ AS FOLLOWS:

675 IAC 12-4-11 Occupancy of existing buildings

Authority: IC 22-13-2-13
Affected: IC 12-17.2; IC 22-12-6-6; IC 22-13-2-2; IC 22-13-2-8; IC 36-8-17-13

Sec. 11. (a) Any building or structure lawfully in existence at the time of the adoption of any rule of the commission for new construction may have its existing use or occupancy continued without having to be altered to comply with such a rule.

(b) No change in the character or use of any building or structure shall be permitted ~~which~~ **that** shall cause the building or structure to be classified within a different occupancy group or within a different division of the same occupancy group, unless such building or structure **complies with, or is made to comply with:**

(1) ~~complies with, or is made to comply with,~~ the current rules of the commission for new construction for the proposed revised use of the building;

(2) ~~complies with, or is made to comply with,~~ the provisions of 675 IAC 12-8; or

(3) ~~complies with, or is made to comply with,~~ the provisions of 675 IAC 12-13.

Exception: Buildings constructed prior to the effective date of the 1998 Indiana building code (675 IAC 13) that change occupancy classification shall not be considered as a change in occupancy as outlined as follows:

Previous Classification	1998 IBC Classifications
B-1	S-3
B-2	B, F-1, M, S-1, and S-2
B-3	S-4 and S-5
B-4	F-2 and S-2
Open Parking Garage	S-4
M	U

(c) Occupancies or rooms, in which the use is changed to include the consumption of alcoholic beverages, and unseparated accessory uses to those occupancies or rooms, where the total area of such unseparated rooms and accessory uses exceeds five thousand (5,000) square feet, shall be made to comply with the sprinkler requirements of 675 IAC 13. For the use to be considered as separated, the separation shall not be less than as required for a one (1) hour occupancy separation in accordance with 675 IAC 13.

(d) The office of the state building commissioner may conduct an inspection to determine ~~the following~~ **that:**

(1) ~~that~~ a building or structure may be exempted from the rules for new construction under 675 IAC 12-8 or 675 IAC 12-13; or

(2) ~~that~~ a proposed change in character or use of any Class 1 building or structure will not cause noncompliance with subsection (b).

(e) Subsection (b) shall not prohibit the following accessory uses within Class 2 structures provided they are in one (1) room ~~which~~ **that** does not exceed five hundred (500) square feet in floor area:

(1) Wholesale and retail sales.
(2) Offices.
(3) Craft or hobby workshops.
(4) Storage and sales rooms for other than hazardous materials.
(5) Instructional classroom for less than twenty (20) adults or children when used not more than twelve (12) hours per week or four (4) hours in any one (1) day.

(f) Subsection (b) shall not prohibit the following accessory uses within Class 2 structures: Class I child care homes and Class II child care homes, licensed in accordance with IC 12-17.2.

(g) Subsection (b) shall not prohibit the use of a Class 1 structure for residential occupancy not to exceed thirty (30) days in a calendar year, if all of the following conditions are met:

(1) The portion of the Class 1 structure being used for the residential occupancy is classified as A, B, E, or M occupancy.

(2) All existing exit signs shall be fully operational at all times.

(3) All means of egress shall be completely clear and unobstructed. All rooms used for sleeping shall exit to a corridor or exterior exit door.
(4) All emergency lighting shall be fully operational at all times. If emergency lighting is not installed in the building, it shall be installed in accordance with the current Indiana building code.
(5) All fire alarm systems, including manual pull stations, smoke detectors, horns, and strobes shall be fully operational and shall have been tested in accordance with the rules of the commission within the preceding twelve (12) months. Test documentation shall be maintained on the premises for inspection by the fire official.
(6) For buildings without an automatic alarm system, battery-operated smoke alarms shall be located in each room or space in which people will be sleeping. These alarms shall be tested at least monthly and shall be kept fully operational at all times. Test documentation shall be maintained on the premises for inspection by the fire official.
(7) No extension cords shall be used. Power strips with circuit breakers are permitted.
(8) Smoking within the building or buildings shall be prohibited at all times. "No Smoking" signs shall be posted in all areas used for residential purposes.
(9) Emergency evacuation plans shall be established in writing, including procedures to be followed in case of emergencies, location of exits, and gathering place outside for assembly after evacuation in the event of a fire or other emergency. All individuals using the building shall be trained in the emergency evacuation procedures.
(10) There shall be telephone access at all times for notification of emergencies.
(11) The officer on duty at the nearest responding fire station shall be notified that the building is being used for a residential occupancy, and a calendar shall be provided to the fire station showing the dates that people will be using the building for a residential occupancy and listing a contact phone number for a representative of the organization that uses the structure for residential purposes.
(12) All of the members, volunteers, and employees of the following who are present when the building is used for residential occupancy shall be trained in emergency procedures and shall be equipped with flashlights:
(A) The entity that operates the facility for nonresidential purposes; and
(B) The organization that uses the structure for residential purposes.
(13) At least one (1) adult member, volunteer, or employee of:
(A) the entity that operates the facility for nonresidential purposes; or
(B) the organization that uses the structure for residential purposes;
shall be awake and on duty at all times that people are sleeping in the building.
(14) There shall be at least one (1) adult member, volunteer, or employee of:
(A) the entity that operates the facility for nonresidential purposes; or
(B) the organization that uses the structure for residential purposes;
on site for each fifteen (15) people who will be sleeping in the building.

(Fire Prevention and Building Safety Commission; 675 IAC 12-4-11; filed Jul 17, 1987, 2:30 p.m.: 10 IR 2684, eff Aug 1, 1987 [IC 4-22-2-36 suspends the effectiveness of a rule document for 30 days after filing with the secretary of state. LSA Document #87-53 was filed Jul 17, 1987.]; filed Jul 23, 1992, 1:00 p.m.: 15 IR 2585, eff Jun 1, 1992 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #92-11 was filed Jul 23, 1992.]; filed Jan 30, 1998, 4:00 p.m.: 21 IR 2084; errata filed Apr 15, 1998, 10:30 a.m.: 21 IR 3367; filed Nov 20, 2000, 3:25 p.m.: 24 IR 998; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Jun 25, 2004, 11:00 a.m.: 27 IR 3505)

LSA Document #03-278(F)
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Proposed Rule Published: December 1, 2003; 27 IR 941
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Approved by Governor: June 23, 2004
Filed with Secretary of State: June 25, 2004, 11:00 a.m.
Incorporated Documents Filed with Secretary of State: None

TITLE 836 INDIANA EMERGENCY MEDICAL SERVICES COMMISSION

LSA Document #03-188(F)

DIGEST

Amends 836 IAC 1, 836 IAC 2, 836 IAC 3, and 836 IAC 4 to make substantive and technical revisions, to make clarifications, and to make corrections to the requirements and provisions applicable to emergency medical service personnel, transport and nontransport providers, supervising hospitals, air ambulances (both rotorcraft and fixed-wing), and other emergency medical service vehicles (both transport and nontransport). Adds 836 IAC 1-1-4, 836 IAC 1-1-5, 836 IAC 1-1-6, 836 IAC 1-1-7, 836 IAC 1-1-8, 836 IAC 1-2-5, 836 IAC 1-12, and 836 IAC 2-2-4 to generalize sections that apply to all provider organizations and change rules to correspond with legislative changes. Repeals 836 IAC 2-7.1, 836 IAC 2-11-1, 836 IAC 4-6-1, and 836 IAC 4-8-1. Effective 30 days after filing with the secretary of state.

836 IAC 1-1-1
836 IAC 1-1-2
836 IAC 1-1-3
836 IAC 1-1-4
836 IAC 1-1-5
836 IAC 1-1-6
836 IAC 1-1-7
836 IAC 1-1-8
836 IAC 1-2-1
836 IAC 1-2-2
836 IAC 1-2-3
836 IAC 1-2-5
836 IAC 1-3-1
836 IAC 1-3-2
836 IAC 1-3-3
836 IAC 1-3-5
836 IAC 1-3-6
836 IAC 1-4-1
836 IAC 1-4-2
836 IAC 1-11-1
836 IAC 1-11-2
836 IAC 1-11-3
836 IAC 1-11-4
836 IAC 1-12
836 IAC 2-1-1
836 IAC 2-2-1
836 IAC 2-2-2
836 IAC 2-2-3
836 IAC 2-2-4
836 IAC 2-4.1-1
836 IAC 2-4.1-2
836 IAC 2-7.1
836 IAC 2-7.2-1
836 IAC 2-7.2-2
836 IAC 2-7.2-3
836 IAC 2-7.2-4
836 IAC 2-11-1
836 IAC 2-14-1
836 IAC 2-14-2
836 IAC 2-14-3
836 IAC 2-14-5
836 IAC 3-1-1
836 IAC 3-2-1
836 IAC 3-2-2
836 IAC 3-2-3
836 IAC 3-2-4
836 IAC 3-2-5
836 IAC 3-2-6
836 IAC 3-2-7
836 IAC 3-3-1
836 IAC 3-3-2
836 IAC 3-3-3
836 IAC 3-3-4
836 IAC 3-3-5
836 IAC 3-3-6
836 IAC 3-3-7
836 IAC 3-5-1
836 IAC 4-1-1
836 IAC 4-2-1
836 IAC 4-2-2
836 IAC 4-2-3
836 IAC 4-2-4
836 IAC 4-3-2
836 IAC 4-3-3
836 IAC 4-4-1
836 IAC 4-4-2
836 IAC 4-4-3
836 IAC 4-5-2
836 IAC 4-6-1
836 IAC 4-7-1
836 IAC 4-7-2
836 IAC 4-7-3
836 IAC 4-7-3.5
836 IAC 4-7-4
836 IAC 4-7.1-1
836 IAC 4-7.1-2
836 IAC 4-7.1-3
836 IAC 4-7.1-4
836 IAC 4-7.1-5
836 IAC 4-7.1-6
836 IAC 4-8-1
836 IAC 4-9-1
836 IAC 4-9-2
836 IAC 4-9-3
836 IAC 4-9-4
836 IAC 4-9-5
836 IAC 4-9-6

SECTION 1. 836 IAC 1-1-1 IS AMENDED TO READ AS FOLLOWS:

Rule 1. Definitions and General Requirements

836 IAC 1-1-1 Definitions

Authority: IC 16-31-2-7
Affected: IC 10-14-3-12; IC 16-18; IC 16-21-2; IC 16-31-2-9; IC 16-31-3; IC 25-22.5-1-1.1; IC 25-23-1-1.1; IC 35-41-1-26.5

Sec. 1. The following definitions apply throughout this ~~article~~ **title** unless the context clearly denotes otherwise:

(1) **"14 CFR 135 and 14 CFR 119" means air carriers with reference to F.A.R. 135 and 119, and holding a current F.A.A. air carrier certificate, with approved air ambulance operations-helicopter or air ambulance operation-airplane operations specifications.**

(2) "Advanced life support", for purposes of IC 16-31, means the following:

(A) Care given:

(i) at the scene of an:

(AA) accident;

(BB) act of terrorism (as defined in IC 35-41-1-26.5), if the governor has declared a disaster emergency under IC 10-14-3-12 in response to the act of terrorism; or

(CC) illness;

(ii) during transport; or

(iii) at a hospital;

by a paramedic, emergency medical technician-intermediate, and that is more advanced than the care usually provided by an emergency medical technician or an emergency medical technician-basic advanced.

(B) The term may include any of the following:

(i) Defibrillation.

(ii) Endotracheal intubation.

(iii) Parenteral injection of appropriate medications.

(iv) Electrocardiogram interpretation.

(v) Emergency management of trauma and illness.

(3) "Advanced life support fixed-wing ambulance service provider organization" means a service provider that utilizes fixed-wing aircraft to provide airport to airport transports where the patients involved require a stretcher or cot and are being transported to or from a definite care medical setting.

(4) "Advanced life support nontransport vehicle" means a motor vehicle other than an ambulance, owned or leased by a certified emergency medical service provider organization, that provides advanced life support but does not supply patient transport from the scene of the emergency. The term does not include an employer-owned or employer-operated vehicle used for first aid purposes within or upon the employer's premises.

(5) "Advanced life support rotorcraft ambulance service provider organization" means a service provider that utilizes rotorcraft aircraft to respond directly to the scene of a medical emergency either as an initial first responder or as a secondary responder and are utilized to airlift critically ill or injured patients directly to or between definitive care facilities or to a point of transfer with another more appropriate form of transportation.

(6) "Agency" means the state emergency management agency emergency medical services division.

(7) "Air-medical director" means a physician with an unlimited license to practice medicine in Indiana and who has an active role in the delivery of emergency care. The

licensed physician shall be ultimately responsible for patient care during each transport. The air-medical director is responsible for directly overseeing and assuring that appropriate aircraft, air-medical personnel, and equipment are provided for each patient transported by the air ambulances within the air-medical services as well as the performance of air-medical personnel.

(8) "Air-medical personnel" means a person who is certified by the commission as a paramedic or is a registered nurse or physician.

(9) "Ambulance" means any conveyance on land, sea, or air that is used, or is intended to be used, for the purpose of responding to emergency life-threatening situations and providing transportation of an emergency patient.

~~(2)~~ **(10)** "Ambulance service provider **organization"** means any person certified by the commission who engages in or seeks to furnish, operate, conduct, maintain, advertise, or otherwise engage in services for the transportation and care of emergency patients as a part of a regular course of doing business, either paid or voluntary.

~~(3)~~ **(11)** "Auto-injector" means a spring-loaded needle and syringe that:

(A) contains a single dose of medication; and

(B) automatically releases and injects the medication.

~~(4)~~ **(12)** "Basic life support" means the following:

(A) Assessment of emergency patients.

(B) Administration of oxygen.

(C) Use of mechanical breathing devices.

(D) Application of antishock trousers.

(E) Performance of cardiopulmonary resuscitation.

(F) Application of dressings and bandage materials.

(G) Application of splinting and immobilization devices.

(H) Use of lifting and moving devices to ensure safe transport.

(I) Use of an automatic or a semiautomatic defibrillator if the defibrillator is used in accordance with training procedures established by the commission.

(J) Administration by an emergency medical technician **or emergency medical technician-basic advanced** of epinephrine through an auto-injector.

(K) **For an emergency medical technician-basic advanced, the following:**

(i) Electrocardiogram interpretation.

(ii) Manual external defibrillation.

(iii) Intravenous fluid therapy.

(L) Other procedures authorized by the commission, including procedures contained in the revised national emergency medical technician-basic training curriculum guide.

(M) Except as provided by:

(i) clause (J) and the training and certifications standards established under IC 16-31-2-9(4);

(ii) clause (K)(iii); and

(iii) the training standards established under IC 16-31-2-9(5);

the term does not include invasive medical care techniques ~~except for clause (J) and the training and certification standards established under IC 16-31-2-9(4) and the training and certification standards established under IC 16-31-2-9(5).~~ **or advanced life support.**

(13) "Basic life support nontransport provider organization" means an organization, certified by the commission, that provides first response patient care at an emergency that includes defibrillation but does not supply patient transport from the scene of the emergency.

~~(5)~~ **(14)** "Certificate" or "certification" means authorization in written form issued by the commission to a person to furnish, operate, conduct, maintain, advertise, or otherwise engage in providing emergency medical services as a part of a regular course of doing business, either paid or voluntary.

~~(6)~~ **(15)** "Commission" means the Indiana emergency medical services commission.

~~(7)~~ **(16)** "Director" means the director of the state emergency management agency.

~~(8)~~ **(17)** "Emergency ambulance services" means the transportation of emergency patients by ambulance and the administration of ~~emergency care procedures~~ **basic life support** to emergency patients before or during such transportation.

(18) "Emergency management of trauma and illness" means the following:

(A) For a paramedic, those procedures for which the paramedic has been specifically trained and:

(i) that are a part of the curriculum prescribed by the commission; or

(ii) are a part of the continuing education program and approved by the supervising hospital and the paramedic provider organization's medical director.

(B) For an emergency medical technician-intermediate, those procedures for which the emergency medical technician-intermediate has been specifically trained:

(i) in the Indiana basic emergency medical technician and Indiana emergency medical technician-intermediate curriculums; and

(ii) that have been approved by the administrative and medical staff of the supervising hospital, the emergency medical technician-intermediate provider organization medical director, and the commission as being within the scope and responsibility of the emergency medical technician-intermediate.

~~(9) "Emergency medical service nontransport provider" means an organization, certified by the commission, that provides first response patient care at an emergency that includes defibrillation, but does not supply patient transport from the scene of the emergency.~~

~~(10)~~ **(19)** "Emergency medical services" means the provision of emergency ambulance services or other services, **including extrication and rescue services,** utilized in serving an individual's need for immediate medical care in order to prevent loss of life or aggravation of physiological or psychological illness or injury.

~~(11)~~ **(20)** "Emergency medical services driver" means an individual who has a certificate of completion of a commission-approved driver training course.

~~(12)~~ **(21)** "Emergency medical services provider **organization"** means any person certified by the commission who engages in or seeks to furnish, operate, conduct, maintain, advertise, or otherwise engage in services for the care of emergency patients as part of a regular course of doing business, either paid or voluntary.

~~(13)~~ **(22)** "Emergency medical services vehicle" means **the following:**

(A) An ambulance.

(B) An emergency medical service nontransport vehicle.

~~(C) a rescue squad; or~~

~~(D) an advanced life support nontransport vehicle.~~

(23) "Emergency medical technician" means an individual who is certified under this article to provide basic life support at the scene of an accident or an illness or during transport.

~~(14)~~ **(24)** "Emergency medical technician-**basic advanced"** means an individual who is certified ~~by the commission~~ **under IC 16-31** to provide basic life support at the scene of an accident **or** an illness or during transport **and has been certified to perform manual or automated defibrillation, rhythm interpretation, and intravenous line placement.**

(25) "Emergency medical technician-basic advanced provider organization" means an ambulance service provider or other provider organization certified by the commission to provide basic life support services administered by emergency medical technicians-basic advanced and has been certified to perform manual or automated defibrillation, rhythm interpretation, and intravenous line placement in conjunction with a supervising hospital.

(26) "Emergency medical technician-intermediate" means an individual who can perform at least one (1) but not all of the procedures of a paramedic and who:

(A) has completed a prescribed course in advanced life support;

(B) has been certified by the commission;

(C) is associated with a single supervising hospital; and

(D) is affiliated with a provider organization.

(27) "Emergency medical technician-intermediate provider organization" means an ambulance service provider organization or other provider organization certified by the commission to provide advanced life support services administered by emergency medical technician-intermediates in conjunction with a supervising hospital.

~~(15)~~ **(28)** "Emergency patient" means an individual who is acutely ill, injured, or otherwise incapacitated or helpless and who requires emergency care. The term includes an individual who requires transportation on a litter or cot or is transported in a vehicle certified as an ambulance under IC 16-31-3.

(29) "Extrication service" means any actions that disentangle and frees *[sic., free]* **from entrapment.**

~~(16)~~ **(30)** "F.A.A." means the Federal Aviation Administration.

~~(17)~~ **(31)** "F.A.R." means the federal aviation regulations, including, but not limited to, 14 CFR.

(32) "First responder" means an individual who is:

(A) certified under IC 16-31 and who meets the commission's standards for first responder certification; and

(B) the first individual to respond to an incident requiring emergency medical services.

(33) "Fixed-wing ambulance" means a propeller or jet airplane.

(34) "Flight physiology" means the physiological stress of flight encountered during air medical operations to include, but not be limited to:

(A) temperature;

(B) pressure;

(C) stresses of barometric pressure changes;

(D) hypoxia;

(E) thermal and humidity changes;

(F) gravitational forces;

(G) noise;

(H) vibration;

(I) fatigue; and

(J) volume and mass of gases.

(35) "Medical director" means a physician with an unlimited license to practice medicine in Indiana and who has an active role in the delivery of emergency care.

~~(18)~~ **(36)** "Nontransporting emergency medical services vehicle" **or "emergency medical service nontransport vehicle"** means a motor vehicle, other than an ambulance, used for emergency medical services. The term does not include an employer-owned or employer-operated vehicle used for first aid purposes within or upon the employer's premises.

(37) "Paramedic" means an individual who:

(A) is:

(i) affiliated with a certified paramedic provider organization;

(ii) employed by a sponsoring hospital approved by the commission; or

(iii) employed by a supervising hospital with a contract for inservice education with a sponsoring hospital approved by the commission;

(B) has completed a prescribed course in advanced life support; and

(C) has been certified by the commission.

(38) "Paramedic provider organization" means an ambulance service provider organization or other provider organization certified by the commission to provide advanced life support services administered by paramedics or physicians with an unlimited license to practice medicine in Indiana in conjunction with supervising hospitals.

~~(19)~~ **(39)** "Person" means any:

(A) natural person or persons;

(B) partnership;
(C) corporation;
(D) association;
(E) joint stock association; or
(F) governmental entity other than an agency or instrumentality of the United States. **"Agency or instrumentality of the United States" does not include a person operating under a contract with the government of the United States.**

(40) "Physician" means an individual who currently holds a valid unlimited license to practice medicine in Indiana under IC 25-22.5-1-1.1.

(41) "Program director" means a person employed by a certified training institution to coordinate the emergency medical services training programs.

(42) "Provider organization" means an ambulance service or other emergency care organization certified by the commission to provide emergency medical services.

(43) "Provider organization operating area" means the geographic area in which an emergency medical technician-basic advanced, affiliated with a specific emergency medical technician-basic advanced provider organization, is able to maintain two-way voice communication with the provider organization's supervising hospitals.

(44) "Registered nurse" means a person licensed under IC 25-23-1-1.1.

(45) "Rescue services" means the provision of basic life support except it does not include the following:

(A) Administration of oxygen.
(B) Use of mechanical breathing devices.
(C) Application of antishock trousers.
(D) Application of splinting devices.
(E) Use of an automatic or a semiautomatic defibrillator.
(F) Electrocardiogram interpretation.
(G) Manual external defibrillation.
(H) Intravenous fluid therapy.
(I) Invasive medical care techniques.

~~(20)~~ **(46)** "Rescue squad organization" means an organization that holds a voluntary certification to provide extrication, rescue, or emergency medical services.

(47) "Supervising hospital" means a hospital licensed under IC 16-21-2 or under the licensing laws of another state that has been certified by the commission to supervise paramedics, emergency medical technicians-intermediate, emergency medical technician-basic advanced, and provider organizations in providing emergency medical care.

(48) "Training institution" means an institution certified by the commission to administer emergency medical services training programs.

(Indiana Emergency Medical Services Commission; Emergency Medical Services Preliminary; filed Jun 5, 1975, 11:57 a.m.: Rules and Regs. 1976, p. 84; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2191; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1035; filed Aug 18, 1986, 1:00 p.m.: 10 IR 23; filed May 15, 1998, 10:25 a.m.: 21 IR 3865; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2718; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2333; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3507)

SECTION 2. 836 IAC 1-1-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-1-2 Enforcement

Authority: IC 16-31-2-7; IC 16-31-3-14; IC 16-31-3-14.5; IC 16-31-3-16; IC 16-31-3-17
Affected: IC 16-31

Sec. 2. ~~(a) After notice and hearing, the commission may suspend, revoke, or refuse to issue or reissue any certificate issued under IC 16-31-3 and this title for any of the following reasons:~~

~~(1) Demonstrated incompetence or inability to provide adequate services as defined in any Indiana commission approved training curricula for which a person has completed to acquire certification.~~

~~(2) Deceptive or fraudulent procurement of certification or recertification credentials and/or documentation.~~

~~(3) Willful or negligent practice beyond the scope of practice as defined by any Indiana commission- approved training curricula and this title.~~

~~(4) Delegating a skill to a person not qualified.~~

~~(5) Abuse or abandonment of a patient.~~

~~(6) Rendering of services under the influence of alcohol or drugs.~~

~~(7) Operation of an emergency medical services vehicle in a reckless or grossly negligent manner or while under the influence of alcohol or drugs.~~

~~(8) Unauthorized disclosure of medical records or other confidential patient information.~~

~~(9) Willful preparation or filing of false medical reports, or the inducement of others to do so.~~

~~(10) Unauthorized destruction of medical records.~~

~~(11) Refusal to respond to a call or to render emergency medical care when operating in an official capacity because of a patient's race, sex, creed, national origin, sexual preference, age, disability, or medical condition.~~

~~(12) Failure to comply with any part of IC 16-31-3 or this title.~~

~~(13) Conviction of a crime listed under IC 16-31-3-14.5 or IC 16-31-3-15. As used in this section, "conviction" means:~~

~~(A) a finding of guilt by a judge or jury;~~
~~(B) a guilty plea;~~
~~(C) a plea of nolo contendere or non-vult; or~~
~~(D) accepting entry into a pretrial intervention program.~~

~~(14) Willful or wanton misuse or theft of any drug, medication, or medical equipment.~~

~~(15) Willful obstruction of any official of the commission or other agency empowered to enforce the provisions of this title or Indiana law.~~

~~(16) Revocation or suspension of certification or license as a first responder, emergency medical technician, advanced emergency medical technician, advanced emergency medical technician-intermediate, paramedic, instructor, or other medical professional by any other state or federal jurisdiction.~~
~~(17) Any conduct that poses a threat to public health, safety, or welfare.~~

~~(b) After notice and hearing, the director may penalize an ambulance service provider or a person certified under this title up to five hundred dollars ($500) per occurrence for a violation of a patient care standard, protocol, operating procedure, or rule established by the commission.~~

~~(c) The commission or the director may, on finding that the public health or safety is in imminent danger, may temporarily suspend a certificate without hearing for not more than ninety (90) days on a notice to the certificate holder pursuant to IC 16-31-3-14(d) and IC 4-21.5-4.~~ **Enforcement actions will be taken in accordance with IC 16-31.** *(Indiana Emergency Medical Services Commission; 836 IAC 1-1-2; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2335; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3510)*

SECTION 3. 836 IAC 1-1-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-1-3 Request for waiver

Authority: IC 16-31-2-7
Affected: IC 16-31-2-11; IC 16-31-3-5

Sec. 3. (a) ~~A provider or person certified or contemplating certification under this title may submit to the commission a written request that certain provisions of this title be waived. Such a request shall show that a proposed waiver, if approved, would~~ **The commission shall waive any rule for a person who provides emergency ambulance service, an emergency medical technician, an emergency medical technician-basic advanced, an emergency medical technician-intermediate, a paramedic, or an ambulance when operating from a location in an adjoining state by contract with an Indiana unit of government to provide emergency ambulance or medical services to patients who are picked up or treated in Indiana. To receive such a waiver, an applicant shall submit the following:**

(1) An application that shall include the following information:

(A) Organizational structure, including name, address, and phone number for the owner, chief executive officer, chief operations officer, training officer, and medical director.

(B) A description of the service area.

(C) Hours of operation.

(D) Proof of insurance coverage in amounts as specified in 836 IAC 1-3-6.

(E) Other information as required by the commission.

(2) A copy of the contract with the Indiana unit of government. This contract shall describe the emergency medical services that are to be provided.

(3) A list of the rule or rules for which the applicant is requesting a waiver.

(b) The commission may waive any rule, including a rule establishing a fee, for a person who submits facts demonstrating that:

(1) compliance with the rule will impose an undue hardship on the person; and

(2) either:

(A) noncompliance with the rule; or

(B) compliance with an alternative requirement approved by the commission;

will not jeopardize the quality of patient care. **However, the commission may not waive a rule that sets forth educational requirements for a person regulated under this article.**

~~(b) The commission may approve a request based on one (1) or more of the following:~~
~~(1) Circumstances where public health and safety is a factor.~~
~~(2) Extenuating or mitigating circumstances that warrant consideration to assure the delivery of emergency medical services.~~
~~(3) Substitution of equipment authorized by this article.~~
~~(4) Testing of new procedures, techniques, and equipment in a pilot study authorized by the commission and supervised by the commission's designee.~~
~~(5) Special staffing or equipment requirements for a land ambulance providing interhospital emergency transportation of critical care patients.~~

~~(c) Out-of-state provider waiver requirements are as follows:~~
~~(1) Pursuant to IC 16-31-3-5, the commission shall waive any rule for:~~
~~(A) a person who provides emergency ambulance service;~~
~~(B) an emergency medical technician; or~~
~~(C) an ambulance;~~
~~when operating from a location in an adjoining state by contract with an Indiana unit of government to provide emergency ambulance or medical services to patient who are picked up or treated in Indiana.~~
~~(2) To receive such a waiver, an applicant shall submit the following:~~
~~(A) An application that shall include the following information:~~
~~(i) Organizational structure, including name, address, and phone number for the owner, chief executive officer, chief operations officer, training officer, and medical director.~~
~~(ii) A description of the service area.~~
~~(iii) Hours of operation.~~
~~(iv) Proof of insurance coverage in amounts as specified in 836 IAC 1-3-6 shall be submitted with the application.~~

~~(v) Other information as required by the commission.~~
~~(B) A copy of the contract with the Indiana unit of government. This contract shall describe the emergency medical services that are to be provided.~~
~~(C) A list of the rule or rules for which the applicant is requesting a waiver.~~

(c) A waiver granted under subsection (b)(2)(B) is conditioned upon compliance with the alternative requirement approved under subsection (b).

(d) ~~The commission may establish time limits and conditions on an approved~~ **A** waiver ~~An approved waiver will be effective for no more than~~ **granted under subsection (a) or subsection (b) expires on the earlier of the following:**

(1) The date established by the commission when the waiver is granted.

(2) Two (2) years after the date ~~of~~ **the** commission ~~approval.~~ **grants the waiver.**

(e) ~~A person or provider with an approved waiver may request that~~ The commission **may** renew ~~this~~ **a** waiver ~~Such a request is subject to the requirements of this section. If the commission approves the request for renewal, the renewed waiver will expire two (2) years after the date of commission approval.~~ **if the person makes the same demonstration required for the original waiver.**

(f) The commission may grant an applicant a waiver from all or part of the continuing education requirement for a renewal period if the applicant was not able to fulfill the requirement due to a hardship that resulted from any of the following:

(1) Service in the armed forces of the United States during a substantial part of the renewal period.

(2) An incapacitating illness or injury.

(3) Other circumstances determined by the commission.

(Indiana Emergency Medical Services Commission; 836 IAC 1-1-3; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2336; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3511)

SECTION 4. 836 IAC 1-1-4 IS ADDED TO READ AS FOLLOWS:

836 IAC 1-1-4 Exemptions

Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3-3

Sec. 4. (a) Under IC 16-31-3-3, a certificate is not required for a person who provides emergency ambulance service, advanced life support, an emergency medical technician, an ambulance, or a nontransporting emergency medical services vehicle when doing any of the following:

(1) Providing assistance to persons certified to provide emergency ambulance service or to emergency medical technicians.

(2) Operating from a location or headquarters outside Indiana to provide emergency ambulance services to patients who are picked up outside Indiana for transportation to locations within Indiana. This includes the return of that patient to the patient's original state of origin if the return trip occurs within twenty-four (24) hours of the transport to Indiana.

(3) Providing emergency medical services during a major catastrophe or disaster with which persons or ambulance services are insufficient or unable to cope.

(b) An agency or instrumentality of the United States and any paramedic, emergency medical technician, emergency medical technician-basic advanced, or ambulances of the agency or instrumentality are not required to be certified or to conform to the standards prescribed under IC 16-31-3. An agency or instrumentality of the United States does not include a person operating under a contract with the government of the United States. *(Indiana Emergency Medical Services Commission; 836 IAC 1-1-4; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3512)*

SECTION 5. 836 IAC 1-1-5 IS ADDED TO READ AS FOLLOWS:

836 IAC 1-1-5 Reports and records

Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3

Sec. 5. (a) All emergency medical service provider organizations shall comply with this section.

(b) All emergency medical service provider organizations shall participate in the emergency medical service system review by collecting and reporting data elements. The elements shall be submitted to the agency by the fifteenth of the following month by electronic format or submitted on disk in the format and manner specified by the commission. The data elements prescribed by the commission are as follows:

(1) Provider organization number.
(2) Date of incident.
(3) Time call received.
(4) Incident number.
(5) Service type.
(6) Time of dispatch.
(7) Location type.
(8) Patient name.
(9) Response number.
(10) Patient car record number.
(11) Patient zip code.
(12) Gender.
(13) Race.
(14) Time unit responding.
(15) Time of arrival at scene.
(16) Time unit left scene.

(17) Time available for service.
(18) Lights and siren to scene.
(19) Lights and siren used from scene.
(20) Level of care provided.
(21) Provider impression.
(22) Mode of injury.
(23) Incident/patient disposition.
(24) Vehicle type.
(25) Destination/transferred to.
(26) Destination determination.
(27) Time of arrival at destination.
(28) Incident location.
(29) Date of birth.
(30) Medical history.
(31) Signs and symptoms.
(32) Injury description.
(33) Safety equipment.
(34) Suspected drug/alcohol use.
(35) Pulse rate.
(36) Respiratory rate.
(37) Respiratory effort.
(38) Systolic blood pressure.
(39) Skin perfusion.
(40) Glascow eye opening.
(41) Glascow verbal component.
(42) Glascow motor component.
(43) Airway treatment.
(44) Stabilization treatment.
(45) Miscellaneous treatment.
(46) Medication name.
(47) Research code.
(48) Crew member one number.
(49) Crew member two number.

Basic life support nontransport provider organizations are required to submit data elements only for runs on which a defibrillator is used. If the defibrillator is not used on any runs during a month, then the basic life support nontransport provider organization shall report "no runs" on its monthly report for that month.

(c) Each emergency medical services provider organization shall retain all records required by this rule for a minimum of three (3) years, except for the following records that shall be retained for a minimum of seven (7) years:

(1) Audit and review records.
(2) Run reports.
(3) Training records.

(d) An emergency medical service provider organization that has any certified vehicles involved in any traffic accident investigated by a law enforcement agency shall report that accident to the agency within ten (10) working days on a form provided by the agency.

(e) Each provider organization, except basic life support nontransport provider organization, shall maintain accurate records concerning the assessment, treatment, or transportation of each emergency patient, including a run report form in an electronic or written format as prescribed by the commission as follows:

(1) A run report form shall include, at a minimum, the following:

(A) Name.
(B) Identification number.
(C) Age.
(D) Sex.
(E) Date of birth.
(F) Race.
(G) Address, including zip code.
(H) Location of incident.
(I) Chief complaint.
(J) History, including the following:
(i) Current medical condition and medications.
(ii) Past pertinent medical conditions and allergies.
(K) Physical examination section.
(L) Treatment given section.
(M) Vital signs, including the following:
(i) Blood pressure.
(ii) Pulse.
(iii) Respirations.
(iv) Level of consciousness.
(v) Skin temperature and color.
(vi) Pupillary reactions.
(vii) Ability to move.
(viii) Presence or absence of breath sounds.
(ix) The time of observation and a notation of the quality for each vital sign.
(N) Responsible guardian.
(O) Hospital destination.
(P) Radio contact via UHF or VHF.
(Q) Name of patient attendants, including emergency medical service certification numbers and signatures.
(R) Vehicle certification number.
(S) Safety equipment used by patient.
(T) Date of service.
(U) Service delivery times, including the following:
(i) Time of receipt of call.
(ii) Time dispatched.
(iii) Time arrived scene.
(iv) Time of departure from scene.
(v) Time arrived hospital.
(vi) Time departed hospital.
(vii) Time vehicle available for next response.
(viii) Time vehicle returned to station.

(2) The run report form shall be designed in a manner to provide space for narrative notation of additional medical information.

(3) A copy of the completed run report form shall be provided to the receiving facility when the patient is delivered unless it is not feasible; however, the form shall be provided to the receiving facility no later than twenty-

four (24) hours after the patient is delivered.

(4) When a patient has signed a statement for refusal of treatment or transportation services, or both, that signed statement shall be maintained as part of the run documentation.

(f) Each basic life support nontransport provider organization shall maintain, in a manner prescribed by the commission, accurate records, including a run report form, concerning the assessment and treatment of each emergency patient as follows:

(1) A run report form shall be required by all basic life support nontransport provider organizations, including, at a minimum, the following:

(A) Name.
(B) Identification number.
(C) Age.
(E) Sex.
(F) Race.
(G) Physician of the patient.
(H) Date of birth.
(I) Address, including zip code.
(J) Location of incident.
(K) Chief complaint.
(L) History, including the following:
(i) Current medical condition and medications.
(ii) Past pertinent medical conditions and allergies.
(M) Physical examination section.
(N) Treatment given section.
(O) Vital signs, including the following:
(i) Pulse.
(ii) Blood pressure.
(iii) Respirations.
(iv) Level of consciousness.
(v) Skin temperature and color.
(vi) Pupillary reactions.
(vii) Ability to move.
(viii) Presence or absence of breath sounds.
(ix) The time of observation and a notation of the quality for each vital sign.
(P) Responsible guardian.
(Q) Name of patient attendants, including emergency medical services certification numbers and signatures.
(R) Vehicle emergency medical services certification number.
(S) Responding service delivery times, including the following:
(i) Time of receipt of call.
(ii) Time dispatched.
(iii) Time arrived scene.
(iv) Time of patient released to transporting emergency medical services.
(v) Time vehicle available for next response.
(T) Date of service.
(U) Safety equipment used by patient.

(2) The report form shall provide space for narrative description of the situation and the care rendered by the nontransport unit.

(3) A signed statement for refusal of treatment or transportation services, or both, shall be maintained as part of the run documentation.

(Indiana Emergency Medical Services Commission; 836 IAC 1-1-5; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3512)

SECTION 6. 836 IAC 1-1-6 IS ADDED TO READ AS FOLLOWS:

836 IAC 1-1-6 Audit and review
Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3

Sec. 6. Each emergency medical service provider organization shall conduct audit and review at least quarterly to assess, monitor, and evaluate the quality of patient care as follows:

(1) The audit shall evaluate patient care and personnel performance.

(2) The results of the audit shall be reviewed with the emergency medical service personnel.

(3) Documentation for the audit and review shall include the following:
(A) The criteria used to select audited runs.
(B) Problem identification and resolution.
(C) Date of review.
(D) Attendance at the review.
(E) A summary of the discussion at the review.

(4) The audit and review shall be conducted under the direction of one (1) of the following:
(A) The emergency medical services provider organization medical director.
(B) An emergency department committee that is supervised by a medical director. An emergency medical service provider organization representative shall serve as a member on the committee.
(C) A committee established by the emergency medical service provider organization.

(5) A method of identifying needs to staff development programs, basic training, inservice, and orientation.

(Indiana Emergency Medical Services Commission; 836 IAC 1-1-6; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3514)

SECTION 7. 836 IAC 1-1-7 IS ADDED TO READ AS FOLLOWS:

836 IAC 1-1-7 Training
Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3

Sec. 7. (a) Each emergency medical service provider organization shall designate one (1) person as the organization's training officer to assume responsibility for inservice

training. This person shall be certified as one (1) of the following:

(1) First responder (only for the basic life support nontransport provider organization).

(2) An emergency medical technician.

(3) An emergency medical technician-basic advanced.

(4) An emergency medical technician-intermediate.

(5) A paramedic.

(6) A registered nurse.

(7) A certified physician assistant.

(8) A licensed physician who is actively involved in the delivery of emergency medical services with that organization.

(b) The provider organization and training officer shall be responsible for the following:

(1) Providing and maintaining records of inservice training offered by the provider organization.

(2) Maintaining the following inservice training session information:

(A) Summary of the program content.

(B) The name of the instructor.

(C) The names of those attending.

(D) The date, time, and location of the inservice training sessions.

(3) Signing individual training records or reports to verify actual time in attendance at training sessions.

(Indiana Emergency Medical Services Commission; 836 IAC 1-1-7; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3514)

SECTION 8. 836 IAC 1-1-8 IS ADDED TO READ AS FOLLOWS:

836 IAC 1-1-8 Operating procedures

Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3

Sec. 8. (a) All emergency medical service provider organizations shall comply with this section.

(b) Emergency medical service provider organization's premises shall be maintained, suitable to the conduct of the provider organizations service, with provision for adequate storage of emergency medical service vehicles and equipment.

(c) Each emergency medical service provider organization shall provide a periodic maintenance program to assure that all emergency medical service vehicles, including equipment, are maintained in good working condition at all times and that equipment, medication, and supplies have not exceeded the manufacturer's specified expiration date.

(d) All emergency medical service provider organization's premises, records, garaging facilities, and emergency medical service vehicles shall be made available for inspection by the agency at any time during operating hours.

(e) An emergency medical service provider organizations *[sic., organization]* **shall not act in a reckless or negligent manner so as to endanger the health or safety of emergency patients or members of the general public while in the course of business as an emergency medical service provider organizations** *[sic., organization]***.**

(f) Each emergency medical service provider organizations shall notify the agency within thirty (30) days of the present and past specific location of any emergency medical service vehicles if the location of the emergency medical service vehicles is changed from that specified in the provider organization's application for emergency medical service provider organizations certification or certification renewal.

(g) An emergency medical service provider organization shall not engage in the provision of advanced life support unless the emergency medical service provider organization is certified under 836 IAC 2 and the vehicle meets the requirements of 836 IAC 2.

(h) Each emergency medical services provider organization shall conduct audit and review under section 6 of this rule.

(i) An emergency medical service provider organization may operate a nontransport emergency medical services vehicle in accordance with 836 IAC 1-11-4.

(j) The following reporting requirements are applicable to all emergency medical service provider organizations:

(1) For an individual certified by the commission and employed (either paid or volunteer) by an emergency medical service provider organization, the provider organization shall notify the agency within thirty (30) days of any of the following:

(A) An action taken by the provider organization or the provider organization's medical director to:

(i) restrict, suspend, or revoke the individual's authorization to perform emergency medical services for the provider organization; or

(ii) suspend or terminate the individual's employment or affiliation with the provider organization.

(B) The individual is no longer employed with the provider organization either voluntarily or involuntarily.

(C) The individual is no longer affiliated with the provider organization either voluntarily or involuntarily.

(2) The notification required under this subsection shall include the following:

(A) Name of individual.

(B) Certification number.

(C) Date action was taken.

(D) Description of the action taken, including the length of the action if the action was temporary and any conditions and terms associated with the action.

(E) Reason action was taken.

(Indiana Emergency Medical Services Commission; 836 IAC 1-1-8; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3515)

SECTION 9. 836 IAC 1-2-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-2-1 General certification provisions

Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3; IC 16-41-10

Sec. 1. (a) A person shall not **furnish, operate, maintain, advertise, or otherwise** engage in ~~the business or service of~~ providing emergency ambulance services ~~upon any public way of the state~~ unless ~~they hold a valid certificate issued~~ **the person is certified** by the commission ~~for engaging in such a business or service~~ as an ambulance service provider **organization.**

~~(b) A certificate is not required for a person who provides emergency ambulance service, an emergency medical technician, or an ambulance when:~~

~~(1) rendering assistance to persons certified to provide emergency ambulance service or to emergency medical technicians;~~

~~(2) operating from a location or headquarters outside Indiana to provide emergency ambulance services to patients who are picked up outside Indiana for transportation to locations within Indiana;~~

~~(3) providing emergency medical services during a major catastrophe or disaster with which persons or ambulance services are insufficient or unable to cope;~~

~~(4) an agency or instrumentality of the United States and any emergency medical technicians or ambulances of such agency or instrumentality are not required to be certified or to conform to the standards prescribed under 836 IAC 1-1-1(19); or~~

~~(5) transportation of a patient from another state into Indiana and returned and returned to original state of origin within twenty-four (24) hours.~~

~~(c)~~ **(b)** Each ambulance, while transporting a patient, shall be staffed by ~~not less~~ **no fewer** than two (2) persons, one (1) of whom shall be a certified emergency medical technician and who shall be in the patient compartment. ~~unless an exemption is approved by the commission through 836 IAC 1-1-3.~~

~~(d) An ambulance service provider seeking certification for other than a land or air ambulance may petition the commission for any exemptions from one (1) or more of the requirements set forth in this article and 836 IAC 2.~~

~~(e) Each~~ **(c) An** emergency patient shall **only** be transported in a certified ambulance.

~~(f)~~ **(d)** Each ambulance service provider **organization** shall ~~do the following:~~ **notify the agency in writing as follows:**

(1) ~~Notify the director in writing~~ Within thirty (30) days of any changes in and items in the application required in section 2(a) of this rule.

(2) ~~Notify the director in writing~~ Immediately of change in medical director, including medical director approval form and protocols.

~~(g)~~ **(e)** Each ambulance service provider **organization** shall ~~secure~~ **have** a medical director. ~~who shall be a physician with an unlimited license to practice medicine in Indiana and who has an active role in the delivery of emergency care.~~ The duties and responsibilities of the medical director are as follows:

(1) Provide liaison between the local medical community and the emergency medical service provider **organization.**

(2) Assure compliance with defibrillation training standards and curriculum established by the commission.

(3) Monitor and evaluate the day-to-day medical operations of the ambulance service provider organization.

(4) Assist in the continuing education programs of the ambulance service provider organization.

(5) Provide technical assistance concerning the delivery of automated defibrillation and other medical issues.

(6) Provide individual consultation to the emergency medical personnel affiliated with the ambulance service provider organization.

(7) Participate in the audit and review of cases treated by the emergency medical personnel of the ambulance service provider organization.

(8) Assure compliance with approved medical standards established by the commission performed by ambulance service provider organization.

(9) Establish protocols for automatic defibrillation, airway management, patient-assisted medications, and emergency medical technician-administered medications as approved by the commission.

(10) Provide liaison between the emergency medical service provider organization, the emergency medical service personnel, and the hospital in regards to communicable disease testing under IC 16-41-10.

(Indiana Emergency Medical Services Commission; Emergency Medical Services Rule I, A; filed Jun 5, 1975, 11:57 a.m.: Rules and Regs. 1976, p. 84; filed Dec 15, 1977: Rules and Regs. 1978, p. 244; filed Dec 15, 1977: Rules and Regs. 1978, p. 245; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2192; errata, 4 IR 531; filed Oct 13, 1981, 10:05 a.m.: 4 IR 2419; filed Dec 2, 1983, 2:43 p.m.: 7 IR 352; errata, 7 IR 1254; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1036; filed Aug 18, 1986, 1:00 p.m.: 10 IR 24; filed May 15, 1998, 10:25 a.m.: 21 IR 3866; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2719; filed Apr 4, 2002, 9:15 a.m.: 25 IR 2506; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2337; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3516)

SECTION 10. 836 IAC 1-2-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-2-2 Application for certification; renewal

Authority: IC 16-31-2-7
Affected: IC 16-31-3-8

Sec. 2. (a) Application for ambulance service provider **organization** certification shall be made on forms as ~~prescribed~~ **provided** by the ~~commission,~~ **agency,** and the applicant shall comply with the following requirements:

(1) Applicants shall complete the required forms and submit the forms to the ~~director~~ **agency** not less than sixty (60) days prior to the requested effective date of the certificate.

(2) Each ambulance ~~with~~ **and** its equipment ~~as required in this article,~~ shall be made available for inspection by the ~~director or the director's authorized representative.~~ **agency.**

(3) The premises on which ambulances are parked or garaged and on which ambulance supplies are stored shall be open during business hours to the ~~director, or the director's authorized representative,~~ **agency** for inspection.

(4) A complete listing of affiliated personnel to be utilized as **emergency medical technicians-basic advanced,** emergency medical technicians, first responders, and drivers shall be submitted to the ~~director.~~ **agency.** The ~~director~~ **agency** shall be notified in writing within thirty (30) days of any change in personnel.

(5) Each application shall include the following information:

(A) A description of the service area.

(B) Hours of operation.

(C) Number and location of ambulances.

(D) Organizational structure, including name, address, and phone number for the owner, chief executive officer, chief operations officer, training officer, and medical director.

(E) Current Federal Communications Commission license or letter of authorization.

(F) Location of ambulance service ~~provider's~~ **provider organization's** records.

(G) Proof of insurance coverage ~~in amounts~~ **for ambulances and nontransport vehicles** as ~~specified in section 3(g) of this rule shall be submitted with the application and shall be renewed thirty (30) days prior to the expiration of the current insurance.~~ **required by 836 IAC 1-3-6.**

(H) Staffing pattern of personnel.

(I) Base of operations.

(J) List of all affiliated personnel, including certification numbers.

(K) Copy of medical director establish protocols and standing orders.

~~(H)~~ **(L)** Other information as required by the commission.

(b) Upon approval, a certificate shall be issued by the ~~director.~~ **commission.**

(c) The certificate shall be:

(1) valid for a period of two (2) years; and

(2) prominently displayed at the place of business.

~~(c)~~ **(d)** Application for ambulance service provider **organization** certification renewal shall be made not less than sixty (60) days prior to the expiration date of the current certificate to assure continuity of certification. Application for renewal shall be made on forms as ~~prescribed~~ **provided** by the ~~commission.~~ **agency.** *(Indiana Emergency Medical Services Commission; Emergency Medical Services Rule I,B; filed Jun 5, 1975, 11:57 a.m.: Rules and Regs. 1976, p. 86; filed May 10, 1977, 10:52 a.m.: Rules and Regs. 1978, p. 218; filed Dec 15, 1977: Rules and Regs. 1978, p. 245; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2193; filed Oct 13, 1981, 10:05 a.m.: 4 IR 2420; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1037; filed Aug 18, 1986, 1:00 p.m.: 10 IR 25; filed May 15, 1998, 10:25 a.m.: 21 IR 3867; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2720; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2338; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3517)*

SECTION 11. 836 IAC 1-2-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-2-3 Ambulance service provider organization operating procedures

Authority: IC 16-31-2-7
Affected: IC 16-31-3-2; IC 34-6-2-49

Sec. 3. (a) Each ambulance service provider **organization** shall maintain accurate records ~~concerning the transportation of each emergency patient within Indiana, including an ambulance run report form in an electronic or written format as prescribed by the commission as follows:~~

~~(1) An ambulance run report form shall be required by all ambulance providers including, at a minimum, the following information about the patient:~~

~~(A) Name.~~

~~(B) Identification number.~~

~~(C) Age.~~

~~(D) Sex.~~

~~(E) Date of birth.~~

~~(F) Race.~~

~~(G) Address, including zip code.~~

~~(H) Location of incident.~~

~~(I) Chief complaint.~~

~~(J) History, including the following:~~

~~(i) Current medical condition and medications.~~

~~(ii) Past pertinent medical conditions and allergies.~~

~~(K) Physical examination section.~~

~~(L) Treatment given section.~~

~~(M) Vital signs, including the following:~~

~~(i) Blood pressure.~~

~~(ii) Pulse.~~

~~(iii) Respirations.~~

~~(iv) Level of consciousness.~~

~~(v) Skin temperature and color.~~

~~(vi) Pupillary reactions.~~

~~(vii) Ability to move.~~

(viii) Presence or absence of breath sounds.
(ix) The time of observation and a notation of the quality for each vital sign should also be included.
(N) Responsible guardian.
(O) Hospital destination.
(P) Radio contact via UHF or VHF.
(Q) Name of patient attendants, including emergency medical service certification numbers.
(R) Vehicle certification number.
(S) Safety equipment used by patient.
(T) Date of service.
(U) Service delivery times, including the following:
(i) Time of receipt of call.
(ii) Time dispatched.
(iii) Time arrived scene.
(iv) Time of departure from scene.
(v) Time arrived hospital.
(vi) Time departed hospital.
(vii) Time vehicle available for next response.
(viii) Time vehicle returned to station.
(2) The report form shall be designed in a manner to provide space for narrative notation of additional medical information. A copy of the form shall be provided to the receiving facility for the purpose of patient information and record.
(3) When a patient has signed a statement for refusal of treatment or transportation services, or both, that signed statement shall be maintained as part of the run documentation.

under 836 IAC 1-1-5.

(b) All ambulance service providers shall participate in the emergency medical service system review by:
(1) collecting all data elements prescribed by the commission; and
(2) reporting that information according to procedures and schedules prescribed by the commission.

(c) **(b)** An ambulance service provider **organization** shall not operate a land ambulance on any public way in Indiana unless the ambulance is in full compliance with the ambulance certification requirements established and set forth in this article, except an ambulance service provider **organization** may operate, for a period not to exceed sixty (60) consecutive days, a noncertified ambulance if the noncertified ambulance is used to replace a certified ambulance that has been taken out of service providing the following:

(1) The replacement ambulance shall meet all certification requirements.

(2) The ambulance service provider **organization** shall notify the commission **agency** in writing within seventy-two (72) hours of the time the replacement ambulance is placed in service. The written notice shall identify the following:

(A) The replacement date.

(B) The certification number of the replaced ambulance.

(C) The vehicle identification number of the replacement ambulance.

(D) The make and type of the replacement ambulance.

Upon receipt of the notification, a temporary certificate shall be issued effective the date the certified ambulance was replaced. Temporary certification shall not exceed sixty (60) days **from the date that the replacement ambulance is placed in service** and, upon return to service **of the certified ambulance,** the use of the replacement vehicle shall cease. and the temporary certificate shall be returned to the commission.

(d) The ambulance service provider's premises shall be maintained, suitable to the conduct of the ambulance service, with provision for adequate storage of ambulances and equipment.

(e) Each ambulance service provider shall provide for a periodic maintenance program to assure that all ambulances, including equipment, are maintained in good working condition at all times.

(f) All ambulance service provider premises, records, garaging facilities, and ambulances shall be made available for inspection by the commission, director, or a duly authorized representative at any time during operating hours.

(g) **(c)** Each ambulance service provider **organization** shall provide and maintain a communication system that meets or exceeds the requirements set forth in 836 IAC 1-4.

(h) Each ambulance service provider shall designate one (1) person as the organization's training officer to assume responsibility for in-service training. This person shall be certified as an emergency medical technician, an advanced emergency medical technician, a paramedic, a registered nurse, a certified physician assistant, or a licensed physician who is actively involved in the delivery of emergency medical services with that organization. The training officer shall be responsible for the following:
(1) Providing and maintaining records of in-service training offered by the provider organization.
(2) Maintaining the following in-service training session information:
(A) Summary of the program content.
(B) The name of the instructor.
(C) The names of those attending.
(D) The date, time, and location of the in-service training sessions.
(3) Signing individual emergency medical technician training records or reports to verify actual time in attendance at training sessions.

(i) An ambulance service provider shall not act in a reckless or negligent manner so as to endanger the health or safety of emergency patients or members of the general public while in the course of business as an ambulance service provider.

(j) Each ambulance service provider shall notify the director within thirty (30) days of the present and past specific location

of any ambulance if the location of the ambulance is changed from that specified in the provider's application for ambulance service provider certification or certification renewal.

(k) **(d)** Each ambulance service provider **organization** shall, within seven (7) consecutive **calendar** days of the date a certified ambulance is permanently withdrawn from service, return to the director **agency** the certificate and window sticker issued by the commission for the ambulance.

(l) **(e)** No certified ambulance service provider **organization** may operate any noncertified vehicle that displays to the public any word, phrase, or marking that implies in any manner that the vehicle is an ambulance. as defined in IC 16-18 unless the vehicle is used solely in another state for patient care.

(m) **(f)** Each ambulance service provider **organization** shall ensure that rigid sanitation procedures are in effect at all times. The following sanitation standards apply to all ambulances **and nontransport vehicles:**

(1) The interior and the equipment within the vehicle shall be clean and maintained in good working order at all times.

(2) Freshly laundered linen or disposable linens shall be used on litters and pillows, and linen shall be changed after each patient is transported.

(3) Clean linen storage shall be provided.

(4) Closed compartments shall be provided within the vehicle for medical supplies.

(5) Closed containers shall be provided for soiled supplies.

(6) Blankets shall be kept clean and stored in closed compartments.

(7) Implements inserted into the patient's nose or mouth shall be single-service, wrapped, and properly stored and handled. Multiuse items shall be kept clean and sterile when indicated and properly stored.

(8) When a vehicle has been utilized to transport a patient known to have a communicable disease or suffered exposure to hazardous material or biohazard material, the vehicle and equipment shall be cleansed and all contact surfaces washed in accordance with current decontamination and disinfecting standards. All hazardous and biohazard materials shall be disposed of in accordance with current hazardous and biohazard disposition standards.

(n) An ambulance service provider shall not engage in the provision of advanced life support as defined in IC 16-18 unless:

(1) the ambulance service provider is certified pursuant to 836 IAC 2 and the vehicle meets the requirements of 836 IAC 2; or

(2) an exemption has been granted or authorized for the ambulance service provider and vehicle(s) pursuant to this article or 836 IAC 2.

(o) **(g)** Each emergency medical services provider under the responsibility of its chief executive officer and medical director, **organization** shall conduct audit and review at least quarterly to assess, monitor, and evaluate the quality of patient care as follows:

(1) The audit shall evaluate patient care and personnel performance against established standards of care.

(2) The results of the audit shall be reviewed with the emergency medical service personnel.

(3) Documentation for the audit and review shall include the following:

(A) The criteria used to select audited runs.

(B) Problem identification and resolution.

(C) Date of review.

(D) Attendance at the review.

(E) A summary of the discussion at the review.

(4) The audit and review shall be conducted under the direction of one (1) of the following:

(A) The emergency medical services provider medical director.

(B) An emergency department committee that is supervised by a medical director. An emergency medical services provider representative shall serve as a member on the committee.

(C) A committee established by the emergency medical services provider. **under 836 IAC 1-1-6.**

(p) An ambulance service provider may operate a nontransport emergency medical services vehicle in accordance with 836 IAC 1-11-4.

(q) All records shall be retained for a minimum of three (3) years, except for the following records that shall be retained for a minimum of seven (7) years:

(1) Audit and review records.

(2) Run reports.

(3) Training records.

(r) **(h)** An ambulance service provider **organization** with approval from the provider organization's medical director may transport a patient with the following:

(1) PCA pump with any medication or fluid infusing through a peripheral IV.

(2) Medication infusing through a peripheral IV or continuous subcutaneous catheter via a closed, locked system.

(3) A central catheter that is clamped off.

(4) A patient with a feeding tube that is clamped off.

(5) A patient with a Holter monitor.

(6) A patient with a peripheral IV infusing vitamins.

(7) IV fluids infusing through a peripheral IV via gravity or an infusing system that allows the technician to change the rate of infusion are limited to D5W, Lactated Ringers, sodium chloride (nine-tenths percent (0.9%) or less), potassium chloride (twenty (20) milliequivalent per liter or less for emergency medical technicians, forty (40) milliequivalent per liter or less for advanced emergency medical technicians-**basic advanced). At no time will piggy-back or secondary intravenous line or blood products be transported.**

~~(s) An ambulance service provider who has any certified vehicles involved in any traffic accident investigated by a law enforcement agency must report that accident to the commission within ten (10) working days on a form prescribed by the commission. At no time will piggy-back or secondary intravenous line or blood products be transported.~~ *(Indiana Emergency Medical Services Commission; Emergency Medical Services Rule I, C; filed Jun 5, 1975, 11:57 a.m.: Rules and Regs. 1976, p. 86; filed May 10, 1977, 10:52 a.m.: Rules and Regs. 1978, p. 218; filed Dec 15, 1977: Rules and Regs. 1978, p. 245; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2194; errata, 4 IR 531; filed Dec 2, 1983, 2:43 p.m.: 7 IR 353; errata, 7 IR 1254; errata, 7 IR 1551; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1038; filed Aug 18, 1986, 1:00 p.m.: 10 IR 26; filed Oct 11, 1988, 11:05 a.m.: 12 IR 354; filed May 15, 1998, 10:25 a.m.: 21 IR 3868; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2721; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2339; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3517)*

SECTION 12. 836 IAC 1-2-5 IS ADDED TO READ AS FOLLOWS:

836 IAC 1-2-5 Interfacility transfers and response
Authority: IC 16-31-2-7
Affected: IC 16-18-2-7; IC 16-28-2-161; IC 16-31

Sec. 5. (a) A basic life support ambulance service provider organization may transport an emergency patient who would normally require transport by an advanced life support ambulance service provider organization if the following conditions are met:

(1) The emergency patient is being transported from one (1) health care facility to another health care facility. Health care facility has the meaning set forth in IC 16-28-2-161.

(2) The transferring physician has issued written approval of the interfacility transfer by the basic life support ambulance service provider organization.

(3) The ambulance is equipped with the medical supplies and equipment determined by the transferring physician to be necessary to maintain the patient's medical condition and to manage patient complications that may be reasonably anticipated to occur en route to the patient's destination.

(4) The patient compartment of the ambulance is staffed by at least one (1) employee of the transferring health care facility who the transferring physician has determined has the training and skills necessary to maintain the patient's medical condition and to manage patient complications that may be reasonably anticipated to occur en route to the patient's destination.

(b) A basic life support ambulance service provider organization may transport an emergency patient who would normally require transport by an advanced life support ambulance service provider organization if the following conditions are met:

(1) The emergency patient is being transported from the scene of a medical emergency to a health care facility.

(2) An advanced life support provider organizations also responded to the scene, and advanced life support treatment has been initiated by a paramedic or emergency medical technician-intermediate and a paramedic or emergency medical technician-intermediate is present in the patient compartment of the transporting ambulance.

(3) The medical director of the basic life support ambulance service provider organization has established a protocol.

(c) The vehicle staffing required in subsection (a) is in addition to the staffing required as determined by the level of certification by the commission for the ambulance service provider organization that transports the patients. *(Indiana Emergency Medical Services Commission; 836 IAC 1-2-5; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3520)*

SECTION 13. 836 IAC 1-3-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-3-1 General certification provisions
Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 1. (a) ~~Ambulances ordered or leased shall meet minimum specifications or they shall not be~~ **This rule is applicable to all emergency medical service vehicles** eligible for certification. ~~except as defined under 836 IAC 1-2-1(g).~~

(b) ~~Procedures for suspension, revocation, or termination of a certificate included under 836 IAC 1-2-1(d) through 836 IAC 1-2-1(f) apply to certification for ambulances.~~ **All emergency medical service vehicles shall be in full compliance and meet minimum specifications and certification requirements set forth in this rule to be certified.** *(Indiana Emergency Medical Services Commission; Emergency Medical Services Rule II, A; filed Jun 5, 1975, 11:57 a.m.: Rules and Regs. 1976, p. 87; filed Dec 15, 1977: Rules and Regs. 1978, p. 245; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2196; errata, 4 IR 531; filed Oct 13, 1981, 10:05 a.m.: 4 IR 2421; filed Dec 2, 1983, 2:43 p.m.: 7 IR 354; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1041; filed May 15, 1998, 10:25 a.m.: 21 IR 3872; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2724; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3520)*

SECTION 14. 836 IAC 1-3-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-3-2 Application for certification
Authority: IC 16-31-2-7
Affected: IC 16-31-3-2; IC 16-31-3-8

Sec. 2. (a) Application for ~~ambulance~~ **emergency medical service vehicle** certification shall be made by the ~~ambulance~~ **emergency medical** service provider **organization** on such

forms as ~~prescribed~~ **provided** by the ~~commission~~ **agency** and shall comply with the following requirements:

(1) Applicants shall complete the required forms and submit the forms to the ~~director. A certificate for the ambulance shall be issued by the director.~~ **agency with the following information:**

(A) Name and address of the emergency medical service provider organization.

(B) Vehicle information, including make, model, year, and vehicle identification number.

(C) Color scheme of emergency medical service vehicle.

(2) Each ~~ambulance~~ **emergency medical service vehicle** for which certification is requested shall be made available for inspection by the ~~director, or his duly authorized representative,~~ **agency** with its equipment as required by this article or 836 IAC 2 prior to approval for certification.

(b) ~~Upon approval,~~ **If the emergency medical service vehicle is found to comply with all applicable requirements in this article,** a certificate shall be issued ~~by the director~~ to the ~~ambulance~~ **emergency medical** service provider **organization** for ~~all ambulances.~~ **the vehicle.** The certificate shall be valid for two (2) years unless earlier revoked or suspended. ~~by the commission.~~ The certificate shall be prominently displayed within the ~~ambulance~~ patient compartment **of the ambulance or driver compartment of the emergency medical service nontransport vehicle.**

~~(c) Vehicle certifications are invalid upon expiration, suspension, revocation, or relinquishment of provider certification.~~ *(Indiana Emergency Medical Services Commission; Emergency Medical Services Rule II, B; filed Jun 5, 1975, 11:57 a.m.: Rules and Regs. 1976, p. 88; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2196; filed Dec 2, 1983, 2:43 p.m.: 7 IR 354; errata, 7 IR 1254; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1042; filed May 15, 1998, 10:25 a.m.: 21 IR 3872; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2725; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3520)*

SECTION 15. 836 IAC 1-3-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-3-3 Land ambulance specifications

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 3. (a) All land ambulances shall meet or exceed the following minimum performance characteristics:

(1) Vehicle brakes shall be of the heavy duty power assist type.

(2) The vehicle engine shall be a six (6) or eight (8) cylinder internal combustion, liquid cooled engine ~~which~~ **that** meets ambulance chassis manufacturer's standard horsepower/displacement requirements.

(3) The fully loaded vehicle shall be capable of a sustained speed of at least sixty-five (65) miles per hour over dry, level, or hard-surfaced roads.

(4) The vehicle transmission shall have a minimum of three (3) forward gears and one (1) reverse gear. Automatic transmission is required.

(5) The steering system shall be the manufacturer's recommended design and be power assisted.

(6) Shock absorbers shall be of the heavy-duty, double action type.

(7) Tires shall meet the manufacturer's standards for the gross vehicle weight of the vehicle. **Retread tires shall not be used on ambulances.** No tire shall:

(A) display exposed tire cord; or

(B) have tread depth less than two thirty-seconds ($^{2}/_{32}$) on back tires and four thirty-seconds ($^{4}/_{32}$) on front tires spaced equally around the tire, with no visible defects.

~~Retread tires shall not be used on ambulances.~~

(b) All land ambulances shall meet or exceed the following minimum physical characteristics:

(1) The overall width of the vehicle shall be a minimum of seventy-five (75) inches and shall not exceed ninety-six (96) inches, excluding mirrors, lights, and trim.

(2) The overall vehicle exterior height shall be a maximum of one hundred ten (110) inches, measured at curb height from the ground to a point that is level with the top of the vehicle, including emergency warning devices, but excluding two-way radio antenna.

(3) The vehicle shall have a wheelbase of one hundred twenty-three (123) inches, minimum. See subsection (e)(1) for minimum inside length of patient compartment.

(c) All land ambulances shall meet or exceed the following minimum specifications for electrical systems:

(1) Wiring shall be made up into harnesses, properly sized, and coded. These shall be reasonably accessible for checking and maintenance. In any area where wiring would be exposed to the elements, it shall be protected by a weatherproof harness or loom. This loom shall be installed so as to eliminate the possible entrance of water that could cause damage through freeze-bursting. Wiring, in loom or otherwise, shall not be accepted if in the area of wheel wash abrasion. Wiring shall be protected by a rubber grommet or plastic bezel at any point where it may pass through, or over, the edge of any metal panel unless the hole or edge of the metal is hemmed or flanged. Wiring connectors and terminals shall be the manufacturer's recommended standard. Horizontal wiring shall be supported by insulated clips located and spaced to minimize sag. Complete wiring diagrams for standard and for optional equipment shall be supplied for each vehicle. Ambulance body and accessory electrical equipment shall be served by circuits separate and distinct from vehicle chassis circuits.

(2) The electrical generating system shall consist of a one hundred five (105) ampere alternator minimum.

(3) Two (2) batteries shall be provided, each with

~~(A)~~ a seventy (70) amp hour rating.

~~(B) a switching system; and~~

~~(C)~~ ~~capability to completely disconnect both batteries.~~

(4) Lighting shall be designed and located so that no glare is reflected from surrounding areas to the driver's eyes or line of vision, from instrument panel, switch panel, or other areas that may require illumination while the vehicle is in motion.

(5) Illumination shall be adequate throughout the compartment and provide an intensity of light at the level of the patient for adequate observation of vital signs, such as skin color and pupillary reflex, and for care in transit, and such illumination **shall** be automatically activated when opening the patient compartment doors in addition to being controlled by a switch panel in the patient compartment located at the head of the patient. Reduced light level may be provided by rheostat control of the compartment lighting or by a second system of low intensity lights.

(6) The ignition system shall be suppressed to prevent interference with radio transmission and receiving.

(7) The vehicle shall have floodlights that illuminate a half-circle as wide as the vehicle to a point six (6) feet behind the vehicle on its center line. The floodlight shall be body-mounted and activated when rear doors are opened.

(8) All circuits shall be protected by automatic circuit breakers of proper capacity.

(9) Each ambulance for which certification is requested shall have an audible backup warning device that is activated when the ambulance is shifted into reverse.

(d) All land ambulances shall meet the following requirements for external identification:

(1) Warning lights of red or red and white, at the discretion of the owner, and shall conform with Indiana state law. Rear facing amber lights may be used. All lights on the vehicle shall be in working condition.

(2) The word "AMBULANCE" shall be displayed on the exterior of the vehicle, on front, back, or at least one (1) side of the vehicle in letters not less than three (3) inches in height and a color contrasting material.

(3) Each fully certified ambulance shall display the four (4) numbers of the commission-assigned ambulance certification number. The four (4) numbers, in sequence, shall be placed on each side of the ambulance on the right and left front fenders and on the ~~left~~ rear portion of the vehicle. Each number shall be in block letters not less than three (3) inches in height. This number shall be displayed in color contrasting, reflective material. The numbers shall be placed on the vehicle within seven (7) days of the receipt of the ambulance certificate. The numbers shall be removed or permanently covered by the ambulance service provider **organization** when the ambulance is permanently removed from service by the ambulance service provider **organization.**

(4) A commission certified vehicle sticker shall be displayed on all certified vehicles.

(e) All land ambulance bodies shall meet or exceed the following minimum specifications:

(1) The length of the patient compartment shall be a minimum of one hundred eleven (111) inches and provide a minimum of twenty-five (25) inches clear space at the head of the litter, and a minimum of ten (10) inches shall be provided from the end of the litter's mattress to the rear loading doors.

(2) An aisle free of obstruction the full length of the stretcher shall be provided.

(3) The inside height of the patient compartment shall be a minimum of sixty (60) inches measured floor to ceiling in the center of the patient compartment.

(4) One (1) seat shall be provided within the patient compartment for the technician, the dimensions of which shall be at the discretion of the owner.

(5) If a bulkhead or partition is provided between the driver and patient compartments, a means of voice or signal communication between the driver compartment and the patient compartment shall be provided.

(f) All land ambulances shall meet or exceed the following minimum standards of construction:

(1) The body structure shall be of prime commercial quality metal or other material with strength at least equivalent to all-steel. Wood shall not be used for structural framing. The exterior of the body shall be finished smooth with symmetrically rounded corners and edges, except for rub rails, and embody provisions for door and windows specified in this subsection. The ambulance body as a unit shall be of sufficient strength to support the entire weight of the fully loaded vehicle on its top or side if overturned, without crushing, separation of joints, or permanently deforming roof bow or reinforcements, body posts, doors, strainers, stringers, floor, inner linings, outer panels, rub rails, and other reinforcements.

(2) The vehicle shall have a loading door or doors on the right side and at the rear of the vehicle. Rear patient compartment doors shall incorporate a tension, spring, or plunger type holding device to prevent the door from closing unintentionally from wind or vibration.

(3) The floor ~~should~~ **shall** be at the lowest level permitted by clearances. It shall be flat and unencumbered in the access and work area. The floor may be metal properly reinforced to eliminate oil canning and insulated against outside heat and cold. The floor may also be marine plywood provided the plywood is sufficient in thickness to rigidly take the loads imposed upon it. A combination of plywood over metal shall be acceptable provided the surfaces between are coated with waterproof adhesive. There shall be no voids or pockets in the floor to side wall areas where water or moisture can become trapped to cause rusting or unsanitary conditions.

(4) The floor covering shall be seamless, one (1) piece, skid-resistant, and extend the full length and width of the compartment. Linoleum vinyl or urethane quartz poured not less than one-sixteenth ($^1/_{16}$) of an inch in thickness permanently applied is required. Covering joints at the side walls, where side panels and covering meet, shall be sealed.

(g) All windows shall be intact. The vehicle shall have windshield wipers that are in working condition.

(h) Dual, firmly secured, vibrationless, rear-view mirrors, one (1) mounted on the left side of the vehicle and one (1) mounted on the right side, shall be included.

(i) ~~Refer to ambulance body in subsection (e)(1) through (e)(3) for compartment capacity.~~ In addition **to any other requirements specified in this section,** the patient compartment shall meet the following minimum requirements:

(1) Crash-stable fasteners shall be provided to secure litters to the floor or side walls. Where a single patient may be centered in the area on the wheeled litter, additional attachments shall be provided.

(2) If the litter is floor supported on its own support wheels, a means shall be provided to secure it in position under all conditions. These restraints shall permit quick attachment and detachment for quick transfer of patient.

(3) Appropriate passenger restraints shall be installed in all seating facilities for drivers, passengers, and attendant.

(j) All land ambulances shall meet or exceed the following minimum communication standards:

(1) Two-way radio communication equipment shall conform to the requirements set forth in this article.

(2) Type and number of sirens shall be at the discretion of the ambulance service provider **organization** and shall conform to Indiana law.

(k) All ambulances shall meet or exceed the following minimum requirements for environmental equipment:

(1) Separate heating units shall be provided for the driver and patient compartments. The driver compartment shall provide for window defrosting.

(2) An adequate air-conditioning system shall be provided for cooling both driver and patient compartment.

(3) An adequate heating system shall be provided for heating both driver and patient compartment. The patient compartment shall be heavily insulated to minimize conduction of heat, cold, or external noise entering the vehicle interior.

(Indiana Emergency Medical Services Commission; Emergency Medical Services Rule II,C; filed Jun 5, 1975, 11:57 a.m.: Rules and Regs. 1976, p. 88; filed May 10, 1977, 10:52 a.m.: Rules and Regs. 1978, p. 218; filed May 10, 1977, 10:52 a.m.: Rules and Regs. 1978, p. 219; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2197; errata, 4 IR 531; filed Oct 13, 1981, 10:05 a.m.: 4 IR 2421; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1042; filed Aug 18, 1986, 1:00 p.m.: 10 IR 29; filed May 15, 1998, 10:25 a.m.: 21 IR 3872; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2725; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3521)

SECTION 16. 836 IAC 1-3-5 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-3-5 Emergency care equipment

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 5. Each and every **land** ambulance will have the following minimum emergency care equipment, and this equipment shall be assembled and readily accessible:

(1) Respiratory and resuscitation equipment as follows:

(A) Portable suction apparatus, capable of a minimum vacuum of three hundred (300) millimeters mercury, equipped with wide-bore tubing and both rigid and soft pharyngeal suction tips.

(B) On-board suction, capable of a minimum vacuum of three hundred (300) millimeters mercury, equipped with wide-bore tubing and both rigid and soft pharyngeal suction tips.

(C) Bag-mask ventilation units, hand operated, one (1) unit in each of the following sizes, each equipped with clear face masks and oxygen reservoirs with oxygen tubing:

(i) Adult.
(ii) Child.
(iii) Infant.
(iv) Neonatal (mask only).

(D) Oropharyngeal airways, two (2) each of adult, child, and infant.

(E) One (1) pocket mask with one-way valve.

(F) Portable oxygen equipment of at least three hundred (300) liters capacity (D size cylinder) with yoke, medical regulator, pressure gauge, and nondependent flowmeter.

(G) On-board oxygen equipment of at least three thousand (3,000) liters capacity (M size cylinder) with yoke, medical regulator, pressure gauge, and nondependent flowmeter.

(H) Oxygen delivery devices shall include the following:

(i) High concentration devices, two (2) each, adult, child, and infant.
(ii) Low concentration devices, two (2) each, adult.

(I) Nasopharyngeal airways, two (2) each of the following with water soluble lubricant:

(i) Small (20-24 french).
(ii) Medium (26-30 french).
(iii) Large (31 french or greater).

(J) Bulb syringe individually packaged in addition to obstetrics kit.

(K) Nonvisualized airway minimum of two (2) with water soluble lubricant.

(L) Semiautomatic or automated external defibrillator and a minimum of two (2) sets of pads.

(2) Wound care supplies as follows:

(A) Multiple trauma dressings, two (2) approximately ten (10) inches by thirty-six (36) inches.

(B) Fifty (50) sterile gauze pads, three (3) inches by three (3) inches or larger.

(C) Bandages, four (4) soft roller self-adhering type, two (2) inches by four (4) yards minimum.

(D) Airtight dressings, four (4), for open chest wounds.

(E) Adhesive tape, two (2) rolls.

(F) Burn sheets, two (2), sterile.

(G) Triangular bandages, four (4).

(H) Bandage shears, one (1) pair.

(3) Patient stabilization equipment as follows:
(A) Traction splint, lower extremity, limb-supports, padded ankle hitch, and traction strap, or equivalent, one (1) assembly in adult size.
(B) Upper and lower extremity splinting devices, two (2) each.
(C) One (1) splint device intended for the unit-immobilization of head-neck and torso. These items shall include the splint itself and all required accessories to provide secure immobilization.
(D) One (1) long back board with accessories to provide secure spinal immobilization.
(E) Rigid extrication collar, two (2) each capable of the following sizes:
(i) Pediatric.
(ii) Small.
(iii) Medium.
(iv) Large.
(F) One (1) ambulance litter with side rails, head-end elevating capacity, mattress pad, and a minimum of three (3) adjustable restraints to secure the chest, hip, and knee areas.
(4) Medications if approved by medical director, and solely for use by individuals with a certification as an emergency medical technician or higher, are as follows:
(A) Baby aspirin, eighty-one (81) milligrams each.
(B) Activated charcoal.
(C) Instant glucose.
(D) Epinephrine **auto-injector or** auto-injectors.
(5) Personal protection/universal precautions equipment, minimum of two (2) each, including the following:
(A) Gowns.
(B) Face masks and shields.
(C) Gloves.
(D) Biohazard bags.
(E) Antimicrobial hand cleaner.
(6) Miscellaneous items as follows:
(A) Obstetrical kit, sterile, one (1).
(B) Clean linens consisting of the following:
(i) Pillow.
(ii) Pillow case.
(iii) Sheets and blankets.
(C) Blood pressure manometer, one (1) each in the following cuff sizes:
(i) Large adult.
(ii) Adult.
(iii) Pediatric.
(D) Stethoscopes, one (1) each in the following sizes:
(i) Adult.
(ii) Pediatric.
(E) Sharps collector, one (1) being a minimum of seven (7) inches in height.
(F) A current copy of the basic life support protocols.

(Indiana Emergency Medical Services Commission; Emergency Medical Services Rule II, E; filed Jun 5, 1975, 11:57 a.m.: Rules and Regs. 1976, p. 93; filed May 10, 1977, 10:52 a.m.: Rules and Regs. 1978, p. 219; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2200; filed Dec 2, 1983, 2:43 p.m.: 7 IR 355; errata, 7 IR 1254; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1045; filed Aug 18, 1986, 1:00 p.m.: 10 IR 31; filed May 15, 1998, 10:25 a.m.: 21 IR 3875; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2727; filed Apr 4, 2002, 9:15 a.m.: 25 IR 2507; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2342; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3523)

SECTION 17. 836 IAC 1-3-6 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-3-6 Insurance
Authority: IC 16-31-2-7
Affected: IC 16-31-3; IC 16-31-3-17; IC 34-13-3

Sec. 6. (a) This section ~~does not apply to ambulances~~ **is applicable to the following emergency medical service vehicles:**
(1) Ambulance.
(2) Emergency medical technician-basic advanced nontransport vehicles.
(3) Advanced life support nontransport vehicles.

(b) All emergency medical service vehicles to which this section is applicable must be:
(1) insured in accordance with the requirements contained in this section; or
(2) owned by a governmental entity covered under IC 34-13-3.

~~(b) The commission may not issue~~ **(c) If insurance is required for an emergency medical services vehicle under subsection (b),** a certification for ~~an ambulance~~ **a vehicle will not be issued** until the applicant has ~~filed with the commission~~ **submitted** a certificate of insurance ~~indicating~~ **demonstrating** that the applicant has liability insurance:
(1) in effect with an insurer that is authorized to write insurance in Indiana; and
(2) that provides general liability coverage to a limit of at least:
(A) one million dollars ($1,000,000) for the injury or death of any number of persons in any one (1) occurrence; and
(B) five hundred thousand dollars ($500,000) for property damage in any one (1) occurrence.

~~(c)~~ **(d)** An insurance policy required under this section may include a deductible clause if the clause provides that any settlement made by the insurance company with an injured person or a personal representative must be paid as though the deductible clause did not apply.

~~(d)~~ **(e)** An insurance policy required under this section must provide, by the policy's original terms or an endorsement, that the insurer ~~may not~~ **cannot** cancel the policy without ~~(1)~~ thirty (30) days' written notice ~~and (2)~~ **to both the agency and the insured. This written notice must include** a complete report

of the reasons for the cancellation to the ~~office.~~ **agency. This condition must be contained on the certificate of insurance submitted under subsection (c).**

~~(e)~~ **(f)** An insurance policy required under this section must provide, by the policy's original terms or an endorsement, that the insurer shall report to the department within twenty-four (24) hours after the insurers pay a claim or reserves any amount to pay an anticipated claim that reduces the liability coverage below the amounts established in this section.

~~(f)~~ **(g)** If an insurance policy required under this section:
(1) is canceled during the policy's term;
(2) lapses for any reason; or
(3) has the policy's coverage fall below the required amount;
the ~~owner of the ambulance~~ **person to whom the certification for the emergency medical services vehicle was issued** shall **immediately notify the agency and must also immediately** replace the policy with another policy that complies with this section **so that the vehicle is never operated without the insurance required under this section.**

~~(g)~~ **(h)** If the ~~owner of the ambulance fails to file a certificate of~~ insurance ~~for new or replacement insurance,~~ **policy for an emergency medical services vehicle that is required to be insured under this section is canceled, lapses for any reason, or has the policy coverage fall below the required amount** the: ~~owner of the ambulance:~~
(1) ~~must cease all operations under the certification~~ **use of the emergency medical services vehicle must** immediately **cease;** and
(2) ~~may not conduct further operations until the owner of the ambulance receives the~~ **use of the vehicle shall not resume until** approval ~~of the commission~~ to resume ~~operations after the owner of the ambulance complies with the requirements of this section.~~ **its use has been obtained in writing from the agency.**

(Indiana Emergency Medical Services Commission; 836 IAC 1-3-6; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2343; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3524)

SECTION 18. 836 IAC 1-4-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-4-1 Provider dispatch requirements
Authority: IC 16-31-2-7
Affected: IC 16-31-3-2

Sec. 1. All emergency medical service provider **organizations** dispatch centers shall be equipped with base stations capable of two-way communications with associated mobile radios on an appropriate frequency-modulated (FM) wavelength. This channel shall be used exclusively for dispatch and tactical communications and shall be apart from any involved in the Indiana Hospital Emergency Radio Network. The base station shall demonstrate and maintain a voice communications linkage during transmission with the radios used in the emergency medical service ~~provider's~~ **provider organization's** emergency medical services vehicle within the area the emergency medical service provider **organization** serves or proposes to serve. The maximum power of the transmitter shall be no more than the minimum required for technical operation, commensurate with the size of the area to be served and local conditions that affect radio transmission and reception. *(Indiana Emergency Medical Services Commission; Emergency Medical Services Rule III, A; filed Jun 5, 1975, 11:57 a.m.: Rules and Regs. 1976, p. 94; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2201; filed Oct 13, 1981, 10:05 a.m.: 4 IR 2424; filed Dec 2, 1983, 2:43 p.m.: 7 IR 356; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1046; filed May 15, 1998, 10:25 a.m.: 21 IR 3877; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3525)*

SECTION 19. 836 IAC 1-4-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-4-2 Emergency medical services vehicle radio equipment
Authority: IC 16-31-2-7
Affected: IC 16-31-3-2

Sec. 2. (a) All radios used in emergency medical services vehicles for the purpose of dispatch or tactical communications shall demonstrate and maintain the ability to provide a voice communications linkage, during transmission, with the emergency medical service ~~providers~~ **provider organization's** associated base **station or** stations within the area the emergency medical service provider **organization** normally serves or proposes to serve.

(b) Radio equipment used in emergency medical services vehicles shall be appropriately licensed through the Federal Communications Commission. The maximum power of the transmitter shall be no more than the minimum required for technical operation, commensurate with the size of the area to be served and local conditions which affect radio transmission and reception.

(c) All emergency medical services vehicles shall be equipped with two-way radios that shall be licensed for operation on a minimum of two (2) channels or talk-groups as follows:
(1) One (1) channel or talk-group shall be used primarily for dispatch and tactical communications.
(2) One (1) channel or talk-group shall be 155.340 MHz and have the proper tone equipment to operate on the Indiana Hospital Emergency Radio Network (IHERN) **unless the provider organization vehicles and all the destination hospitals within the operational area of the provider organization have a system that is interoperable with the Indiana statewide wireless public safety voice and data communications system.**

(Indiana Emergency Medical Services Commission; Emergency Medical Services Rule III, B; filed Jun 5, 1975, 11:57 a.m.:

Rules and Regs. 1976, p. 94; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2201; filed Dec 2, 1983, 2:43 p.m.: 7 IR 356; errata, 7 IR 1254; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1046; filed May 15, 1998, 10:25 a.m.: 21 IR 3877; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3525)

SECTION 20. 836 IAC 1-11-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-11-1 General certification provisions
Authority: IC 16-31-2-7
Affected: IC 4-33; IC 10-11-8-2; IC 16-21; IC 16-31; IC 22-12-1-12

Sec. 1. ~~An organization eligible to be a certified emergency medical services~~ **(a) The following organizations are required to obtain certification as a basic life support** nontransport provider ~~shall be an established~~ **organization prior to providing first response** emergency ~~services organization and shall be one (1) of the following:~~ **patient care that includes defibrillation:**

(1) Fire department as defined in IC 22-12-1-12.

~~(2) Law enforcement agency as defined in IC 5-2-5-1.~~

~~(3) Hospital as licensed under IC 16-21.~~

~~(4)~~ **(2)** Any provider organization **required to be** certified under IC 16-31.

~~(5) Indiana gaming organizations as defined in IC 4-33.~~

~~(6) Other organizations approved by the commission.~~

(b) The following organizations not included under subsection (a) are not required to obtain certification as a basic life support nontransport provider organization prior to providing first response emergency patient care that includes defibrillation; however, the organizations may apply to obtain certification in accordance with the provisions of this rule:

(1) A law enforcement agency as defined in IC 10-11-8-2.

(2) A riverboat on which lawful gambling is authorized under IC 4-33.

(3) A hospital licensed under IC 16-21.

(4) Other organizations approved by the commission.

(Indiana Emergency Medical Services Commission; 836 IAC 1-11-1; filed May 15, 1998, 10:25 a.m.: 21 IR 3887; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2728; filed Apr 4, 2002, 9:15 a.m.: 25 IR 2508; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2343; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3526)

SECTION 21. 836 IAC 1-11-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-11-2 Application for certification; renewal
Authority: IC 16-31-2-7
Affected: IC 16-31-3-2; IC 16-31-3-8

Sec. 2. (a) Application for ~~emergency medical services~~ **basic life support** nontransport provider **organization** certification shall be made on forms as ~~prescribed~~ **provided** by the ~~commission,~~ **agency,** and the applicant shall comply with the following requirements:

(1) Applicants shall complete the required forms and submit the forms to the ~~director~~ **agency** not less than sixty (60) days prior to the requested effective date of the certificate.

(2) Each ~~emergency medical services~~ vehicle with ~~its~~ **emergency medical services** equipment ~~as~~ required by **section 4 of** this ~~article,~~ **rule** shall be made available for inspection by the ~~director or the director's duly authorized representative.~~ **agency.**

(3) The premises on which ~~emergency medical services vehicle supplies~~ **emergency medical service nontransport vehicles** are stored shall be open during operating hours to the ~~director or the director's duly authorized representative,~~ **agency** for inspection.

(4) A complete listing of affiliated personnel to be utilized as emergency medical technicians, first responders, and emergency medical services vehicle drivers shall be submitted to the ~~director.~~ **agency.** The ~~director~~ **agency** shall be notified in writing within thirty (30) days of any change in personnel.

(5) Each application shall include the following information:

(A) A description of the service area.

(B) Hours of operation.

(C) Number and location of emergency medical services vehicles.

(D) Organizational structure, including names, addresses, and telephone numbers of the owner, chief executive officer, chief operations officer, training officer, and medical director.

(E) Current Federal Communications Commission license or letter of authorization.

(F) Location of emergency medical services nontransport ~~provider's~~ **provider organization's** records.

(G) Proof of insurance coverage ~~in adequate amounts as specified in~~ **for vehicles if required by** 836 IAC 1-3-6. ~~shall be submitted with the application and shall be renewed thirty (30) days prior to the expiration of the current insurance.~~

(H) Medical director approval form provided by the agency.

(I) Personnel roster form provided by the agency.

(J) A copy of the agreement with an ambulance service provider organization as required by subsection (d).

~~(H)~~ **(K)** Other information as required by the commission.

(b) Upon approval, a certificate shall be issued by the ~~director.~~ **commission.** The certificate shall be valid for a period of two (2) years unless earlier revoked or suspended by the commission and shall be prominently displayed at the place of business.

(c) Application for emergency medical services nontransport provider **organization** certification renewal shall be made not less than sixty (60) days prior to the expiration date of the current certificate to assure continuity of certification. Application for renewal shall be made on forms as ~~prescribed~~ **provided**

by the ~~commission~~ **agency** and shall indicate compliance with the requirements set forth for original certification.

(d) ~~Emergency medical services~~ **Basic life support** nontransport ~~providers~~ **provider organizations** shall ~~submit a copy of~~ **have and maintain in place** an agreement between the ~~nontransporting~~ **nontransport provider** organization and an ambulance service provider **organization** certified ~~pursuant to~~ **under** IC 16-31. The agreement shall ensure that the nontransporting **provider** organization can be assured that patients treated shall be transported in a timely and safe manner. The agreement shall not preclude another ambulance service provider **organization,** if available, from transporting the patients.

(e) Each basic life support nontransport provider organization shall notify the agency within thirty (30) days of any change in the operation as outlined in the application. *(Indiana Emergency Medical Services Commission; 836 IAC 1-11-2; filed May 15, 1998, 10:25 a.m.: 21 IR 3887; filed Apr 4, 2002, 9:15 a.m.: 25 IR 2509; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2344; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3526)*

SECTION 22. 836 IAC 1-11-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-11-3 Emergency medical services nontransport provider organization operating procedures

Authority: IC 16-31-2-7
Affected: IC 16-41-10

Sec. 3. (a) The *[sic.]* ~~emergency medical services nontransport provider's premises shall be maintained, suitable to the conduct of the emergency medical services vehicle service, with provision for adequate storage and maintenance of equipment.~~

~~(b) Each emergency medical services nontransport provider shall provide for a periodic maintenance program to assure that all equipment is maintained in good working condition and that rigid sanitation procedures are in effect, at all times.~~

~~(c) All emergency medical services nontransport provider premises, records, and equipment shall be made available for inspection by the commission, director, or a duly authorized representative at any time during operating hours.~~

~~(d) The insurance requirement of IC 16-31-3-2(a) is satisfied if the emergency medical services nontransport provider:~~

~~(1) has in force and effect public liability insurance in the sum of not less than three hundred thousand dollars ($300,000) combined single limit, issued by an insurance company licensed to do business in Indiana; or~~

~~(2) is a government entity within the meaning of IC 34-6-2-49.~~

~~Coverage shall be for each emergency medical services vehicle owned or operated by or for the emergency medical services nontransport provider.~~

~~(e)~~ Each ~~emergency medical services~~ **basic life support** nontransport provider **organization** shall provide and maintain a communication system that meets or exceeds the requirements set forth in 836 IAC 1-4. The ~~emergency medical services~~ **basic life support** nontransporting vehicles are not required to be equipped with the Indiana Hospital Emergency Radio Network frequency (155.340 MHZ) as specified in 836 IAC 1-4-2(c)(2).

~~(f) Each emergency medical services nontransport provider shall designate one (1) person as the organization's training officer to assume responsibility for in-service training. This person shall be certified as a first responder, an emergency medical technician, an advanced emergency medical technician, a paramedic, a registered nurse, a certified physician assistant, or a licensed physician who is actively involved in the delivery of emergency medical services with that organization. The training officer shall be responsible for the following:~~

~~(1) Provide and maintain records of in-service training offered by the provider organization.~~

~~(2) Maintain the following in-service training session information:~~

~~(A) Summary of the program content.~~

~~(B) Names of instructors.~~

~~(C) Names of those attending.~~

~~(D) Date, time, and location of in-service training sessions.~~

~~(3) Sign individual emergency medical technician training records or reports to verify actual time in attendance at training sessions.~~

~~(g) An emergency medical services nontransport provider shall not act in a reckless or negligent manner so as to endanger the health or safety of emergency patients or members of the general public while in the course of business as an emergency medical services nontransport provider.~~

~~(h) Each emergency medical services nontransport provider shall notify the director within thirty (30) days of the present and past specific location of any emergency medical services vehicle if the location of the emergency medical services vehicle is changed from that specified in the provider's application for emergency medical services nontransport provider certification or certification renewal.~~

~~(i)~~ **(b)** Each ~~emergency medical services~~ **basic life support** nontransport provider **organization** shall ensure that rigid sanitation procedures are in effect at all times. The following sanitation standards apply to all emergency medical services **nontransport** vehicles:

(1) The equipment within the vehicle shall be clean and maintained in good working order at all times.

(2) Closed compartments shall be provided within the vehicle for medical supplies.

(3) Closed containers shall be provided for soiled supplies.
(4) Implements inserted into the patient's nose or mouth shall be single-service, wrapped, and properly stored and handled. Multiuse items are to be kept clean and sterile when indicated and properly stored.
(5) The equipment utilized to treat a patient known to have a communicable disease or suffered exposure to hazardous material or biohazard material shall be cleansed in accordance with current decontamination and disinfecting standards. All hazardous and biohazard materials shall be disposed of in accordance with current hazardous and biohazard disposition standards.

~~(j) An emergency medical services nontransport provider shall not engage in the provision of advanced life support as defined in IC 16-18-2-7.~~

~~(k)~~ **(c)** Each ~~emergency medical services~~ **basic life support** nontransport provider ~~under the responsibility of its chief executive officer and medical director,~~ **organization** shall conduct quarterly audit and review ~~to assess, monitor, and evaluate the quality of patient care as follows:~~
~~(1) The audit and review shall provide the following:~~
~~(A) An environment that encourages personnel to deliver care consistent with established standards of care.~~
~~(B) A systematic means of measuring and evaluating the quality of patient care.~~
~~(C) A tool to provide personnel with feedback and methods of action for improving practices and services.~~
~~(D) A method of identifying needs to staff development programs, basic training, in-service, and orientation.~~
~~(E) A method for describing patient care outcomes.~~
~~(2) The audit and review shall be conducted under the direction of one (1) of the following:~~
~~(A) The emergency medical services nontransport provider's medical director.~~
~~(B) An emergency room committee that is supervised by a medical director. Emergency medical services personnel shall serve as members on the committee.~~
~~(C) The emergency medical services nontransport provider that establishes a committee of individuals within the services.~~ **under 836 IAC 1-1-6.**

~~(l)~~ **(d)** Each ~~emergency medical services~~ **basic life support** nontransport provider **organization** shall secure a medical director. ~~who shall be a physician with an unlimited license to practice medicine in Indiana.~~ The duties and responsibilities of the medical director are as follows:
(1) Provide liaison between the local medical community and the emergency medical services provider **organization.**
(2) Assure compliance with defibrillation training standards and curriculum established by the commission.
(3) Monitor and evaluate the day-to-day medical operations of the emergency medical ~~services~~ **service provider** organization.
(4) Assist in the continuing education programs of the emergency medical ~~services~~ **service provider** organization.
(5) Provide technical assistance concerning the delivery of automated defibrillation and other medical issues.
(6) Provide individual consultation to the emergency medical personnel affiliated with the emergency medical services **provider** organization.
(7) Participate in the audit and review of cases treated by the emergency medical defibrillation personnel of the emergency medical ~~services~~ **service provider** organization.
(8) Assure compliance with approved medical standards established by the commission performed by the **provider** organization.
(9) Establish protocols for automatic defibrillation, airway management, and medication administration as approved by the commission.
(10) Provide liaison between the emergency medical service provider organization, the emergency medical service personnel, and the hospital in regards to communicable disease testing under IC 16-41-10.

~~(m)~~ **(e)** All ~~records~~ **basic life support nontransport provider organizations** shall ~~be retained for a minimum of three (3) years, except for the following~~ **maintain accurate** records ~~which shall be retained for a minimum of seven (7) years:~~
~~(1) Audit and review records.~~
~~(2) Run reports.~~
~~(3) Training records.~~ **under 836 IAC 1-1-5.**

~~(n)~~ **(f)** Each ~~emergency medical services~~ **basic life support** nontransport provider **organization** shall employ at least one (1) certified ~~person~~ **individual** trained in the use of the automated defibrillator. Only trained ~~certified emergency medical services~~ personnel shall use an automated defibrillator.

~~(o) Each emergency medical services nontransport provider shall maintain, in a manner prescribed by the commission, accurate records, including a run report form, concerning the assessment and treatment of each emergency patient treated. The run report form shall include the following information about the patient:~~
~~(1) Name.~~
~~(2) Identification number.~~
~~(3) Age.~~
~~(4) Sex.~~
~~(5) Race.~~
~~(6) Physician of the patient.~~
~~(7) Date of birth.~~
~~(8) Address, including zip code.~~
~~(9) Location of incident.~~
~~(10) Chief complaint.~~
~~(11) History, including the following:~~
~~(A) Current medical condition and medications.~~
~~(B) Past pertinent medical conditions and allergies.~~
~~(12) Physical examination section.~~
~~(13) Treatment given section.~~
~~(14) Vital signs, including the following:~~

~~(A) Pulse.~~
~~(B) Respirations.~~
~~(C) Level of consciousness.~~
~~(D) Skin temperature and color.~~
~~(E) Pupillary reactions.~~
~~(F) Ability to move.~~
~~(G) Presence or absence of breath sounds.~~
~~(H) The time of observation and a notation of the quality for each vital sign should also be included.~~
~~(15) Responsible guardian.~~
~~(16) Name of patient attendants, including emergency medical services certification numbers.~~
~~(17) Vehicle emergency medical services certification number.~~
~~(18) Responding service delivery times, including the following:~~
~~(A) Time of receipt of call.~~
~~(B) Time dispatched.~~
~~(C) Time arrived scene.~~
~~(D) Time of patient released to transporting emergency medical services.~~
~~(E) Time vehicle available for next response.~~
~~(19) Date of service.~~
~~(20) The report form shall provide space for narrative description of the situation and the care rendered by the nontransport unit.~~

~~(p) A signed statement for refusal of treatment or transportation services, or both, shall be maintained as part of the run documentation.~~

~~(q) All emergency medical services nontransport providers shall participate in the emergency medical services system review by:~~
~~(1) collecting all data elements prescribed by the commission; and~~
~~(2) reporting that information according to procedures and schedules prescribed by the commission.~~

~~(r)~~ **(g)** Each ~~emergency medical services~~ **basic life support** nontransport provider **organization** shall comply with ~~the general certification provision of this article.~~ **rule 1 of this chapter** *[sic.]*. *(Indiana Emergency Medical Services Commission; 836 IAC 1-11-3; filed May 15, 1998, 10:25 a.m.: 21 IR 3888; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2729; filed Apr 4, 2002, 9:15 a.m.: 25 IR 2510; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3527)*

SECTION 23. 836 IAC 1-11-4 IS AMENDED TO READ AS FOLLOWS:

836 IAC 1-11-4 Basic life support nontransport provider organization emergency care equipment

Authority: IC 16-31-2-7
Affected: IC 16-31-3-2

Sec. 4. Every ~~emergency medical services~~ **basic life support** nontransport provider **organization** shall have one (1) set of the following assembled and readily accessible emergency care equipment for every vehicle utilized as an emergency medical service nontransport vehicle:

(1) Respiratory and resuscitation equipment as follows:
(A) Portable suction apparatus, capable of a minimum vacuum of three hundred (300) millimeters mercury, equipped with wide-bore tubing and both rigid and soft pharyngeal suction tips.
(B) Bag-mask ventilation units, hand operated, one (1) unit in each of the following sizes, each equipped with clear face masks and oxygen reservoirs with oxygen tubing:
(i) Adult.
(ii) Child.
(iii) Infant.
(iv) Neonatal (mask only).
(C) Portable oxygen equipment of at least three hundred (300) liters capacity (D size cylinder) with yoke, medical regulator, pressure gauge, and nondependent flowmeter. Oxygen delivery devices shall include high concentration devices, one (1) each of the following:
(i) Adult.
(ii) Child.
(iii) Infant.
(D) Oropharyngeal airways, two (2) each of adult, child, and infant.
(E) One (1) pocket mask with one-way valve.
(F) Nasopharyngeal airways, two (2) each of the following:
(i) Small (20-24 french).
(ii) Medium (26-30 french).
(iii) Large (31 french or greater).
(G) Semiautomatic or automated external defibrillator and a minimum of two (2) sets of pads.
(2) Wound care supplies as follows:
(A) Ten (10) sterile gauze pads, three (3) inches by three (3) inches or larger.
(B) Bandages, two (2) soft roller self-adhering type, two (2) inches by four (4) yards minimum.
(C) Adhesive tape, two (2) rolls.
(D) Bandage shears, one (1) pair.
(3) Miscellaneous items as follows:
(A) Water soluble lubricant for airway insertion.
(B) Stethoscope, one (1).
(C) Blood pressure manometer, one (1) adult size.
(D) Diagnostic penlight or portable flashlight, one (1).
(E) Disposable gloves, two (2) pairs.
(F) A current copy of the basic life support protocols.
(4) Medications, if approved by medical director, and solely for use by individuals with a certification as an emergency medical technician or higher, are as follows:
(A) Baby aspirin, eighty-one (81) milligrams each.
(B) Activated charcoal.
(C) Instant glucose.
(D) Epinephrine **auto-injector or** auto-injectors.

(Indiana Emergency Medical Services Commission; 836 IAC 1-

11-4; filed May 15, 1998, 10:25 a.m.: 21 IR 3890; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2731; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2345; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3529)

SECTION 24. 836 IAC 1-12 IS ADDED TO READ AS FOLLOWS:

Rule 12. Emergency Medical Technician-Basic Advanced Provider Organizations; Requirements; Standards

836 IAC 1-12-1 Emergency medical technician-basic advanced provider organizations; general requirements

Authority: IC 16-31-2-7
Affected: IC 16-31-3; IC 16-41-10

Sec. 1. (a) A person shall not furnish, operate, maintain, advertise, or otherwise engage in providing emergency medical services as an emergency medical technician-basic advanced provider organization unless the person is certified by the commission as an emergency medical technician-basic advanced provider organization.

(b) An emergency medical technician-basic advanced provider organization certification provides authority to perform skills set forth and approved by the commission for which certification is granted. The medical director may limit the skills according to local protocols.

(c) If an emergency medical technician-basic advanced provider organization also provides transportation of emergency patients, the emergency medical technician-basic advanced provider organization shall be certified as an ambulance service provider organization under 836 IAC 1-2.

(d) An emergency medical technician-basic advanced provider organization shall have an agreement, or interdepartmental memo if hospital based, with one (1) or more supervising hospitals for the following services:

(1) Continuing education.

(2) Audit and review.

(3) Medical control and direction.

(4) Provision to allow the emergency medical technician-basic advanced affiliated with the supervised emergency medical technician-basic advanced provider organization to function within the appropriate hospital department in order to obtain continuing practice in their clinical skills.

The agreement or interdepartmental memo shall include a detailed description of how such services shall be provided to the emergency medical technician-basic advanced provider organization. In those cases where more than one (1) hospital enters into an agreement, or seeks to enter into an agreement, with an emergency medical technician-basic advanced provider organization as a supervising hospital, an interhospital agreement shall be provided to the agency that shall clearly defines *[sic.]* **the specific duties and responsibilities of each hospital to ensure medical and administrative accountability of system operation.**

(e) All ambulances used by the emergency medical technician-basic advanced provider organization shall be certified under 836 IAC 1-3.

(f) Upon approval, a certificate shall be issued by the commission to the emergency medical technician-basic advanced provider organization for each vehicle. The certificate shall be valid for two (2) years. The vehicle certificate shall be prominently displayed within the vehicle.

(g) All nontransport vehicles used for the provision of emergency medical technician-basic advanced services shall meet all of the following requirements:

(1) Each nontransport vehicle shall carry the following assembled and readily accessible minimum rescue equipment:

(A) Equipment for safeguarding personnel, including one (1) fire extinguisher with an Underwriters Laboratory rating of not less than a five (5) pound rating for 2A:4-B; C, that shall have a current inspection date and be mounted so that it is readily accessible.

(B) Equipment for release from entrapment or confinement, including the following:

(i) One (1) hammer, four (4) pound, fifteen (15) inch handle (hammer weight and length are minimums).

(ii) One (1) wrecking bar, twenty-four (24) inch combination tool minimum.

(iii) One (1) self-contained portable light source.

(2) Each nontransport vehicle shall wrap, properly store, and handle all the single-service implements inserted into the patient's nose or mouth. Multiuse items are to be kept clean and sterile when indicated and properly stored. The vehicle shall carry the following assembled and readily accessible minimum equipment:

(A) Respiratory and resuscitation equipment as follows:

(i) Portable suction apparatus, capable of a minimum vacuum of three hundred (300) millimeters mercury, equipped with wide-bore tubing and both rigid and soft pharyngeal suction tips.

(ii) Bag-mask ventilation units, hand operated, one (1) unit in each of the following sizes, each equipped with clear face masks and oxygen reservoirs with oxygen tubing:

(AA) Adult.

(BB) Child.

(CC) Infant.

(DD) Neonatal (mask only).

(iii) Oropharyngeal airways, two (2) each of adult, child, and infant.

(iv) One (1) pocket mask with one-way valve.

(v) Portable oxygen equipment of at least three hundred (300) liters capacity (D size cylinder) with yoke, medical regulator, pressure gauge, and nondependent flowmeter.

(vi) Oxygen delivery devices shall include the following:

(AA) High concentration devices, two (2) each, adult, child, and infant.

(BB) Low concentration devices, two (2) each, adult.

(vii) Nasopharyngeal airways, two (2) each of the following with water soluble lubricant:

(AA) Small (20-24 french).

(BB) Medium (26-30 french).

(CC) Large (31 french or greater).

(viii) Bulb syringe individually packaged in addition to obstetrics kit.

(ix) Nonvisualized airway minimum of two (2) with water soluble lubricant.

(x) Portable defibrillator with self-contained cardiac monitor and ECG strip writer and equipped with defibrillation pads or paddles appropriate for adult defibrillation.

(B) Wound care supplies as follows:

(i) Airtight dressings, four (4), for open chest wounds.

(ii) Assorted bandaging supplies for the care of soft tissue injuries.

(C) Patient stabilization equipment as follows:

(i) Upper and lower extremity splinting devices, two (2) each.

(ii) Rigid extrication collar, two (2) each capable of the following sizes:

(AA) Pediatric.

(BB) Small.

(CC) Medium.

(DD) Large.

(D) Personal protection/universal precautions equipment, minimum of one (1) each, including the following:

(i) Gowns.

(ii) Face masks and shields.

(iii) Gloves.

(iv) Biohazard bags.

(v) Antimicrobial hand cleaner.

(E) Miscellaneous items as follows:

(i) Obstetrical kit, sterile, one (1).

(ii) Blood pressure manometer, one (1) each in the following cuff sizes:

(AA) Large adult.

(BB) Adult.

(CC) Pediatric.

(iii) Stethoscopes, one (1) each in the following sizes:

(AA) Adult.

(BB) Pediatric.

(iv) Sharps collector, one (1) being a minimum of seven (7) inches in height.

(v) Intravenous fluids and administration supplies approved by the medical director.

(vi) Medication as approved by the medical director limited to the following:

(AA) Baby aspirin, eighty-one (81) milligrams each.

(BB) Activated charcoal.

(CC) Instant glucose.

(DD) Epinephrine auto-injector or auto-injectors.

(3) A current copy of protocols shall be maintained on board the nontransport vehicle at all times.

(4) A copy of the medication list, including quantities and concentrations approved by the medical director.

(h) An emergency medical technician-basic advanced provider organization shall have a medical director. The duties and responsibilities of the medical director are as follows:

(1) Provide liaison between the local medical community and the emergency medical service provider organization.

(2) Assuring that appropriate intravenous solution, supplies, and equipment are available to the emergency medical technician-basic advanced provider organization.

(3) Monitor and evaluate the day-to-day medical operations of the provider organization.

(4) Assist the supervising hospital in the coordination of inservice training programs.

(5) Assure continued competence of emergency medical technician-basic advanced affiliated with, or employed by, the emergency medical technician-basic advanced provider organization.

(6) Participate in the quarterly audit and review of cases treated by emergency medical technician-basic advanced of the provider organization.

(7) Establish protocols for emergency medical technician-basic advanced.

(8) Establish and publish a list of intravenous fluids and administration supplies, including minimum quantities to be carried on the vehicle.

(9) Provide liaison between the emergency medical service provider organization, the emergency medical service personnel, and the hospital in regards to communicable disease testing under IC 16-41-10.

(i) Each emergency medical technician-basic advanced provider organization shall notify the agency in writing within thirty (30) days of any changes in the operation as outlined in the application for which certification was granted.

(j) When services administered by an emergency medical technician-basic advanced at the scene of an accident or illness are continued en route to an emergency facility, as a minimum, the patient compartment of the ambulance shall be staffed by not less than one (1) person certified as an emergency medical technician-basic advanced, emergency medical technician-intermediate, or paramedic.

(k) Provide for a periodic maintenance program to assure that all emergency medical service vehicles, including equipment, are maintained in good working condition at all times and that equipment, medication, and supplies have not exceeded the manufacturer's specified expiration date.

(l) Each emergency medical technician-basic advanced provider organization shall show proof of insurance coverage as required by 836 IAC 1-3-6.

(m) The emergency medical technician-basic advanced provider organization shall maintain a communications system established under 836 IAC 1-4.

(n) Each nontransport vehicle used for the purpose of providing emergency medical technician-basic advanced services when dispatched for the purpose of an emergency medical run shall be staffed, as a minimum, by a certified emergency medical technician-basic advanced. *(Indiana Emergency Medical Services Commission; 836 IAC 1-12-1; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3530)*

836 IAC 1-12-2 Application for provisional certification

Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3-8; IC 16-31-3-20

Sec. 2. (a) An applicant may apply for and obtain provisional certification as an emergency medical technician-basic advanced provider organization for the purpose of prehospital training of emergency medical technician-basic advanced students when in the presence of a preceptor approved by the commission in accordance with this section.

(b) A provisional certification may only be issued to a certified ambulance service provider organization.

(c) The applicant shall submit a fully completed application for provisional certification on forms provided by the agency.

(d) The provisional certification may only be issued after the applicant has demonstrated to the satisfaction of the director that the ambulance to be used for such training is certified and meets the requirements of this article.

(e) The provisional certification expires no later than the earlier of the following dates:

(1) Sixty (60) days after the completion date of the emergency medical technician-basic advanced course completion as identified on the approved course application.

(2) Six (6) months from the starting date of the course contained on the approved course application.

(f) The issuance of an emergency medical technician-basic advanced provider organization certification invalidates any provisional certification. *(Indiana Emergency Medical Services Commission; 836 IAC 1-12-2; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3532)*

836 IAC 1-12-3 Application for certification

Authority: IC 16-31-2-7
Affected: IC 16-31-3-8; IC 16-31-3-20

Sec. 3. (a) Application for certification as an emergency medical technician-basic advanced provider organization shall be made on forms provided by the agency and shall include the following:

(1) Each application shall include the following information:

(A) A description of the service area.

(B) Hours of operation.

(C) Number and location of ambulances and nontransport vehicles.

(D) Organizational structure, including name, address, and phone number for the owner, chief executive officer, chief operations officer, training officer, and medical director.

(E) Current Federal Communications Commission license or letter of authorization.

(F) Location of provider organization's records.

(G) Proof of insurance coverage for ambulances and nontransport vehicles as required by 836 IAC 1-3-6.

(H) Staffing pattern of personnel.

(I) Base of operations.

(J) List of all affiliated personnel, including certification numbers.

(K) Other information as required by the commission.

(2) Plans and methodologies to ensure that the trained personnel are provided with supervised continuing education to maintain proficiency. Continuing education is under the direct supervision of the emergency medical technician-basic advanced provider organization medical director or medical director designee.

(3) A listing of intravenous fluids and administration sets, including quantities to be carried on board each vehicle as approved by the medical director.

(b) Emergency medical technician-basic advanced provider organizations that do not also provide transportation of emergency patients shall submit a copy of a current agreement between the nontransporting emergency medical technician-basic advanced provider organization and a certified ambulance service provider organization. The agreement shall provide that the nontransporting emergency medical technician-basic advanced provider organization assures that patients treated shall be transported in a timely and safe manner. The agreement shall not preclude another ambulance service provider organization, if available, from transporting the patients.

(c) Upon approval, an emergency medical technician-basic

advanced provider organization shall be issued a certification. The certificate is valid for a period of two (2) years and shall be prominently displayed at the place of business.

(d) Application for emergency medical technician-basic advanced provider organization certification renewal shall be made not less than sixty (60) days prior to the expiration date of the current certification. Application for renewal will be made on forms provided by the agency and show evidence of compliance with the requirements as set forth for original certification. *(Indiana Emergency Medical Services Commission; 836 IAC 1-12-3; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3532)*

836 IAC 1-12-4 Emergency medical technician-basic advanced provider organization; operating procedures

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 4. (a) Each emergency medical technician-basic advanced provider organization shall comply with the emergency medical service provider organization operating procedures of 836 IAC 1-1-8.

(b) Each emergency medical technician-basic advanced provider organization shall establish daily equipment checklist procedures to ensure the following:

(1) Mechanical and electronic equipment is in proper operating condition.

(2) Emergency response vehicles are maintained in a safe operating condition at all times.

(3) Intravenous fluids and administration sets are available and functional.

(4) Equipment, medication, fluid, and supplies do not exceed the manufacturer's specified expiration date.

(c) A copy of the protocols and list of intravenous fluids and administration supplies shall be maintained by the emergency medical technician-basic advanced provider organization. Any changes to the protocols and list shall be forwarded to the agency within thirty (30) days.

(d) The following requirements apply to the use of equipment and supplies by emergency medical technician-basic advanced:

(1) Emergency medical technician-basic advanced are prohibited from having in their possession, or maintained on board emergency response vehicles, any equipment or supplies that have not been approved by the emergency medical technician-basic advanced provider organization medical director.

(2) Accountability for distribution, storage, ownership, and security of equipment and supplies shall be in accordance with the requirements established by the issuing pharmacy and medical director.

(e) Each emergency medical technician-basic advanced provider organization shall follow rigid sanitation procedures established in 836 IAC 1-2-3(l).

(f) The emergency medical technician-basic advanced provider organization shall ensure that all ambulances used for the provision of emergency medical technician-basic advanced contain the rescue equipment required in 836 IAC 1-3-4, the emergency care equipment required in 836 IAC 1-3-5, and the communication equipment required in 836 IAC 1-4-2. In addition, the emergency medical services vehicles used for the provision of emergency medical technician-basic advanced shall also carry the following items:

(1) One (1) portable ECG monitor/defibrillator with defibrillation pads or paddles, which may be the defibrillator listed in 836 IAC 1-3-5(1)(L).

(2) Intravenous fluids and administration supplies as approved by the medical director.

(3) A current copy of emergency medical technician-basic advanced protocols shall be maintained on board the emergency medical services vehicle at all times.

(4) A copy of the list of intravenous fluids and administration sets, including quantities as approved by the medical director.

(g) An emergency medical technician-basic advanced provider organization and any affiliated emergency medical technician-basic advanced possessing approval for intravenous line placement from the medical director may transport and treat a patient or patients from a health care facility as follows if:

(1) The only procedure that has been previously initiated for the patient is an intravenous line or lines administering prepackaged solutions of dextrose or electrolytes that contain one (1) or more of the following additives and no others:

(A) Vitamins.

(B) Sodium chloride, excluding saline solutions in excess of nine-tenths percent (0.9%) concentration.

(C) Potassium chloride (forty (40) milliequivalent per liter maximum).

(D) Cortisone.

(E) Antibiotics.

(2) The ambulance contains sufficient quantities of the intravenous supplies and solutions received by the patient in order to maintain the patient's established medical intervention and to manage patient complications that may be reasonably anticipated to occur en route to the patient's destination.

(h) An emergency medical technician-basic advanced provider organization shall not do the following:

(1) Operate an ambulance or other emergency medical service vehicle unless it is in full compliance with this article.

(2) Transport any emergency patient in any vehicle except a certified ambulance.

(Indiana Emergency Medical Services Commission; 836 IAC 1-12-4; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3533)

SECTION 25. 836 IAC 2-1-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-1-1 Definitions

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 1. The ~~following~~ definitions **in 836 IAC 1-1-1** apply throughout this article. ~~unless the context clearly denotes otherwise and pertain to all advanced life support requirements and standards promulgated by the commission:~~

~~(1) "Advanced emergency medical technician" means an individual who can perform one (1) or more, but not all, of the procedures of a paramedic and who:~~

~~(A) has completed a prescribed course in advanced life support;~~

~~(B) has been certified by the commission;~~

~~(C) is associated with a single supervising hospital; and~~

~~(D) is affiliated with a provider organization.~~

~~(2) "Advanced emergency medical technician intermediate" means an individual who can perform one (1) or more, but not all, of the procedures of a paramedic and who:~~

~~(A) has completed a prescribed course in advanced life support;~~

~~(B) has been certified by the commission;~~

~~(C) is associated with a single supervising hospital; and~~

~~(D) is affiliated with a provider organization.~~

~~(3) "Advanced emergency medical technician intermediate organization" means an ambulance service provider or other emergency care organization certified by the commission to provide advanced life support services administered by advanced emergency medical technician intermediates in conjunction with a supervising hospital.~~

~~(4) "Advanced emergency medical technician organization" means an ambulance service provider or other emergency care organization certified by the commission to provide advanced life support services administered by advanced emergency medical technicians in conjunction with a supervising hospital.~~

~~(5) "Advanced life support", for purposes of IC 16-31, means:~~

~~(A) care given:~~

~~(i) at the scene of an:~~

~~(AA) accident;~~

~~(BB) act of terrorism (as defined in IC 35-41-1-26.5), if the governor has declared a disaster emergency under IC 10-4-1-7 in response to the act of terrorism; or~~

~~(CC) illness; or~~

~~(ii) during transport at a hospital;~~

~~by a paramedic, advanced emergency medical technician intermediate, or advanced emergency medical technician and that is more advanced than the care usually provided by an emergency medical technician; and~~

~~(B) may include:~~

~~(i) defibrillation;~~

~~(ii) endotracheal intubation;~~

~~(iii) parenteral injection of appropriate medications, including administration of epinephrine through an auto-injector;~~

~~(iv) electrocardiogram interpretation; and~~

~~(v) emergency management of trauma and illness.~~

~~(6) "Advanced life support nontransport vehicle" means a motor vehicle other than an ambulance, owned or leased by a certified emergency medical service provider, that provides advanced life support but does not supply patient transport from the scene of the emergency. The term does not include an employer-owned or employer-operated vehicle used for first aid purposes within or upon the employer's premises.~~

~~(7) "An agency or instrumentality of the United States", as that phrase is used in IC 16-31-3-3, means to exclude all nongovernmental entities that have a contract with the government of the United States or any bureau, board, commission, or statutorily created entity thereof.~~

~~(8) "Anniversary date" means the date on which certification as a paramedic, advanced emergency medical technician intermediate, or an advanced emergency medical technician was issued by the commission.~~

~~(9) "Auto-injector" means a spring-loaded needle and syringe that:~~

~~(A) contains a single dose of medication; and~~

~~(B) automatically releases and injects the medication.~~

~~(10) "Certificate" or "certification", for the purposes of IC 16-31, means authorization in written form issued by the Indiana emergency medical services commission to a person to furnish, operate, conduct, maintain, advertise, or otherwise engage in providing emergency medical services as part of a regular course of doing business, either paid or voluntary.~~

~~(11) "Commission" means the Indiana emergency medical services commission.~~

~~(12) "Director" means the director of the state emergency management agency established under IC 10-8-2-1.~~

~~(13) "Emergency management of trauma and illness" means the following:~~

~~(A) Those procedures for which the paramedic has been specifically trained that are a part of the curriculum prescribed by the commission.~~

~~(B) Those procedures for which the paramedic has been specifically trained as a part of the continuing education program and approved by the supervising hospital and the paramedic organization's medical director.~~

~~(C) Those procedures for which the advanced emergency medical technician has been specifically trained in the Indiana basic emergency medical technician and Indiana advanced emergency medical technician curriculums and has been approved by the administrative and medical staff of the supervising hospital, the advanced emergency medical technician organization medical director, and the commission as being within the scope and responsibility of~~

the advanced emergency medical technician.

(D) Those procedures for which the advanced emergency medical technician intermediate has been specifically trained in the Indiana basic emergency medical technician and Indiana advanced emergency medical technician intermediate curriculums and has been approved by the administrative and medical staff of the supervising hospital, the advanced emergency medical technician intermediate organization medical director, and the commission as being within the scope and responsibility of the advanced emergency medical technician intermediate.

(14) "Emergency medical services vehicle" means an ambulance, an emergency medical service nontransport vehicle, a rescue squad, or an advanced life support nontransport vehicle.

(15) "Paramedic" means an individual who:

(A) is affiliated with a certified paramedic organization or is employed by a supervising hospital;

(B) has completed a prescribed course in advanced life support; and

(C) has been certified by the commission.

(16) "Paramedic organization" means an ambulance service provider or other emergency care organization certified by the commission to provide advanced life support services administered by paramedics or physicians with an unlimited license to practice medicine in Indiana in conjunction with supervising hospitals.

(17) "Person" means any:

(A) natural person or persons;

(B) partnership;

(C) corporation;

(D) association;

(E) joint stock association; or

(F) governmental entity other than an agency or instrumentality of the United States.

(18) "Physician" means an individual who currently holds a valid unlimited license to practice medicine issued in Indiana under IC 25-22.5.

(19) "Program director" means a person employed by a certified training institution that coordinates the advanced life support courses.

(20) "Provider organization" means an ambulance service or other emergency care organization certified by the commission to provide advanced life support in connection with a supervising hospital.

(21) "Provider organization operating area" means the geographic area in which an advanced emergency medical technician or advanced emergency medical technician intermediate, affiliated with a specific advanced emergency medical technician organization or advanced emergency medical technician intermediate organization, is able to maintain two-way voice communication with the provider organization's supervising hospitals.

(22) "Supervising hospital" means a hospital licensed under IC 16-21-2 or under the licensing laws of another state that has been certified by the commission to supervise paramedics, advanced emergency medical technician intermediates, advanced emergency medical technicians, and provider organizations in providing advanced life support.

(Indiana Emergency Medical Services Commission; Advanced Life Support Preliminary; filed Dec 15, 1977: Rules and Regs. 1978, p. 248; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2214; filed Oct 13, 1981, 10:05 a.m.: 4 IR 2433; errata, 5 IR 400; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1061; filed May 15, 1998, 10:25 a.m.: 21 IR 3891; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2732; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2345; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3534)

SECTION 26. 836 IAC 2-2-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-2-1 General requirements for paramedic provider organizations

Authority: IC 16-31-2-7
Affected: IC 16-31-3; IC 16-41-10

Sec. 1. (a) Certification by the commission is required for any ambulance service provider who seeks to provide advanced life support **A person shall not furnish, operate, maintain, advertise, or otherwise engage in providing emergency medical** services as a paramedic **provider** organization unless provisional certification is issued pursuant to subsection (l). **the person is certified by the commission as a paramedic provider organization.**

(b) If the paramedic **provider** organization also provides transportation of emergency patients, the paramedic **provider** organization shall be certified as an ambulance service provider **organization** in accordance with the requirements specified in 836 IAC 1. pursuant to IC 16-31. The paramedic nontransport **provider** organizations shall meet the requirements specified in 836 IAC 1-2-2(a) and 836 IAC 1-11-3(o) through 836 IAC 1-11-3(q). **836 IAC 1-1-5 through 836 IAC 1-1-8.**

(c) The paramedic **provider** organization shall ensure that: **the following:**

(1) Ambulances used are certified and meet the requirements specified in 836 IAC 1-3. and

(2) All nontransport emergency medical services vehicles used for the provision of advanced life support meet all of the requirements in 836 IAC 2-14.

(d) Paramedic **provider** organizations shall have a contract, **an agreement,** or interdepartmental memo if hospital-based, with one (1) or more supervising hospitals that agree to provide the following services:

(1) Continuing education.

(2) Audit and review.

(3) Medical control and direction.

(4) Provision to allow the paramedics affiliated with the supervised paramedic **provider** organization to function

within the appropriate hospital department in order to obtain continuing practice, remediation, and continuing education in their clinical skills.

The ~~contract~~ **agreement** or interdepartmental memo shall include a detailed description of how such services shall be provided to the paramedic **provider** organization. In those cases where more than one (1) hospital ~~contracts,~~ **enters into an agreement,** or seeks to ~~contract,~~ **enter into an agreement,** with a paramedic provider organization as a supervising hospital, an interhospital agreement shall be provided to the ~~commission~~ **agency** that shall clearly define the specific duties and responsibilities of each hospital to ensure medical and administrative accountability of system operation.

(e) The paramedic **provider** organization shall have a medical director provided by the paramedic **provider** organization or jointly with the supervising hospital. ~~who shall be a physician who holds a currently valid unlimited license to practice medicine in Indiana and has an active role in the delivery of emergency care.~~ The medical director is responsible for providing competent medical direction as established by the medical control committee. Upon establishment of a medical control policy, the paramedic **provider** organization medical director and the chief executive officer have the duty to enact the policy within the paramedic **provider** organization and accordingly enforce the policy. The duties and responsibilities of the medical director include, but are not limited to, the following:

(1) Provide liaison with physicians and the medical community.

(2) Assure that the drugs, medications, supplies, and equipment are available to the paramedic **provider** organization.

(3) Monitor and evaluate day-to-day medical operations of paramedic **provider** organizations.

(4) Assist the supervising hospital in the provision and coordination of continuing education.

~~(5) Provide information concerning the operation of the paramedic organization.~~

~~(6)~~ **(5)** Provide individual consultation to paramedics.

~~(7)~~ **(6)** Participate in at least quarterly audit and review of cases treated by paramedics of the provider organization.

~~(8)~~ **(7)** Attest to the competency of paramedics affiliated with the paramedic **provider** organization to perform skills required of a paramedic under 836 IAC 4-9-5.

~~(9)~~ **(8)** Establish protocols for advanced life support in cooperation with the medical control committee of the supervising hospital.

~~(10)~~ **(9)** Establish and publish a list of medications, including minimum quantities and dosages to be carried on the emergency medical services vehicle.

(10) Provide liaison between the emergency medical service provider organization, the emergency medical service personnel, and the hospital in regards to communicable disease testing under IC 16-41-10.

(f) The paramedic **provider** organization shall maintain a communications system that shall be available twenty-four (24) hours a day between the paramedic **provider** organization and the emergency department, or equivalent, of the supervising hospital using UHF (ultrahigh frequency) **or cellular** voice communications. The communications system shall be licensed by the Federal Communications Commission.

(g) Each paramedic **provider** organization shall do the following:

(1) Maintain an adequate number of trained personnel and emergency response vehicles to provide continuous, twenty-four (24) hour advanced life support services.

(2) Notify the commission in writing within thirty (30) days of assigning any individual to perform the duties and responsibilities required of a paramedic. This notification shall be signed by the provider organization and medical director of the provider organization.

~~(3) Notify the commission in writing within thirty (30) days of a paramedic's termination of employment or for any reason which prohibits a certified individual from performing the procedures required of a paramedic.~~

(h) A paramedic ~~organization~~ ambulance service provider **organization** must be able to provide ~~an advanced life support~~ **a paramedic level** response. For the purpose of this subsection, ~~an "advanced life support~~ **"paramedic** response" consists of the following:

(1) A paramedic.

(2) An emergency medical technician **or higher.**

(3) An ambulance in compliance with the requirements of ~~836 IAC 2-2-3(e).~~ **section 3(e) of this rule.**

(4) During transport of the patient, **the following are the minimum staffing requirements:**

(A) If **paramedic level** advanced life support treatment techniques have been initiated or are needed: ~~at least one (1) paramedic shall be in the patient compartment of~~

(i) the ambulance **must be staffed by at least a paramedic and an emergency medical technician; and**

(ii) a paramedic shall be in the patient compartment.

(B) If an emergency medical technician-intermediate level advanced life support treatment techniques have been initiated or are needed:

(i) the ambulance must be staffed by at least an emergency medical technician-intermediate and an emergency medical technician; and

(ii) an emergency medical technician-intermediate shall be in the patient compartment.

(C) If advanced life support treatment techniques have not been initiated and are not needed:

(i) ~~at least one (1) individual certified as~~ **the ambulance must be staffed by at least** an emergency medical technician; ~~or higher~~ **and**

(ii) an emergency medical technician shall be in the patient compartment. ~~of the ambulance during transport of the patient.~~

(i) For a paramedic **provider** organization, when an advanced life support nontransport vehicle is dispatched **for a paramedic response,** it shall, at a minimum, be staffed by a paramedic.

(j) The paramedic **provider** organization shall notify the ~~commission~~ **agency** in writing within thirty (30) days of any ~~change~~ **changes** in the ~~services provided.~~ **operation as stated in the application.**

~~(k) No certification is required for the following:~~
~~(1) A person who provides advanced life support while assisting in the case of a major catastrophe or disaster, whereby persons who are certified to provide emergency medical services or advanced life support are insufficient or are unable to cope with the situation.~~
~~(2) An agency or instrumentality of the United States and any paramedics of such agency or instrumentality is not required to be certified nor to conform to the standards prescribed in this article.~~

~~(l) The director may issue a provisional certification for the provision of advanced life support as a paramedic organization for the purpose of prehospital training of paramedic students when in the presence of a preceptor or preceptors approved by the commission in accordance with the following procedures:~~
~~(1) The provisional certification may be issued to the following:~~
~~(A) To an ambulance service provider certified pursuant to IC 16-31 only.~~
~~(B) To an advanced emergency medical technician organization certified pursuant to IC 16-31.~~
~~(2) The provisional certification may be issued when the following are met:~~
~~(A) Upon demonstration by the applicant to the satisfaction of the director, the ambulance to be used for such training is certified pursuant to IC 16-31.~~
~~(B) The ambulance meets the requirements of subsection (f) and section 3 of this rule.~~
~~(C) The ambulance service provider or advanced emergency medical technician organization has and shall maintain an adequate number of paramedic students, preceptors, and ambulances to provide continuous twenty-four (24) hour advanced life support service.~~
~~(3) A fully completed application for provisional certification shall be made on such forms as prescribed by the commission.~~
~~(4) The director may issue a provisional certificate for a period not to exceed sixty (60) days beyond the date of the paramedic course completion as identified on the approved course application. However, the director shall not issue a provisional certificate for a period exceeding twenty-four (24) consecutive months from the starting date of the course as identified on the approved course application.~~
~~(5) The issuance of a temporary or full certification invalidates any provisional certification.~~

~~(m)~~ **(k)** The paramedic **provider** organization shall, with medical director and chief executive officer approval, allow a **student or** graduate of an Indiana approved paramedic course to perform advanced life support under the direction of a preceptor. This person shall be actively pursuing certification as an Indiana certified paramedic. This provision shall be limited from one (1) year from date of course completion as indicated on course report.

~~(n) Provide for a periodic maintenance program to assure that emergency response vehicles, including equipment, are maintained in good working condition and that strict sanitation procedures are in effect at all times.~~

~~(o) Paramedic organization premises, records, parking, or garaging facilities and response vehicles shall be available for inspection by the director, or the director's duly authorized representative, at any time during operating hours.~~

~~(p)~~ **(l)** Each paramedic **provider** organization shall ~~have in force and effect public liability insurance in the sum as described in 836 IAC 1-3-6 pursuant to IC 16-31. Such~~ **show** proof of insurance ~~shall be made on a form prescribed by the commission.~~ **coverage as required by 836 IAC 1-3-6.** *(Indiana Emergency Medical Services Commission; Advanced Life Support Rule I, A; filed Jan 21, 1977, 11:30 a.m.: Rules and Regs. 1978, p. 200; filed Dec 15, 1977: Rules and Regs. 1978, p. 250; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2216; filed Oct 13, 1981, 10:05 a.m.: 4 IR 2434; errata, 5 IR 400; filed Dec 2, 1983, 2:43 p.m.: 7 IR 364; errata, 7 IR 1254; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1062; filed Aug 18, 1986, 1:00 p.m.: 10 IR 41; filed Oct 11, 1988, 11:05 a.m.: 12 IR 358; filed May 15, 1998, 10:25 a.m.: 21 IR 3892; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2733; filed Apr 4, 2002, 9:15 a.m.: 25 IR 2512; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2348; errata, 26 IR 2624; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3535)*

SECTION 27. 836 IAC 2-2-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-2-2 Application for certification; renewal
Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 2. (a) Application for certification as a paramedic **provider** organization shall be made on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** and shall ~~include, but not be limited to,~~ **comply with** the following:

(1) **Applicants shall complete the required forms and submit the forms to the agency not less than sixty (60) days prior to the requested effective date of the certificate.**

(2) Each application shall include a narrative summary of plans for providing advanced life support services, including the following:

(A) Defined primary area of response, including location of advanced life support response vehicles.

(B) A listing of ~~paramedics to be~~ **all** affiliated **personnel, including certification numbers** by the paramedic **provider** organization.
(C) The staffing pattern of personnel.
(D) Base of operations.
(E) Organizational structure, including name, address, and phone numbers for the owner, chief executive officer, chief operations officer, training officer, and medical director.
(F) Location of paramedic provider organizations records.
(G) Proof of insurance coverage for emergency medical service vehicles if required by 836 IAC 1-3-6.
~~(2)~~ **(H)** Plans and methodologies to ensure that the trained personnel are provided with supervised continuing education to maintain proficiency. Continuing education is under the direct supervision of the paramedic **provider** organization medical director with the cooperation of the supervising hospital.
~~(3)~~ **(I)** A listing of medications and special on-board life support equipment to be carried on board each vehicle as approved by the medical director.
~~(4)~~ **(J)** All scheduled medications shall be stored in a locked container within a locked compartment. Medications storage shall be approved in writing by medical director or issuing pharmacy.
~~(5)~~ **(K)** Letter of approval from the supervising hospital stating acceptance of the paramedics, compatibility of the UHF communications with the paramedic **provider** organization's vehicles, and agreement to fulfill the responsibilities of the supervising hospital.
(L) Other information as required by the agency.

(b) Paramedic **provider** organizations that do not also provide transportation of emergency patients shall submit **and maintain** a copy of a current ~~and binding contract~~ **agreement** between the nontransporting paramedic **provider** organization and an ambulance service provider **organization** certified ~~pursuant to~~ **under** IC 16-31. The ~~contract~~ **agreement** shall ensure that the nontransporting paramedic provider **organization** can be assured that patients treated shall be transported in a timely and safe manner. The ~~contract~~ **agreement** shall not preclude another ambulance service provider **organization,** if available, from transporting the patients.

(c) Upon approval, a paramedic **provider** organization shall be issued certification for the ~~provisions~~ **provision** of advanced life support. ~~certification.~~ The certificate ~~issued~~ is valid for a period of two (2) years and shall be prominently displayed at the place of business.

(d) Application for paramedic **provider** organization certification renewal should be made not less than sixty (60) days prior to the expiration date of the current certification. Application for renewal shall be made on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** and shall show evidence of compliance with the requirements as set forth for original certification.

~~(e)~~ Upon approval, a ~~certificate~~ **paramedic provider organization** shall be issued ~~by the director to the paramedic organization for v each vehicle.~~ **a certification.** The certificate ~~shall be~~ **is** valid for **a period of** two (2) years ~~unless earlier revoked or suspended by the commission. The vehicle certificate~~ **and** shall be prominently displayed ~~within~~ **at** the ~~vehicle.~~ **place of business.** *(Indiana Emergency Medical Services Commission; Advanced Life Support Rule I, B; filed Jan 21, 1977, 11:30 a.m.: Rules and Regs. 1978, p. 202; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2218; errata, 4 IR 531; filed Oct 13, 1981, 10:05 a.m.: 4 IR 2436; filed Dec 2, 1983, 2:43 p.m.: 7 IR 366; errata, 7 IR 1254; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1064; filed May 15, 1998, 10:25 a.m.: 21 IR 3895; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2735; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3537)*

SECTION 28. 836 IAC 2-2-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-2-3 Paramedic provider organization operating procedures

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 3. (a) Each paramedic **ambulance service provider** organization shall comply with the ambulance service provider **organization** operating procedures of 836 IAC 1-2-3. **The paramedic nontransport provider organization shall comply with the operating procedures listed in 836 IAC 1-1-8.**

(b) Each paramedic **provider** organization shall establish daily equipment checklist procedures to ensure the following:
(1) Electronic and mechanical equipment are in proper operating condition.
(2) Emergency response vehicles are maintained in a safe operating condition at all times.
(3) All required medications and intravenous fluids approved by the medical director of the paramedic **provider** organization and the supervising hospital are on board all nontransport emergency medical services vehicles and ambulances when used for the provision of advanced life support and available to the paramedic.
(4) Equipment, medication, fluid, and supplies have not exceeded the manufacturer's specified expiration date.

(c) A copy of the medication list and protocols shall be maintained by the paramedic **provider** organization and the supervising hospital emergency department. Any changes to the medications list shall be forwarded to the ~~commission~~ **agency** within thirty (30) days.

(d) All medications and advanced life support supplies are to be supplied by order of the medical director. Accountability for

distribution, storage, ownership, and security of medications is subject to applicable requirements as determined by the ~~Indiana board of pharmacy~~ **medical director, pharmacist,** and the **United States Department of Justice** Drug Enforcement Administration.

(e) The paramedic **provider** organization shall ensure that all ambulances used for the provision of advanced life support contain the emergency care equipment required in 836 IAC 1-3-5, the rescue equipment required in 836 IAC 1-3-4, and communication equipment required in 836 IAC 1-4-2. The advanced life support emergency medical services vehicles shall also carry the following equipment:

(1) Portable defibrillator with self-contained cardiac monitor and ECG strip writer and equipped with defibrillation pads or paddles appropriate for both adult and pediatric defibrillation. This may be the defibrillator listed in 836 IAC 1-3-5(1)(L).

(2) Tracheal suction catheters (adult #14 and #18, child #10).

(3) Endotracheal intubation devices, including the following:

(A) Laryngoscope with extra batteries and bulbs.

(B) Laryngoscope blades (adult and pediatric, curved and straight).

(C) Disposable endotracheal tubes, a minimum of two (2) each, sterile packaged, in sizes 3, 4, 5, 6, 7, 8, and 9 millimeters inside diameter.

(4) Intravenous fluids, medication, and administration supplies approved by the medical director.

(5) A current copy of advanced life support protocols shall be maintained on board the emergency medical services vehicle at all times.

(6) A copy of the medication list, including quantities and concentrations approved by the medical director.

~~(7) All minimum required medications as approved by the medical director.~~

(f) The paramedic **provider** organization shall ensure that all nontransport emergency medical services vehicles used for the provision of advanced life support meet all of the requirements in 836 IAC 2-14.

(g) Each paramedic **provider** organization shall ensure that rigid sanitation procedures are in effect at all times. The following sanitation standards apply to all vehicles used for the purpose of providing advanced life support services:

(1) The interior and the equipment within the vehicle shall be clean and maintained in good working order at all times.

(2) Freshly laundered linen or disposable linens shall be used on litters and pillows, and linen changed after each patient is transported.

(3) Clean linen storage shall be provided.

(4) Closed compartments shall be provided within the vehicle for medical supplies.

(5) Closed containers shall be provided for soiled supplies.

(6) Blankets shall be kept clean and stored in closed compartments.

(7) Single-service implements inserted into the patient's nose or mouth shall be wrapped and properly stored and handled. Multiuse items are to be kept clean and sterile when indicated and properly stored.

(8) When a vehicle has been utilized to transport a patient known to have a communicable disease, the vehicle shall be cleansed and all contact surfaces washed with soap and water and disinfected.

~~(9)~~ **(h)** All scheduled medications shall be stored in a locked container within a locked compartment. Medications storage shall be approved in writing by medical director or issuing pharmacy.

~~(h)~~ **(i)** A paramedic **provider** organization shall not operate an ambulance or other **emergency medical service** vehicle ~~used for the provision of advanced life support~~ unless ~~the ambulance or vehicle~~ **it** is in full compliance with this article. ~~unless the vehicle is a nontransport emergency medical services vehicle returning from the site of the provision of advanced life support by the equipment, supplies, and personnel previously on board the nontransport emergency medical services vehicle, nor shall~~

(j) A paramedic **provider** organization **shall not** transport any emergency patient or patient receiving advanced life support in any vehicle except an ambulance certified ~~pursuant to~~ **under** IC 16-31.

~~(i)~~ **(k)** Provisions for temporary vehicle certification are addressed in 836 IAC 1-2-3 **and 836 IAC 2-14-2(d).**

~~(j)~~ **(l)** Paramedics are prohibited from having in their possession, or maintained on board emergency response vehicles, any advanced life support equipment or supplies that have not been approved by **the** paramedic **provider** organization medical director.

(m) A paramedic provider organization is considered to be providing specialty care transport when the level of service or procedures required:

(1) exceed the procedures identified in the Indiana paramedic curriculum;

(2) are those in which the paramedic has received additional medical director approved training; and

(3) have been approved by the organization medical director.

(Indiana Emergency Medical Services Commission; Advanced Life Support Rule I, C; filed Jan 21, 1977, 11:30 a.m.: Rules and Regs. 1978, p. 204; filed Nov 3, 1980, 3:55 p.m.: 3 IR 2219; filed Oct 13, 1981, 10:05 a.m.: 4 IR 2437; errata, 5 IR 400; filed Dec 2, 1983, 2:43 p.m.: 7 IR 367; errata, 7 IR 1254; filed Dec 13, 1985, 9:13 a.m.: 9 IR 1065; filed Aug 18, 1986, 1:00 p.m.: 10 IR 43; filed Oct 11, 1988, 11:05 a.m.: 12 IR 360; filed May 15, 1998, 10:25 a.m.: 21 IR 3896; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2736; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3538)

SECTION 29. 836 IAC 2-2-4 IS ADDED TO READ AS FOLLOWS:

836 IAC 2-2-4 Application for provisional certification
Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3-8; IC 16-31-3-20

Sec. 4. (a) An applicant may apply for and obtain provisional certification as a paramedic provider organization for the purpose of prehospital training of paramedic students when in the presence of a preceptor approved by the commission in accordance with this section.

(b) A provisional certification may only be issued to a certified ambulance service provider organization.

(c) The applicant shall submit a fully completed application for provisional certification on forms provided by the agency.

(d) The provisional certification may only be issued after the applicant has demonstrated to the satisfaction of the director that the ambulance to be used for such training is certified and meets the requirements of this article.

(e) The provisional certification may only be issued if the ambulance service provider organization has and shall maintain an adequate number of paramedic students, preceptors, and ambulances to provide continuous twenty-four (24) hour advanced life support service.

(f) The provisional certification expires no later than the earlier of the following dates:
(1) Sixty (60) days after the completion date of the paramedic course completion as identified on the approved course application.
(2) Twenty-four (24) months from the starting date of the course contained on the approved course application.

(g) The issuance of a paramedic provider organization certification invalidates any provisional certification. *(Indiana Emergency Medical Services Commission; 836 IAC 2-2-4; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3540)*

SECTION 30. 836 IAC 2-4.1-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-4.1-1 General requirements
Authority: IC 16-31-2-7
Affected: IC 16-31-3-14

Sec. 1. (a) All hospitals supervising, or seeking to supervise, an emergency medical services provider organization ~~that provides advanced life support services~~ **at the following levels** shall be certified by the commission:
(1) Paramedic.
(2) Emergency medical technician-intermediate.
(3) Emergency medical technician-basic advanced.

(b) Application for certification shall be submitted to the commission no less than ninety (90) days prior to the date for which approval is requested. Application for certification shall be made on forms ~~prescribed~~ **provided** by the ~~commission.~~ **agency. The application shall include the following:**
(1) Description of the communication system, licensed per FCC rules and regulation, which is available twenty-four (24) hours a day, and any other means of communications with emergency medical service provider organizations certified emergency medical technician-basic advanced, emergency medical technician-intermediate, or paramedic vehicles with a copy of the current FCC license attached.
(2) Description of procedures to supervise via voice communication the procedures performed by emergency medical technician-basic advanced, emergency medical technician-intermediate, or paramedic personnel.
(3) A list of hospital staff positions approved to give orders for on-line medical control.
(4) Description of the procedures for audit and review of cases transported by emergency medical technician-basic advanced, emergency medical technician-intermediate, or paramedic provider organizations, including the membership of the medical control committee.
(5) A written approval from the administrative and medical staff to supervise the procedures performed by the emergency medical technician-basic advanced, emergency medical technician-intermediate, or paramedic personnel.
(6) A copy of your contractual agreement, or interdepartmental memo if hospital based, with emergency medical technician-basic advanced, emergency medical technician-intermediate, or paramedic provider organizations whereby the administrative and medical staff have agreed to provide the following:
(A) Continuing education.
(B) Audit and review.
(C) Medical control and direction.
(D) Liaison and direction for supply of medications, fluids, and other medical items.
(E) A description of procedures to allow emergency medical technician-basic advanced, emergency medical technician-intermediate, or paramedic personnel to function within the appropriate hospital department to maintain continuing education for the emergency medical technician-basic advanced, emergency medical technician-intermediate, or paramedic personnel skills as defined in 836 IAC 4, including a list of hospital departments involved and supervisory personnel.

~~(b)~~ **(c)** Commission certification as a supervising hospital shall be valid for ~~three (3)~~ **two (2)** years.

~~(c)~~ **(d)** Application for the renewal shall be made on forms ~~prescribed~~ **provided** by the ~~commission.~~ **agency.** The application shall document compliance with this rule.

~~(d) Procedures for the suspension, revocation, or termination of certification pursuant to IC 16-31-3-14 apply to supervising hospitals. Citations and restrictions issued under this subsection shall apply to the duration of the supervising hospital's current certification.~~ *(Indiana Emergency Medical Services Commission; 836 IAC 2-4.1-1; filed May 15, 1998, 10:25 a.m.: 21 IR 3898; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3540)*

SECTION 31. 836 IAC 2-4.1-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-4.1-2 Certification as a supervising hospital; renewal

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 2. Hospitals seeking commission certification shall meet the following minimum requirements:

(1) Have an emergency department open and staffed by a physician twenty-four (24) hours a day.

(2) The hospital's administration shall have approved a written ~~contractual~~ agreement, or interdepartmental memo if **provider organization is** hospital-based, with one (1) or more emergency medical services provider organizations that furnish advanced life support ~~service.~~ **or emergency medical technician-basic advanced services.** The ~~contract~~ **agreement or interdepartmental memo** shall include a detailed description ~~of the following services to be provided by~~ **whereby** the hospital **agrees** to **provide** the **following services to the** certified emergency medical service provider organization:

(A) Continuing education **to include the following:**

(i) Frequency of training.

(ii) Length of training.

(iii) Attendance policies.

(iv) Policy on acceptance of training obtained outside of supervising hospital.

(B) Audit and review **to include items listed in subdivision (5).**

(C) Medical control and direction **to include the following:**

(i) Procedure to assure medical control available at all times.

(ii) How hospital personnel are trained on provider organization protocols.

~~(D) Provision of arrangements and the supervision of arrangements for the supply of medications and other items utilized by emergency medical service clinical personnel in the provision of advanced life support service.~~

~~(E)~~ **(D)** Provision and supervision of arrangements that allow the emergency medical services clinical personnel affiliated with the supervised emergency medical service provider **organization** to function within appropriate hospital departments in order to obtain continuing ~~practice~~ **education and remediation** in their clinical skills.

(3) Provide and maintain a voice communication system between the emergency medical service provider organization response personnel and the hospital's emergency department. **The communication system shall include the following:**

(A) A system capable to provide UHF (ultrahigh frequency) communications.

(B) A system capable to communicate on the frequency of 155.340 MHz to operate on the Indiana Hospital Emergency Radio Network.

The communications system shall be licensed by the Federal Communications Commission. **If the method of UHF communication is wireless, the hospital shall maintain a dedicated telephone number with answering points in the emergency department directly accessible to emergency department personnel.**

(4) The hospital shall provide a physician or physician designate ~~authorized in writing by the hospital's medical staff,~~ who is at all times immediately available to supervise the medical procedures performed by the emergency medical service provider organization's clinical personnel via the voice communication system.

(5) The hospital shall establish a process for the audit and review of medical procedure performed by the clinical personnel of the emergency medical service provider organization. **Audit and review shall be conducted at least quarterly.** Requirements for audit and review are as follows:

(A) The audit shall ensure an appropriate level of compliance with medical protocols and appropriate level of skill in the performance of medical techniques by those personnel.

(B) The results of the audit shall be reviewed with the emergency medical service personnel.

(C) Documentation for the audit shall include the following:

(i) The criteria used to select audited runs.

(ii) Problem identification and resolution.

(iii) Date of review.

(iv) Attendance at the review.

(v) A summary of the discussion at the review.

(D) The audit and review shall be conducted by the medical control committee as defined in subdivision (9).

(6) The supervising hospital shall review and approve the inservice of the certified paramedics affiliated with the emergency medical services provider organization.

(7) Send **annually during the last quarter of each calendar year** a roster of clinical personnel whose sole advanced life support affiliation is with the supervising hospital **and personnel affiliated with the emergency medical service provider organizations supervised by the hospital.**

(8) The supervising hospital shall report in writing any changes, including affiliated clinical personnel, within thirty (30) days.

(9) The supervising hospital shall establish a medical control committee for audit and review of medical procedures perform by the advanced life support personnel and establish policies for medical direction and control. The membership of the medical control committee shall ~~be as follows:~~ **include the following:**

(A) Medical director of provider organization.

(B) **One (1) or more** emergency department supervisory personnel.

(C) **One (1) or more** provider organization supervisory personnel.

(D) EMS educator.

(E) **One (1) or more** advanced life support personnel of appropriate level from provider organization.

(Indiana Emergency Medical Services Commission; 836 IAC 2-4.1-2; filed May 15, 1998, 10:25 a.m.: 21 IR 3899; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2737; filed Apr 4, 2002, 9:15 a.m.: 25 IR 2514; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3541)

SECTION 32. 836 IAC 2-7.2-1 IS AMENDED TO READ AS FOLLOWS:

Rule 7.2. Requirements and Standards for Emergency Medical Technician-Intermediate Provider Organizations

836 IAC 2-7.2-1 General requirements for emergency medical technician-intermediate provider organizations

Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3; IC 16-41-10

Sec. 1. (a) ~~Certification by the commission is required for any ambulance service provider who seeks to provide advanced life support services as an advanced~~ **A person shall not furnish, operate, maintain, advertise, or otherwise engage in providing** emergency medical **services as an emergency medical** technician-intermediate **provider** organization unless ~~provisional certification is issued pursuant to subsection (p).~~ **the person is certified as an emergency medical technician-intermediate provider organization.**

(b) If the ~~advanced~~ emergency medical technician-intermediate **provider** organization also provides transportation of emergency patients, the ~~advanced~~ emergency medical technician-intermediate **provider** organization shall be certified as an ambulance service provider **organization** in accordance with the requirements specified in 836 IAC 1 ~~pursuant to~~ **under** IC 16-31. The ~~advanced~~ emergency medical technician-intermediate nontransport **provider** organizations shall meet the requirements specified in ~~836 IAC 1-2-2(a) and 836 IAC 1-11-3(o) through 836 IAC 1-11-3(q).~~ **836 IAC 1-1-4 through 836 IAC 1-1-8.**

(c) The ~~advanced~~ emergency medical technician-intermediate **provider** organization shall ensure ~~that:~~ **the following:**

(1) Ambulances used are certified and meet the requirements specified in 836 IAC 1-3. ~~and~~

(2) All nontransport emergency medical services vehicles used for the provision of advanced life support meet all of the requirements in 836 IAC 2-14.

(d) ~~Advanced~~ **An** emergency medical technician-intermediate ~~organizations~~ **provider organization** shall have ~~a contract,~~ **an agreement,** or interdepartmental memo if hospital-based, with one (1) or more supervising hospitals for the following services:

(1) Continuing education.

(2) Audit and review.

(3) Medical control and direction.

~~(4) Provision of arrangements and the supervision of arrangements for the supply of medications and other items utilized by emergency medical service clinical personnel in the provision of advanced life support service.~~

~~(5)~~ **(4)** Provision to allow the ~~advanced~~ emergency medical technician-intermediates affiliated with the supervised ~~advanced~~ emergency medical technician-intermediate **provider** organization to function within the appropriate hospital department in order to obtain continuing practice in their clinical skills.

The ~~contract~~ **agreement** or interdepartmental memo shall include a detailed description of how such services shall be provided to the ~~advanced~~ emergency medical technician-intermediate **provider** organization. In those cases where more than one (1) hospital ~~contracts,~~ **enters into an agreement,** or seeks to ~~contract,~~ **enter into an agreement,** with an ~~advanced~~ emergency medical technician-intermediate provider organization as a supervising hospital, an interhospital agreement shall be provided to the ~~commission~~ **agency** that shall clearly define the specific duties and responsibilities of each hospital to ensure medical and administrative accountability of system operation.

(e) The ~~advanced~~ emergency medical technician-intermediate **provider** organization shall have a medical director provided by the ~~advanced~~ emergency medical technician-intermediate **provider** organization or jointly with the supervising hospital. ~~who shall be a physician who holds a currently valid unlimited license to practice medicine in Indiana and has an active role in the delivery of emergency care.~~ The medical director is responsible for providing competent medical direction as established by the medical control committee. Upon establishment of a medical control policy, the ~~advanced~~ **medical director and chief executive officer of the** emergency medical technician-intermediate **provider** organization ~~medical director and the chief executive officer~~ have the duty to enact the policy within the ~~advanced~~ emergency medical technician-intermediate **provider** organization and accordingly enforce the policy. The duties and responsibilities of the medical director include, but are not limited to, the following:

(1) Provide liaison with physicians and the medical community.

(2) Assure that the drugs, medications, supplies, and equipment are available to the ~~advanced~~ emergency medical technician-intermediate **provider** organization.

(3) Monitor and evaluate day-to-day medical operations of ~~advanced~~ emergency medical technician-intermediate **provider** organizations.

(4) Assist in the provision and coordination of continuing education.

~~(5) Provide information concerning the operation of the advanced emergency medical technician intermediate organization.~~

~~(6)~~ **(5)** Provide individual consultation to ~~advanced~~ emergency medical technician-intermediates.

~~(7)~~ **(6)** Participate in at least quarterly audit and review of cases treated by ~~advanced~~ emergency medical technician-intermediates of the supervising hospital.

~~(8)~~ **(7)** Attest to the competency of ~~advanced~~ emergency medical technician-intermediates affiliated with the ~~advanced~~ emergency medical technician-intermediate **provider** organization to perform skills required of an ~~advanced~~ emergency medical technician-intermediate under 836 IAC 4-7.1.

~~(9)~~ **(8)** Establish protocols for advanced life support.

~~(10)~~ **(9)** Establish and publish a list of medications, including minimum quantities and dosages to be carried on the vehicle.

(10) Provide liaison between the emergency medical service provider organization, the emergency medical service personnel, and the hospital in regards to communicable disease testing under IC 16-41-10.

(f) The ~~advanced~~ emergency medical technician-intermediate **provider** organization shall maintain a communications system that shall be available twenty-four (24) hours a day between the ~~advanced~~ emergency medical technician-intermediate **provider** organization and the emergency department, or equivalent, of the supervising hospital using UHF (ultrahigh frequency) **and cellular** voice communications. The communications system shall be licensed by the Federal Communications Commission.

(g) Each ~~advanced~~ emergency medical technician-intermediate **provider** organization shall do the following:

(1) Maintain an adequate number of trained personnel and emergency response vehicles to provide continuous, twenty-four (24) hour advanced life support services.

(2) Notify the commission in writing within thirty (30) days of assigning any individual to perform the duties and responsibilities required of an advanced emergency medical technician-intermediate. This notification shall be signed by the provider organization and medical director of the provider organization.

~~(3) Notify the commission in writing within thirty (30) days of an advanced emergency medical technician intermediate's termination of employment or for any reason that prohibits a certified individual from performing the procedures required of an advanced emergency medical technician intermediate.~~

(h) An ~~advanced~~ emergency medical technician-intermediate ~~organization~~ ambulance service provider **organization** must be able to provide an ~~advanced life support~~ **emergency medical technician-intermediate level** response. For the purpose of this subsection, ~~an "advanced life support~~ **"emergency medical technician-intermediate** response" consists of the following:

(1) An ~~advance~~ emergency medical technician-intermediate.

(2) An emergency medical technician **or higher.**

(3) An ambulance in compliance with the requirements of ~~836 IAC 2-7.2-3(f).~~ **section 3(f) of this rule.**

(4) During transport of the patient, **the following are the minimum staffing requirements:**

(A) If **emergency medical technician-intermediate level** advanced life support treatment techniques have been initiated or are needed: ~~at least one (1) advanced emergency medical technician intermediate shall be in the patient compartment of~~

(i) the ambulance **must be staffed by at least an emergency medical technician-intermediate and an emergency medical technician; and**

(ii) an emergency medical technician-intermediate shall be in the patient compartment.

(B) If advanced life support treatment techniques have not been initiated and are not needed: ~~at least one (1) individual certified as~~

(i) the ambulance must be staffed by at least an emergency medical technician; ~~or higher~~ **and**

(ii) an emergency medical technician shall be in the patient compartment. ~~of the ambulance during transport of the patient.~~

(i) For an ~~advanced~~ emergency medical technician-intermediate **provider** organization, when an advanced life support nontransport vehicle is dispatched **emergency medical technician-intermediate response**, it shall, at a minimum, be staffed by an ~~advanced~~ emergency medical technician-intermediate.

(j) The ~~advanced~~ emergency medical technician-intermediate **provider** organization shall notify the ~~commission~~ **agency** in writing within thirty (30) days of any change in the ~~services provided.~~ **operation as stated in the application.**

~~(k) No certification is required for the following:~~

~~(1) A person who provides advanced life support while assisting in the case of a major catastrophe or disaster, whereby persons who are certified to provide emergency medical services or advanced life support are insufficient or are unable to cope with the situation.~~

~~(2) An agency or instrumentality of the United States and any advanced emergency medical technician intermediate of such agency or instrumentality is not required to be certified nor to conform to the standards prescribed in this article.~~

~~(3) Rendering assistance to persons certified to provide emergency ambulance service or to advanced emergency medical technician intermediates.~~

~~(4) Operating from a location or headquarters outside Indiana to provide emergency ambulance services to patients who are picked up outside Indiana for transportation to location within Indiana.~~

~~(l) The director may issue a provisional certification for the~~

~~provision of advanced life support as an advanced emergency medical technician-intermediate organization for the purpose of prehospital training of advanced emergency medical technician-intermediate students when in the presence of a preceptor or preceptors approved by the commission in accordance with the following procedures:~~

~~(1) The provisional certification may be issued to either of the following:~~

~~(A) An ambulance service provider certified pursuant to IC 16-31 only.~~

~~(B) An advanced emergency medical technician organization certified pursuant to IC 16-31.~~

~~(2) The provisional certification may be issued when the following are met:~~

~~(A) Upon demonstration by the applicant to the satisfaction of the director, the ambulance to be used for such training is certified pursuant to IC 16-31.~~

~~(B) The ambulance meets the requirements of subsection (f) and section 3 of this rule.~~

~~(C) The ambulance service provider or advanced emergency medical technician organization has and shall maintain an adequate number of advanced emergency medical technician intermediate students, preceptors, and ambulances to provide continuous twenty-four (24) hour advanced life support service.~~

~~(3) A fully completed application for provisional certification shall be made on such forms as prescribed by the commission.~~

~~(4) The director may issue a provisional certificate for a period not to exceed sixty (60) days beyond the date of the advanced emergency medical technician intermediate course completion as identified on the approved course application. However, the director shall not issue a provisional certificate for a period exceeding twenty-four (24) consecutive months from the starting date of the course as identified on the approved course application.~~

~~(5) The issuance of a temporary or full certification invalidates any provisional certification.~~

~~(m)~~ **(k)** The ~~advanced~~ emergency medical technician-intermediate **provider** organization shall, with medical director and chief executive officer approval, allow a graduate **or student** of an Indiana approved ~~advanced~~ emergency medical technician-intermediate course to perform advanced life support under the direction of a preceptor. This person shall be actively pursuing certification as an Indiana certified ~~advanced~~ emergency medical technician-intermediate. This provision shall be limited from one (1) year from date of course completion as indicated on course report.

~~(n) Provide for a periodic maintenance program to assure that emergency response vehicles, including equipment, are maintained in good working condition and that strict sanitation procedures are in effect at all times.~~

~~(o) Advanced emergency medical technician intermediate organization premises, records, parking, or garaging facilities and response vehicles shall be available for inspection by the director, or the director's duly authorized representative, at any time during operating hours.~~

~~(p) Each advanced~~ **(l) All ambulances and nontransport vehicles used by the** emergency medical technician-intermediate **provider** organization shall ~~have in force and effect public liability~~ **meet the** insurance ~~in the sum as described in~~ **requirements under** 836 IAC 1-3-6. ~~pursuant to IC 16-31. Such proof of insurance shall be made on a form prescribed by the commission.~~ *(Indiana Emergency Medical Services Commission; 836 IAC 2-7.2-1; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2353; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3542)*

SECTION 33. 836 IAC 2-7.2-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-7.2-2 Application for certification; renewal

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 2. (a) Application for certification as an ~~advanced~~ emergency medical technician-intermediate **provider** organization shall be made on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** and shall include, but not be limited to, the following:

(1) **An applicant shall complete and submit the required forms to the agency at least sixty (60) days before the requested effective date of the certificate.**

(2) Each application shall include a narrative summary of plans for providing advanced life support services, including the following:

(A) Defined primary area of response, including location of advanced life support response vehicles.

(B) A listing of ~~advanced~~ **all** emergency medical technician-intermediates, **including certification numbers,** to be affiliated by the ~~advanced~~ emergency medical technician-intermediate **provider** organization.

(C) The staffing pattern of personnel.

(D) Base of operations.

(E) Organizational structure, including name, address, and phone numbers for the owner, chief executive officer, chief operations officer, training officer, and medical director.

(F) Location of emergency medical technician-intermediate provider organizations records.

(G) Proof of insurance coverage for emergency medical service vehicles as required by 836 IAC 1-3-6.

~~(2)~~ **(H)** Plans and methodologies to ensure that the trained personnel are provided with supervised continuing education to maintain proficiency. Continuing education is under the direct supervision of the ~~advanced~~ emergency medical technician-intermediate **provider** organization medical

director with the cooperation of the supervising hospital.

~~(3)~~ **(I)** A listing of medications and special on-board life support equipment to be carried on board each vehicle as approved by the medical director.

~~(4)~~ **(J)** All scheduled medications shall be stored in a locked container within a locked compartment. Medications storage shall be approved in writing by medical director or issuing pharmacy.

~~(5)~~ **(K)** Letter of approval from the supervising hospital stating acceptance of the ~~advanced~~ emergency medical technician-intermediates, compatibility of the UHF communications with the ~~advanced~~ emergency medical technician-intermediate **provider** organization's vehicles, and agreement to fulfill the responsibilities of the supervising hospital.

(L) Other information as required by the agency.

(b) ~~Advanced~~ Emergency medical technician-intermediate **provider** organizations that do not also provide transportation of emergency patients shall submit **and maintain** a copy of a current written agreement between the nontransporting ~~advanced~~ emergency medical technician-intermediate **provider** organization and an ambulance service provider **organization** certified ~~pursuant to~~ **under** IC 16-31. The agreement shall ensure that the nontransporting ~~advanced~~ emergency medical technician-intermediate provider **organization** can be assured that patients treated shall be transported in a timely and safe manner. The agreement shall not preclude another ambulance service provider **organization,** if available, from transporting the patients.

(c) Upon approval, an ~~advanced~~ emergency medical technician-intermediate **provider** organization shall be issued certification for the provisions of advanced life support certification. The certificate issued is valid for a period of two (2) years and shall be prominently displayed at the place of business.

(d) **An** application for ~~advanced~~ **an** emergency medical technician-intermediate **provider** organization certification renewal ~~should~~ **shall** be made ~~not less than~~ **at least** sixty (60) days ~~prior to~~ **before** the expiration date of the current certification. Application for renewal shall be made on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** and shall show evidence of compliance with the requirements as set forth for original certification.

~~(e) Upon approval, a certificate shall be issued by the director to the advanced emergency medical technician intermediate organization for each vehicle. The certificate shall be valid for two (2) years unless earlier revoked or suspended by the commission. The vehicle certificate shall be prominently displayed within the vehicle.~~ *(Indiana Emergency Medical Services Commission; 836 IAC 2-7.2-2; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2355; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3544)*

SECTION 34. 836 IAC 2-7.2-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-7.2-3 Emergency medical technician-intermediate provider organization operating procedures

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 3. (a) Each ~~advanced~~ emergency medical technician-intermediate **provider** organization shall comply with the ambulance service provider operating procedures of 836 IAC 1-2-3. **The emergency medical technician-intermediate provider organization nontransport provider organization shall comply with the operating procedures listed in 836 IAC 1-1-8.**

(b) Each ~~advanced~~ emergency medical technician-intermediate **provider** organization shall establish daily equipment checklist procedures to ensure the following:

(1) Electronic and mechanical equipment are in proper operating condition.

(2) Emergency response vehicles are maintained in a safe operating condition at all times.

(3) All required medications and intravenous fluids approved by the medical director of the ~~advanced~~ emergency medical technician-intermediate **provider** organization and the supervising hospital are on board all nontransport emergency medical services vehicles and ambulances when used for the provision of advanced life support and available to the ~~advanced~~ emergency medical technician-intermediate.

(4) Equipment, medication, fluid, and supplies have not exceeded the manufacturer's specified expiration date.

(c) A copy of the medication list and protocols shall be maintained by the ~~advanced~~ emergency medical technician-intermediate **provider** organization and the supervising hospital emergency department. Any changes to the medications list shall be forwarded to the ~~commission~~ **agency** within thirty (30) days.

(d) All medications and advanced life support supplies are to be supplied by order of the medical director. Accountability for distribution, storage, ownership, and security of medications is subject to applicable requirements as determined by the ~~Indiana board of pharmacy~~ **medical director, pharmacist,** and the **United States Department of Justice** Drug Enforcement Administration.

(e) The ~~advanced~~ emergency medical technician-intermediate **provider** organization shall ensure that stocking and administration of supplies and medications are limited to the Indiana ~~advanced~~ emergency medical technician-intermediate curriculum. Procedures performed by the ~~advanced~~ emergency medical technician-intermediate are also limited to the Indiana ~~advanced~~ emergency medical technician-intermediate curriculum.

(f) The ~~advanced~~ emergency medical technician-intermediate **provider** organization shall ensure that all ambulances used for the provision of advanced life support contain the emergency care equipment required in 836 IAC 1-3-5, the rescue equipment required in 836 IAC 1-3-4, and communication equipment required in 836 IAC 1-4-2. The advanced life support emergency medical services vehicles shall also carry the following equipment:

(1) Portable defibrillator with self-contained cardiac monitor and ECG strip writer and equipped with defibrillation pads or paddles appropriate for both adult and pediatric defibrillation. This may be the defibrillator listed in 836 IAC 1-3-5(1)(L).

(2) Tracheal suction catheters (adult #14 and #18, child #10).

(3) Endotracheal intubation devices, including the following:

(A) Laryngoscope with extra batteries and bulbs.

(B) Laryngoscope blades (adult and pediatric, curved and straight).

(C) Disposable endotracheal tubes, a minimum of two (2) each, sterile packaged, in sizes 3, 4, 5, 6, 7, 8, and 9 millimeters inside diameter.

(4) ~~Crystalliod~~ **Crystalloid** intravenous fluids and administration supplies approved by the medical director.

(5) Medications limited to, if approved by the medical director, the following:

(A) Acetylsalicylic acid (aspirin).

(B) Adenosine.

(C) Atropine sulfate.

(D) Bronchodilator (beta 2 agonists):

(i) suggested commonly administered medications:

(AA) albuterol;

(BB) ipratropium;

(CC) isoetharine;

(DD) metaproterenol;

(EE) salmeterol;

(FF) terbutaline; and

(GG) triamcinolone; and

(ii) commonly administered adjunctive medications to bronchodilator therapy:

(AA) dexamethasone; and

(BB) methylprednisolone.

(E) Dextrose, fifty percent (50%).

(F) Diazepam.

(G) Epinephrine (1:1,000).

(H) Epinephrine (1:10,000).

(I) Vasopressin.

(J) Furosemide.

(K) Lidocaine hydrochloride, two percent (2%).

(L) Amiodarone hydrochloride.

(M) Morphine sulfate.

(N) Naloxone.

(O) Nitroglycerin.

(6) A current copy of advanced life support protocols shall be maintained on board the emergency medical services vehicle at all times.

(7) A copy of the medication list, including quantities and concentrations approved by the medical director.

(g) The ~~advanced~~ emergency medical technician-intermediate **provider** organization shall ensure that all nontransport emergency medical services vehicles used for the provision of advanced life support meet all of the requirements in 836 IAC 2-14.

(h) Each ~~advanced~~ emergency medical technician-intermediate **provider** organization shall ensure that rigid sanitation procedures are in effect at all times. The following sanitation standards apply to all vehicles used for the purpose of providing advanced life support services:

(1) The interior and the equipment within the vehicle shall be clean and maintained in good working order at all times.

(2) Freshly laundered linen or disposable linens shall be used on litters and pillows, and linen changed after each patient is transported.

(3) Clean linen storage shall be provided.

(4) Closed compartments shall be provided within the vehicle for medical supplies.

(5) Closed containers shall be provided for soiled supplies.

(6) Blankets shall be kept clean and stored in closed compartments.

(7) Single-service implements inserted into the patient's nose or mouth shall be wrapped and properly stored and handled. Multiuse items are to be kept clean and sterile when indicated and properly stored.

(8) When a vehicle has been utilized to transport a patient known to have a communicable disease, the vehicle shall be cleansed and all contact surfaces washed with soap and water and disinfected.

~~(9)~~ **(i)** All scheduled medications shall be stored in a locked container within a locked compartment. Medications storage shall be approved in writing by medical director or issuing pharmacy.

~~(i)~~ **(j)** An ~~advanced~~ emergency medical technician-intermediate **provider** organization shall not **do the following:**

(1) Operate an ambulance or other **emergency medical service** vehicle ~~used for the provision of advanced life support~~ unless ~~the ambulance or vehicle~~ **it** is in full compliance with this article. ~~unless the vehicle is a nontransport emergency medical services vehicle returning from the site of the provision of advanced life support by the equipment, supplies, and personnel previously on board the nontransport emergency medical services vehicle, nor shall an advanced emergency medical technician intermediate organization~~

(2) Transport any emergency patient or patient receiving advanced life support in any vehicle except an ambulance certified ~~pursuant to~~ **under** IC 16-31.

~~(j) Provisions for temporary vehicle certification are addressed in 836 IAC 1-2-3.~~

(k) ~~Advanced~~ Emergency medical technician-intermediates are prohibited from having in their possession, or maintained on board emergency response vehicles, any advanced life support equipment or supplies that have not been approved by ~~advanced~~ **the** emergency medical technician-intermediate **provider** organization medical director. *(Indiana Emergency Medical Services Commission; 836 IAC 2-7.2-3; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2356; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3545)*

SECTION 35. 836 IAC 2-7.2-4 IS ADDED TO READ AS FOLLOWS:

836 IAC 2-7.2-4 Application for provisional certification
Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3-8; IC 16-31-3-20

Sec. 4. (a) An applicant may apply for and obtain provisional certification as an emergency medical technician-intermediate provider organization for the purpose of prehospital training of emergency medical technician-intermediate students when in the presence of a preceptor approved by the commission in accordance with this section.

(b) A provisional certification may only be issued to a certified ambulance service provider organization.

(c) The applicant shall submit a fully completed application for provisional certification on forms provided by the agency.

(d) The provisional certification may only be issued after the applicant has demonstrated to the satisfaction of the director that the ambulance to be used for such training is certified and meets the requirements of this article.

(e) The provisional certification may only be issued if the ambulance service provider organization has and shall maintain an adequate number of paramedic students, preceptors, and ambulances to provide continuous twenty-four (24) hour advanced life support service.

(f) The provisional certification expires no later than the earlier of the following dates:
(1) Sixty (60) days after the completion date of the paramedic course completion as identified on the approved course application.
(2) Twenty-four (24) months from the starting date of the course contained on the approved course application.

(g) The issuance of a *[sic., an]* **emergency medical technician-intermediate provider organization certification invalidates any provisional certification.** *(Indiana Emergency Medical Services Commission; 836 IAC 2-7.2-4; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3547)*

SECTION 36. 836 IAC 2-14-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-14-1 General certification provisions
Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 1. (a) **This rule is applicable to all** advanced life support nontransport ~~vehicle ordered or leased shall meet minimum specifications or shall not be~~ **vehicles** eligible for certification.

(b) ~~Procedures for suspension, revocation, or termination of a certificate included under 836 IAC 2-2-1(l) through 836 IAC 2-2-1(o) apply to certification for~~ **All** advanced life support nontransport vehicles **shall be in full compliance with the minimum specifications and certification requirements established in this rule.** *(Indiana Emergency Medical Services Commission; 836 IAC 2-14-1; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2742; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3547)*

SECTION 37. 836 IAC 2-14-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-14-2 Application for certification
Authority: IC 16-31-2-7
Affected: IC 16-31-3-2; IC 16-31-3-8

Sec. 2. (a) Application for advanced life support nontransport vehicle certification shall be made by the provider organization on such forms as ~~prescribed~~ **provided** by the ~~commission~~ **agency** and shall comply with the following requirements:

(1) An applicant shall complete **and submit** the required forms ~~and submit the forms to the director. A certificate for the advanced life support nontransport vehicle shall be issued by the director.~~ **to the agency with the following information:**

(A) Name and address of provider organization.

(B) Vehicle information including make, model, year, and vehicle identification number.

(C) Color scheme of vehicle.

(2) Each advanced life support nontransport vehicle for which certification is requested shall be made available for inspection by the ~~director, or his duly authorized representative,~~ **agency** with its equipment as required by this article or 836 IAC 1 prior to approval for certification.

(b) Upon approval, a certificate shall be issued ~~by the director~~ to the advanced life support nontransport vehicle provider organization for ~~all~~ **each** advanced life support nontransport ~~vehicles.~~ **vehicle.** The certificate shall be valid for two (2) years. ~~unless earlier revoked or suspended by the commission.~~ The certificate shall be prominently displayed within the advanced life support nontransport vehicle driver compartment.

~~(c) A vehicle certification is invalid upon expiration, suspen-~~

~~sion, revocation, or relinquishment of the provider certification.~~

~~(d)~~ **(c)** Except as provided in subsection ~~(e),~~ **(d),** a provider organization shall not operate an advanced life support nontransport vehicle on any public way in Indiana if the advanced life support nontransport vehicle:

(1) is not in full compliance with the advanced life support nontransport vehicle certification requirements established ~~and set forth~~ in this article; ~~or exemptions approved by the commission;~~ and

(2) does not have a certificate issued ~~pursuant to~~ **under** IC 16-31.

~~(e)~~ **(d)** A provider organization may operate, for a period not to exceed sixty (60) consecutive days, a noncertified advanced life support nontransport vehicle if the noncertified advanced life support nontransport vehicle is used to replace a certified advanced life support nontransport vehicle that has been taken out of service providing the following:

(1) The replacement advanced life support nontransport vehicle shall meet all certification requirements.

(2) The provider organization shall notify the ~~commission~~ **agency** in writing within seventy-two (72) hours of the time the replacement advanced life support nontransport vehicle is placed in service. The written notice shall identify the following:

(A) The replacement date.

(B) The certification number of the replaced advanced life support nontransport vehicle.

(C) The vehicle identification number of the replacement advanced life support nontransport vehicle.

(D) The make and type of the replacement advanced life support nontransport vehicle.

Upon receipt of the notification, a temporary certificate shall be issued effective the date the certified advanced life support nontransport vehicle was replaced. Temporary certification shall not exceed sixty (60) days **from the date that the replacement ambulance is placed in service** and, upon return to service **of the certified ambulance,** the use of the replacement vehicle shall cease. ~~and the temporary certificate shall be returned to the commission. If the replaced advanced life support nontransport vehicle is not returned to service within the sixty (60) day period, use of the replacement advanced life support nontransport vehicle shall cease unless certification is approved in accordance with this article.~~ *(Indiana Emergency Medical Services Commission; 836 IAC 2-14-2; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2742; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3547)*

SECTION 38. 836 IAC 2-14-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-14-3 Advanced life support nontransport vehicle specifications

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 3. (a) All advanced life support nontransport vehicles shall meet or exceed the following minimum performance characteristics:

(1) The vehicle engine shall be ~~a~~ **an** internal combustion, liquid-cooled engine that meets advanced life support nontransport vehicle chassis manufacturer's standard horsepower/displacement requirements.

(2) The fully loaded vehicle shall be capable of a sustained speed of at least sixty-five (65) miles per hour over dry, level, or hard-surfaced roads.

(3) The steering system shall be the manufacturer's recommended design and be power assisted.

(4) Tires shall meet the manufacturer's standards for the gross vehicle weight of the vehicle. No tire shall display exposed tire cord or have tread depth less than two thirty-seconds ($^2/_{32}$) on back tires and four thirty-seconds ($^4/_{32}$) on front tires spaced equally around the tire and with no visible defects. Retread tires shall not be used on advanced life support nontransport vehicles.

(b) All advanced life support nontransport vehicles shall meet or exceed the following minimum specifications for electrical systems:

(1) The electrical generating system shall consist of a one hundred five (105) ampere alternator minimum.

(2) Lighting shall be designed and located so that no glare is reflected from surrounding areas to the driver's eyes or line of vision, from instrument panel, switch panel, or other areas that may require illumination while the vehicle is in motion.

(3) Each advanced life support nontransport vehicle ~~for which certification is requested~~ shall have an audible backup warning device that is activated when the advanced life support nontransport vehicle is shifted into reverse.

(c) All advanced life support nontransport vehicles shall meet the following requirements for external identification:

(1) Warning lights of red or red and white, at the discretion of the owner, and shall conform with Indiana law. All lights on vehicle shall be in working condition.

(2) Each ~~fully certified~~ advanced life support nontransport vehicle shall display the four (4) numbers of the commission-assigned advanced life support nontransport vehicle certification number. The four (4) numbers, in sequence, shall be placed on each side of the advanced life support nontransport vehicle on the right and left front fenders and on the ~~left~~ rear portion of the vehicle. Each number shall be in block letters not less than three (3) inches in height. These numbers shall be displayed in color contrasting, reflective material. The numbers shall be placed on the vehicle within seven (7) days of the receipt of the advanced life support nontransport vehicle certificate. The numbers shall be removed or permanently covered by the provider organization when the advanced life support nontransport vehicle is permanently removed from service by the provider organization.

(3) A commission-certified vehicle sticker shall be displayed on all certified advanced life support nontransport vehicles.

(d) All windows shall be intact. The vehicle shall have windshield wipers in working condition.

(e) Dual, firmly secured, vibrationless rear-view mirrors, one (1) mounted on the left side of the vehicle and one (1) mounted on the right side, shall be included.

(f) The driver compartment, at a minimum, shall be equipped with appropriate passenger restraints that are installed in all seating facilities for the driver and the passenger.

(g) All advanced life support nontransport vehicles shall meet or exceed the following minimum communication standards:

(1) All radios used in emergency medical services vehicles for the purpose of dispatch or tactical communications shall demonstrate and maintain the ability to provide a voice communications linkage, during transmission, with the emergency medical service ~~providers~~ **provider organization's** associated base station within the area the emergency medical service provider **organization** normally serves or proposes to serve.

(2) Radio equipment used in emergency medical services vehicles shall be appropriately licensed through the Federal Communications Commission. The maximum power of the transmitter shall be no more than the minimum required for technical operation commensurate with the size of the area to be served and local conditions ~~which~~ **that** affect radio transmission and reception.

(3) All emergency medical services vehicles shall be equipped with two-way radios that shall have one (1) channel or talk-group used primarily for dispatch and tactical communications.

(4) All nontransport vehicles shall maintain a communication system that shall be available twenty-four (24) hours a day between the paramedic **provider** organization and the emergency department, or equivalent, of the supervising hospital using UHF (ultrahigh frequency) voice communications. The communications system shall be licensed by the Federal Communications Commission.

(5) Type and number of sirens shall be at the discretion of the advanced life support nontransport vehicle ~~service~~ provider **organization** and shall conform to Indiana law.

(h) All advanced life support nontransport vehicles shall provide an adequate system for heating and window defrosting of the driver compartment.

(i) Each provider organization shall ensure that rigid sanitation procedures are in effect at all times. The following sanitation standards apply to all vehicles used for the purpose of providing advanced life support services:

(1) The equipment within the vehicle shall be clean and maintained in good working order at all times.

(2) Compartments shall be provided within the vehicle for medical supplies and equipment storage.

(3) All scheduled medications shall be stored in a locked container within a locked compartment. Medications storage shall be approved in writing by medical director or issuing pharmacy.

(Indiana Emergency Medical Services Commission; 836 IAC 2-14-3; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2743; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3548)

SECTION 39. 836 IAC 2-14-5 IS AMENDED TO READ AS FOLLOWS:

836 IAC 2-14-5 Advanced life support nontransport vehicle emergency care equipment

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 5. Each advanced life support nontransport vehicle shall wrap, properly store, and handle all the single-service implements **to be** inserted into the patient's nose or mouth. Multiuse items are to be kept clean and sterile when indicated and properly stored. The vehicle shall carry the following assembled and readily accessible minimum equipment:

(1) Respiratory and resuscitation equipment as follows:

(A) Portable suction apparatus, capable of a minimum vacuum of three hundred (300) millimeters mercury, equipped with wide-bore tubing, ~~and~~ both rigid and soft pharyngeal suction tips **and tracheal suction catheters in sizes child #10, adult #14 and #18.**

(B) Endotracheal intubation devices, including the following:

(i) Laryngoscope with extra batteries and bulbs.

(ii) Laryngoscope blades (adult and pediatric, curved and straight).

(iii) Disposable endotracheal tubes, a minimum of two (2) each, sterile packaged, in sizes 3, 4, 5, 6, 7, 8, and 9 millimeters inside diameter.

~~(B)~~ **(C)** Bag-mask ventilation units, hand operated, one (1) unit in each of the following sizes, each equipped with clear face masks and oxygen reservoirs with oxygen tubing:

(i) Adult.

(ii) Child.

(iii) Infant.

(iv) Neonatal (mask only).

~~(C)~~ **(D)** Oropharyngeal airways, two (2) each of adult, child, and infant.

~~(D)~~ **(E)** One (1) pocket mask with one-way valve.

~~(E)~~ **(F)** Portable oxygen equipment of at least three hundred (300) liters capacity (D size cylinder) with yoke, medical regulator, pressure gauge, and nondependent flowmeter.

~~(F)~~ **(G)** Oxygen delivery devices shall include the following:

(i) High concentration devices, two (2) each, adult, child, and infant.

(ii) Low concentration devices, two (2) each, adult.

~~(G)~~ **(H)** Nasopharyngeal airways, two (2) each of the following with water soluble lubricant:

(i) Small (20-24 french).

(ii) Medium (26-30 french).

(iii) Large (31 french or greater).

~~(H)~~ **(I)** Bulb syringe individually packaged in addition to obstetrics kit.

~~(I)~~ **(J)** Nonvisualized airway minimum of two (2) with water soluble lubricant.

~~(J)~~ **(K)** Portable defibrillator with self-contained cardiac monitor and ECG strip writer and equipped with defibrillation pads or paddles appropriate for adult **and pediatric** defibrillation.

(2) Wound care supplies as follows:

(A) Airtight dressings, four (4), for open chest wounds.

(B) Assorted bandaging supplies for the care of soft tissue injuries.

(3) Patient stabilization equipment as follows:

(A) Upper and lower extremity splinting devices, two (2) each.

(B) Rigid extrication collar, two (2) each capable of the following sizes:

(i) Pediatric.

(ii) Small.

(iii) Medium.

(iv) Large.

(4) Personal protection/universal precautions equipment, minimum of one (1) each, including the following:

(A) Gowns.

(B) Face masks and shields.

(C) Gloves.

(D) Biohazard bags.

(E) Antimicrobial hand cleaner.

(5) Miscellaneous items as follows:

(A) Obstetrical kit, sterile, one (1).

(B) Blood pressure manometer, one (1) each in the following cuff sizes:

(i) Large adult.

(ii) Adult.

(iii) Pediatric.

(C) Stethoscopes, one (1) each in the following sizes:

(i) Adult.

(ii) Pediatric.

(D) Sharps collector, one (1) being a minimum of seven (7) inches in height.

(E) Intravenous fluids ~~medication,~~ and administration supplies approved by the medical director.

~~(F)~~ **(6)** A current copy of advanced life support protocols shall be maintained on board the advanced life support nontransport vehicle at all times.

~~(G)~~ **(7)** A copy of the medication list, including quantities and concentrations approved by the medical director.

~~(6)~~ **(8)** Medications if approved by medical director, and solely for use by individuals with a certification as an emergency medical technician or higher, are as follows:

(A) Baby aspirin, eighty-one (81) milligrams each.

(B) Activated charcoal.

(C) Instant glucose.

(D) Epinephrine **auto-injector or** auto-injectors.

~~(7) Paramedic services shall also carry the following equipment:~~

~~(A) Tracheal suction catheters (adult #14 and #18, child #10).~~

~~(B) Endotracheal intubation devices, including the following:~~

~~(i) Laryngoscope with extra batteries and bulbs.~~

~~(ii) Laryngoscope blades (adult and pediatric, curved and straight).~~

~~(iii) Disposable endotracheal tubes, a minimum of two (2) each, sterile packaged, in sizes 3, 4, 5, 6, 7, 8, and 9 millimeters inside diameter.~~

~~(C) Defibrillation pads or paddles appropriate for pediatric defibrillation.~~

(9) Intermediate services shall also carry medications as approved by the medical director not to exceed the items listed in 836 IAC 2-7.2-3(f)(5).

(Indiana Emergency Medical Services Commission; 836 IAC 2-14-5; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2744; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2357; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3549)

SECTION 40. 836 IAC 3-1-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-1-1 Definitions

Authority: IC 16-31-2-7
Affected: IC 16-31-3-20

Sec. 1. The ~~following~~ definitions **in 836 IAC 1-1-1** apply throughout this article.

~~(1) "14 CFR 135 and 119" means air carriers with reference to F.A.R. 135 and 119, and holding a current F.A.A. air carrier certificate, with approved air ambulance operations-helicopter or air ambulance operation-airplane operations specifications.~~

~~(2) "Advanced life support fixed-wing ambulance service provider" means a service provider that utilizes fixed-wing aircraft to provide airport to airport transports where the patients involved require a stretcher or cot and are being transported to or from a definite care medical setting.~~

~~(3) "Advanced life support rotorcraft ambulance service provider" means a service provider that utilizes rotorcraft aircraft to respond directly to the scene of a medical emergency either as an initial first responder or as a secondary responder and are utilized to airlift critically ill or injured patients directly to or between definitive care facilities or to a point of transfer with another more appropriate form of transportation.~~

~~(4) "Air-medical director" means a physician with an unlimited license to practice medicine in Indiana and who has an active role in the delivery of emergency care. The licensed physician shall be within an air ambulance service who is ultimately responsible for patient care during each transport. The air-medical director is responsible for directly overseeing and assuring that appropriate aircraft, air-medical personnel, and equipment are provided for each patient transported by the air ambulances within the air-medical services as well as the performance of air-medical personnel.~~

~~(5) "Air-medical personnel" means a person who is certified by the commission as a paramedic or is a registered nurse or physician with an unlimited license to practice medicine.~~

~~(6) "Certificate" or "certification" means authorization in written form issued by the commission to a person to furnish, operate, conduct, maintain, advertise, promote, or otherwise engage in providing emergency medical services as a rotorcraft or fixed-wing ambulance service provider as part of a regular course of doing business, either paid or voluntary.~~

~~(7) "F.A.A." means the Federal Aviation Administration.~~

~~(8) "F.A.R." means the federal aviation regulations, including, but not limited to, 14 CFR.~~

~~(9) "Fixed-wing ambulance" means a propeller or jet airplane.~~

~~(10) "Flight physiology" means the physiological stress of flight encountered during air medical operations to include, but not be limited to, temperature, pressure, stresses of barometric pressure changes, hypoxia, thermal and humidity changes, gravitational forces, noise, vibration, fatigue, and volume and mass of gases.~~

~~(11) "Principal operations base" means the operator's principal base of operations where required management personnel and records are maintained.~~

~~(12) "Rotorcraft ambulance" means an aircraft capable of vertical takeoffs and landings with the capability of hovering.~~

(Indiana Emergency Medical Services Commission; 836 IAC 3-1-1; filed Oct 11, 1988, 11:05 a.m.: 12 IR 366; filed May 15, 1998, 10:25 a.m.: 21 IR 3917; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2490; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3550)

SECTION 41. 836 IAC 3-2-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-2-1 Air ambulances; general requirements

Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 16-31

Sec. 1. (a) Any organization providing, or seeking to provide, rotorcraft ambulance services utilizing rotorcraft aircraft is required to be certified as an advanced life support rotorcraft ambulance service provider organization by the commission. The advanced life support rotorcraft ambulance service provider organization shall be certified in accordance with this article ~~pursuant to~~ **under** IC 16-31 as appropriate.

~~(b) Certification by the commission as an advanced life support rotorcraft ambulance service provider is not required for the following:~~

~~(1) A person who provides advanced life support while assisting the case of major catastrophe, disaster, whereby persons who are certified to provide emergency medical services or advanced life support are insufficient or are unable to cope with the situation.~~

~~(2) An agency or instrumentality of the United States as defined in 836 IAC 2-1-1(4).~~

~~(c)~~ **(b)** The provider **organization** of rotorcraft ambulance services shall ensure that the aircraft used in conjunction with the provision of advanced life support services meets the guidelines as specified in this article ~~pursuant to~~ **under** IC 16-31 and is certified by the commission. Each rotorcraft ambulance service provider **organization** shall meet all applicable parts of F.A.A. regulation and shall hold a valid 14 CFR 135 air carrier certificate or shall have a contract with the holder of a 14 CFR 135 air carrier certificate to provide aviation services under their certificate. Either must also have current F.A.A. approved air ambulance operations specifications.

~~(d)~~ **(c)** Advanced life support rotorcraft ambulance service provider organizations will have ~~a contract~~ **an agreement** with one (1) or more supervising hospitals for the following services:

(1) Continuing education.
(2) Audit and review.
(3) Medical control and direction.
(4) Provide liaison and direction for supply of medications, fluids, and other items utilized by the **provider** organization.
(5) Safety and survival programs and education.

The ~~contract~~ **agreement** shall include a detailed description of how such services will be provided to the advanced life support rotorcraft ambulance service provider organization. In those cases where more than one (1) hospital ~~contracts,~~ **enters into an agreement,** or seeks to ~~contract,~~ **enter into an agreement,** with an advanced life support rotorcraft ambulance service provider organization as a supervising hospital, an interhospital agreement will be provided to the commission that clearly defines the specific duties and responsibilities of each hospital to ensure medical, safety, and administrative accountability of system operation. ~~A contract~~ **An agreement** is not required when the hospital and the provider are the same organization.

~~(e)~~ **(d)** The advanced life support rotorcraft ambulance service provider organization will have an air-medical director provided by the advanced life support rotorcraft ambulance service provider organization, or jointly with the supervising hospital, who ~~shall be a physician who holds a currently valid unlimited license to practice medicine in Indiana and has an active role in the delivery of emergency care, and~~ has knowledge of air transport problems and flight physiology. The air-medical director is responsible for providing competent medical direction and overall supervision of the medical aspects of the advanced life support rotorcraft ambulance service provider

organization. The duties and responsibilities of the air-medical director include, but are not limited to, the following:

(1) Assuming all medical control and authority over any and all patients treated and transported by the rotorcraft ambulance service.

(2) Providing liaison with physicians.

(3) Assuring that the drugs, medications, supplies, and equipment are available to the advanced life support rotorcraft ambulance service provider organization.

(4) Monitoring and evaluating overall medical operations.

(5) Assisting in the coordination and provision of continuing education.

(6) Providing information concerning the operation of the advanced life support rotorcraft ambulance service provider organization to the commission.

(7) Providing individual consultation to the air-medical personnel.

(8) Participating on the medical control committee of the supervising hospital in at least quarterly audit and review of cases treated by air-medical personnel.

(9) Attesting to the competency of air-medical personnel affiliated with the advanced life support rotorcraft ambulance service provider organization.

(10) Designating an individual or individuals to assist in the performance of these duties.

~~(f)~~ **(e)** Each rotorcraft ambulance service provider **organization** will designate one (1) person to assume responsibility for inservice training. This person shall be certified as a paramedic, a registered nurse, or a licensed physician and actively provide patient care during air ambulance transport.

~~(g)~~ **(f)** A rotorcraft ambulance service provider **organization** shall not engage in conduct or practices detrimental to the health and safety of emergency patients or to members of the general public while in the course of business or service as a rotorcraft ambulance service provider **organization.**

~~(h)~~ **(g)** The advanced life support rotorcraft ambulance service provider organization shall have an areawide plan to provide safety education and coordinate rotorcraft ambulance service with emergency medical services rescue, law enforcement, mutual aid backup systems, and central dispatch when available.

~~(i)~~ **(h)** Each advanced life support rotorcraft ambulance service provider organization shall do the following:

(1) Maintain an adequate number of trained personnel and aircraft to provide continuous twenty-four (24) hour advanced life support services.

(2) Notify the ~~commission~~ **agency** in writing within thirty (30) days of a paramedic's affiliation or termination of employment, or for any reason that has prohibited a certified individual from performing the procedures required of a paramedic ~~pursuant to~~ **under** 836 IAC 2.

~~(j)~~ **(i)** Each rotorcraft ambulance service provider **organization** shall designate one (1) person to assume the responsibilities for establishment of a safety committee consisting of the following:

(1) Pilot or pilots.

(2) Air-medical personnel.

(3) Aircraft maintenance technician or technicians.

(4) Communications personnel.

The safety committee shall meet at least quarterly and may be concurrent and in conjunction with the audit/review committee.

(Indiana Emergency Medical Services Commission; 836 IAC 3-2-1; filed Oct 11, 1988, 11:05 a.m.: 12 IR 367; filed May 15, 1998, 10:25 a.m.: 21 IR 3918; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2491; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3551)

SECTION 42. 836 IAC 3-2-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-2-2 Certification; application

Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 16-31

Sec. 2. (a) Application for certification as an advanced life support rotorcraft ambulance service provider **organization** will be made on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** and include, but not be limited to, the following:

(1) A narrative summary of plans for providing rotorcraft ambulance services, including the following:

(A) The staffing pattern of air-medical personnel and pilots.

(B) Defined area of primary and secondary response and an areawide coordination plan.

(C) Base of operations, a description of the visual flight rules weather minimums for both cross-county and local flight, and the definition of the "local flying area" quoted from the approved F.A.A. Part 135 operations specifications.

(D) Aircraft types and identification numbers.

(E) A listing of all personnel and their qualifications by category who will regularly serve as pilots and air-medical personnel on the aircraft.

(F) A copy of the patient care transport record to be utilized on each transport.

(2) Plans and methodologies to ensure that the trained personnel are provided with continuing education relative to their level of training. Continuing education on air transportation problems and flight physiology shall be provided on an annual basis. Continuing education will be approved by the advanced life support rotorcraft ambulance service provider organization air-medical director with the cooperation of the supervising hospital.

(3) A listing of all on-board life support and medical communications equipment available, including a list of drugs and medications to be carried on each aircraft.

(4) When appropriate, a copy of the contract between the advanced life support rotorcraft ambulance service provider organization and the supervising hospital or hospitals.

(5) A copy of all treatment protocols and standing orders (if applicable) under which all nonphysician personnel operate.

(6) ~~The~~ **Each rotorcraft ambulance service provider organization shall show proof of** insurance ~~requirement of IC 16-31 is satisfied if the rotorcraft ambulance service provider:~~ **coverage as required by 836 IAC 1-3-6.**

~~(A) has in force and effect public liability insurance according to:~~

~~Minimum Limits Type of Liability~~	~~Each Person~~	~~Each Occurrence~~
~~Bodily injury liability excluding passengers~~	~~$75,000~~	~~$300,000~~
~~Passenger bodily injury liability~~	~~$75,000~~	~~$75,000 times 75% of total number of passenger seats installed in the aircraft~~
~~Property damage~~		~~$100,000~~

~~(B) combined coverage of a single limit of liability for each occurrence at least equal to the required minimums stated in clause (A) for bodily injury excluding passengers, passenger bodily injury, and property damage; or~~

~~(C) is a governmental entity within the meaning of IC 34-6-2-49.~~

(7) The insurance coverage specified in subdivision (6) shall be for each and every aircraft owned ~~and/or~~ **or** operated, **or both,** by or for the rotorcraft ambulance service provider **organization.**

(b) Upon approval, an advanced life support rotorcraft ambulance service provider organization will be issued certification for the provision of advanced life support services as required in 836 IAC 2 and this article.

(c) The certificate issued ~~pursuant to~~ **under** this article is valid for a period of two (2) years from the date of issue and shall be prominently displayed at the place of business.

(d) Application for certification renewal shall be made ~~not less than~~ **at least** sixty (60) days ~~prior to~~ **before** the expiration date of the current certificate. Application for renewal shall be made on such forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** and shall show evidence of compliance with this article as set forth for original certification. *(Indiana Emergency Medical Services Commission; 836 IAC 3-2-2; filed Oct 11, 1988, 11:05 a.m.: 12 IR 368; filed May 15, 1998, 10:25 a.m.: 21 IR 3919; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2492; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3552)*

SECTION 43. 836 IAC 3-2-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-2-3 Minimum specifications

Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 16-31

Sec. 3. (a) The rotorcraft ambulance performance characteristics are inherent in the type of aircraft selected by the rotorcraft ambulance service provider **organization.** The aircraft and its equipment and operations shall be in compliance with prevailing F.A.R. for the type of aircraft in question and flying conditions under which the aircraft will be operated as specified in the 14 CFR 135 air carrier certificate of the air ambulance service provider **organization.**

(b) The aircraft shall be capable of carrying a minimum of one (1) patient on a litter in a horizontal position located so as not to obstruct the pilot's vision or interfere with the performance of any member of the flight crew or required air-medical personnel.

(c) There shall exist a means of securing each litter and attached patient securely to either the floor (deck), walls (bulkhead), seats, or specific litter rack, or any combination thereof, ~~which~~ **that** shall comply with an acceptable method using either approved data from the aircraft manufacturer or data approved by the F.A.A. If data approved by the F.A.A. is required, a field approval or supplemental type certificate (STC) shall be obtained.

(d) There shall be demonstrable unobstructed vertical space at the head and thorax areas of the upper surface of a litter or litters to allow for performance of advanced life support cardiac care.

(e) Both the head and thorax of a secured patient shall be accessible by a minimum of two (2) air-medical personnel at one (1) time.

(f) The patient compartment shall have lighting available for patient observation (a minimum of forty (40) foot-candles at the level of the patient is recommended). Lighting shall be such as to not interfere with the pilots vision and will be focused, shielded, diffused, or colored illumination.

(g) The patient compartment shall have fresh air ventilation for the comfort of all persons on board.

(h) The patient compartment shall have temperature regulation to assure the comfort of all persons on board.

(i) The aircraft shall have one (1) door demonstrably large enough for ease of patient litter loading and unloading in the supine position.

(j) The electrical system of the aircraft shall be capable of supporting all of the ancillary equipment without the threat of overload or systems failure.

(k) Other specialized equipment may be required to conduct certain operations. The installation of this equipment shall comply with an acceptable method using either approved data

from the aircraft manufacturer or data approved by the F.A.A. If data approved by the F.A.A. is required, a field approval or supplemental type certificate (STC) shall be obtained.

(l) The aircraft shall have a searchlight rated as a minimum of four hundred thousand (400,000) candlepower or greater, manipulated by the pilot with a minimum movement of ninety (90) degrees vertical and one hundred eighty (180) degrees horizontal with the capability of illuminating the proposed landing site.

(m) The aircraft shall have air to ground communication capability to allow the pilot to communicate with all of the following ground personnel:
(1) Law enforcement.
(2) Fire/rescue.
(3) Ambulances.
(4) Hospital or hospitals.

(n) The aircraft shall be equipped with adequate patient ~~restraint(s)~~ **restraint or restraints** to preclude interference with the crew or aircraft flight controls.

(o) The aircraft shall have an intercommunications system. *(Indiana Emergency Medical Services Commission; 836 IAC 3-2-3; filed Oct 11, 1988, 11:05 a.m.: 12 IR 369; filed May 15, 1998, 10:25 a.m.: 21 IR 3920; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2493; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3553)*

SECTION 44. 836 IAC 3-2-4 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-2-4 Operating procedures; flight and medical
Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 4-21.5-1

Sec. 4. (a) Each **provider** organization shall maintain accurate records concerning the emergency care provided to each patient within the state as well as the following:
(1) All advanced life support rotorcraft ambulance service ~~providers~~ **provider organizations** shall utilize a patient care transport record.
(2) All advanced life support rotorcraft ambulance service ~~providers~~ **provider organizations** shall ~~participate in the emergency medical service system review by:~~
~~(A) collecting all data elements prescribed by the commission; and~~
~~(B) reporting that information according to the procedure and schedules prescribed by the commission.~~
maintain accurate records under 836 IAC 1-1-5.

(b) Premises will be maintained, suitable to the conduct of a rotorcraft ambulance service, with provision for adequate storage ~~and/or~~ **or** maintenance, **or both,** of rotorcraft ambulances and the on-board equipment.

(c) Each rotorcraft ambulance service provider **organization** shall have a periodic maintenance program as outlined for each specific aircraft certified by the commission in compliance with F.A.A. guidelines and manufacturer's service recommendations (MSR) as a minimum to assure that each rotorcraft ambulance, including equipment, is maintained in good, safe working condition and that rigid sanitation conditions and procedures are in effect at all times.

(d) All rotorcraft ambulance service provider **organization** premises, records, hangars, padding, ~~and~~ tie-down facilities, and rotorcraft ambulances will be made available for inspection by the ~~director or the director's authorized representative~~ **agency** at any time during regularly scheduled business hours.

(e) A determination of noncompliance with F.A.R. may result in immediate suspension of commission certification as a rotorcraft ambulance service provider **organization.**

(f) Each rotorcraft ambulance service provider **organization** shall make available to the commission for inspection at place of operation during regular business hours any manual of operations required under F.A.R.

(g) Commission certification as a rotorcraft ambulance service provider **organization** may be terminated upon the date specified in the notice.

(h) Each rotorcraft ambulance service provider **organization** shall establish equipment checklist procedures to ensure the following:
(1) Electronic and mechanical equipment are in proper operating condition.
(2) Rotorcraft ambulances shall be maintained in safe operating conditions at all times.
(3) Emergency patient care equipment required for rotorcraft ambulance certification is maintained in minimum quantities either directly on board the rotorcraft ambulance or available at the time of patient transport.

(i) Each rotorcraft ambulance service provider **organization** shall ensure that rigid sanitation conditions and procedures are in effect at all times. The following sanitation standards apply to all rotorcraft ambulances:
(1) The interior and the equipment within the aircraft are clean and maintained in good working order at all times.
(2) Freshly laundered linens are used on all litters, and pillows and linens shall be changed after each patient is transported.
(3) When the aircraft has been utilized to transport a patient known to have a communicable disease, the aircraft shall be cleansed and all contact surfaces be disinfected.

(j) A rotorcraft ambulance service provider **organization** shall not operate a rotorcraft ambulance in Indiana if the aircraft does not meet the certification requirements of this article and does not have a certificate issued ~~pursuant to~~ **under** this article;

however, a rotorcraft ambulance service provider **organization** may operate, for a period not to exceed one hundred eighty (180) consecutive days, a noncertified rotorcraft ambulance if the noncertified rotorcraft ambulance is used to replace a certified rotorcraft ambulance that has been temporarily taken out of service providing the following:

(1) The replacement rotorcraft ambulance meets all certification requirements of this article.

(2) The rotorcraft ambulance service provider **organization** shall notify the ~~commission,~~ **agency,** in writing, within seventy-two (72) hours of the time the replacement rotorcraft is placed in service. The written notice shall identify the following:

(A) The replacement date.

(B) The certification number of the replaced rotorcraft ambulance.

(C) The aircraft identification number of the replacement rotorcraft.

(D) The make and type of the replacement rotorcraft ambulance.

Upon receipt of the notification, a temporary certificate shall be issued effective the date the certified rotorcraft ambulance was replaced. Temporary certification will not exceed one hundred eighty (180) days **from the date that the replacement rotorcraft ambulance is placed in service,** and, upon return to service **of the certified rotorcraft ambulance,** the use of the replacement rotorcraft ambulance shall cease. If the replaced rotorcraft ambulance is not returned to service within the one hundred eighty (180) day period, use of the replacement rotorcraft ambulance shall cease unless certification is approved in accordance with this article. *(Indiana Emergency Medical Services Commission; 836 IAC 3-2-4; filed Oct 11, 1988, 11:05 a.m.: 12 IR 370; filed May 15, 1998, 10:25 a.m.: 21 IR 3920; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2494; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2358; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3554)*

SECTION 45. 836 IAC 3-2-5 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-2-5 Staffing

Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 4-21.5-1

Sec. 5. (a) Each certified rotorcraft ambulance, while transporting an emergency patient, will be staffed by no ~~less~~ **fewer** than three (3) people that have completed air-medical oriented training as prescribed by the air-medical director. Staffing will include the following requirements:

(1) The first person shall be a properly certified pilot who shall complete an orientation program covering flight and air-medical operations as prescribed by the air-medical director.

(2) The second person shall be currently certified, registered, or licensed in Indiana as: ~~one (1) of the following:~~

(A) a paramedic;

(B) a registered nurse; or

(C) a physician; ~~with a valid unlimited license to practice medicine;~~

within the state the air-ambulance is stationed and operating.

(3) The third person shall be any appropriate personnel required to properly care for the medical needs of the patient at the discretion of the air-medical director. The air-medical personnel on board the aircraft shall be trained in air transport problems and flight physiology.

(b) The advanced life support rotorcraft ambulance service provider organization shall notify the ~~commission~~ **agency** in writing within thirty (30) days of any change in the advanced life support services provided.

(c) Upon suspension, revocation, or termination of a certificate, the provision of advanced life support services shall cease. *(Indiana Emergency Medical Services Commission; 836 IAC 3-2-5; filed Oct 11, 1988, 11:05 a.m.: 12 IR 372; filed May 15, 1998, 10:25 a.m.: 21 IR 3922; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2496; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2360; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3555)*

SECTION 46. 836 IAC 3-2-6 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-2-6 Equipment list

Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 16-31-3-20

Sec. 6. (a) The advanced life support rotorcraft ambulance service provider organization shall ensure that the following basic life support and advanced life support equipment is carried on board each rotorcraft ambulance at the time of dispatch:

(1) Portable suction apparatus, capable of a minimum vacuum of three hundred (300) millimeters of mercury, equipped with wide-bore tubing and other rigid and soft pharyngeal suction tips.

(2) Oropharyngeal airways (adult, child, and infant sizes).

(3) Nasopharyngeal airways (small, 20-24 french; medium, 26-30 french; large, 30 french or greater).

(4) Bag mask ventilation units, hand operated, one (1) unit in each of the following sizes, each equipped with clear face masks and oxygen reservoirs with oxygen tubing:

(A) Adult.

(B) Child.

(C) Infant (mask only).

(D) Neonatal (mask only).

(5) Portable oxygen equipment of at least three hundred (300) liters capacity (D size cylinder) with yoke, medical regulator, pressure gauge, and nondependent flowmeter.

(6) Oxygen delivery devices shall include the following:

(A) High concentration devices, two (2) each, in adult, child, and infant sizes.

(B) Low concentration devices, two (2) in adult size.

(7) Blood pressure manometer, one (1) each in the following cuff sizes:
(A) Large adult.
(B) Adult.
(C) Child.
(8) Stethoscope in adult size.
(9) Wound care supplies to include the following:
(A) Sterile gauze pads ~~(4 × 4).~~ **four (4) inches by four (4) inches.**
(B) Airtight dressing.
(C) Adhesive tape, two (2) rolls.
(D) Bandage shears.
(10) Rigid extrication collars, two (2) each capable of the following sizes:
(A) Pediatric.
(B) Small.
(C) Medium.
(D) Large.
(11) Portable defibrillator with self-contained cardiac monitor and ECG strip writer and equipped with defibrillation pads or paddles, appropriate for both adult and pediatric defibrillation, that will not interfere with the aircraft's electrical and radio system.
(12) Endotracheal intubation devices, including the following equipment:
(A) Laryngoscopes with spare batteries and bulbs.
(B) Laryngoscope blades (adult and pediatric, curved and straight).
(C) Disposable endotracheal tubes, a minimum of two (2) each, sterile packaged, in sizes 3, 4, 5, 6, 7, 8, and 9 millimeters inside diameter.
(13) Medications, intravenous fluids, administration sets, syringes, and needles will be specified by the air-medical director identifying types and quantities.

(b) Additional equipment and supplies approved by the supervising hospital shall be identified by the rotorcraft ambulance service provider organization's air-medical director and reported in writing to the ~~commission~~ **agency** for initial certification and recertification.

(c) All drugs shall be supplied by the supervising hospital, or by written arrangement with a supervising hospital, on an even exchange basis. Lost, stolen, or misused drugs shall only be replaced on order of the advanced life support rotorcraft ambulance service provider organization air-medical director. All medications and advanced life support equipment are to be supplied by order of the medical director. Accountability for distribution, storage, ownership, and security of medications is subject to applicable requirements as determined by the ~~Indiana board of pharmacy~~ **medical director, pharmacist,** and the **United States Department of Justice** Drug Enforcement Administration. *(Indiana Emergency Medical Services Commission; 836 IAC 3-2-6; filed Oct 11, 1988, 11:05 a.m.: 12 IR 373; filed May 15, 1998, 10:25 a.m.: 21 IR 3923; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2497; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3555)*

SECTION 47. 836 IAC 3-2-7 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-2-7 Communications systems requirements
Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 16-31-3-20

Sec. 7. (a) Each rotorcraft ambulance shall have all communications equipment required under 14 CFR 135 for the type of aircraft and service provided. In addition, the rotorcraft ambulance shall have radio communications equipment that allows it to communicate directly with Indiana hospitals utilizing either the Indiana Hospital Emergency Radio Network (IHERN) system or the ultrahigh frequency medical communications channels used for advanced life support.

(b) Transmitters are to operate with an output power not to exceed ten (10) watts as applicable to FCC rules and regulations.

(c) The rotorcraft ambulance service provider **organization** shall maintain a dispatch and tactical communications system with the capability to provide a coordinated voice communications linkage within the flying area of the rotorcraft ambulance service provider **organization. This channel or** these channels will be used exclusively for dispatch and tactical communications and shall be apart from any involved in the IHERN.

(d) **Authorization or** authorizations for the use of any frequencies necessary for the required communications linkages with ground personnel identified in section 3(m) of this rule shall be part of the areawide coordinated plan identified in section 2(a)(1)(B) of this rule. *(Indiana Emergency Medical Services Commission; 836 IAC 3-2-7; filed Oct 11, 1988, 11:05 a.m.: 12 IR 373; filed May 15, 1998, 10:25 a.m.: 21 IR 3923; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2498; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3556)*

SECTION 48. 836 IAC 3-3-1 IS AMENDED TO READ AS FOLLOWS:

Rule 3. Fixed-Wing Air Ambulance Service Provider Organization

836 IAC 3-3-1 Air ambulances; general requirements
Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 16-31-3-20

Sec. 1. (a) Any organization based in Indiana providing, or seeking to provide, fixed-wing air ambulance services utilizing fixed-wing aircraft is required to be certified as an advanced life support fixed-wing air ambulance service provider organization by the commission. The advanced life support fixed-wing air ambulance service provider organization shall be certified in

accordance with this article ~~pursuant to~~ **under** IC 16-31 as appropriate.

~~(b) Certification by the commission as an advanced life support fixed-wing air ambulance service provider is not required for the following:~~

~~(1) A person who provides advanced life support while assisting the case of major catastrophe or disaster, whereby persons who are certified to provide emergency medical services or advanced life support are insufficient or are unable to cope with the situation.~~

~~(2) An agency or instrumentality of the United States as defined in 836 IAC 2-1-1(d).~~

~~(c)~~ **(b)** The provider **organization** of fixed-wing air ambulance services shall ensure that the aircraft used in conjunction with the provision of advanced life support services meets the guidelines as specified in this article ~~pursuant to~~ **under** IC 16-31 and is certified by the commission. Each fixed-wing air ambulance service provider **organization** shall meet all applicable parts of F.A.A. regulation and shall hold a valid 14 CFR 135 air carrier certificate or shall have a contract with the holder of a 14 CFR 135 air carrier certificate to provide aviation services under their certificate. Either must also have current F.A.A. approved air ambulance operations specifications.

~~(d)~~ **(c)** Advanced life support fixed-wing air ambulance service provider organizations will have ~~a contract~~ **an agreement** with one (1) or more supervising hospitals for the following services:

(1) Continuing education.

(2) Audit and review.

(3) Medical control and direction.

(4) Provide liaison and direction for supply of medications, fluids, and other items utilized by the **provider** organization.

(5) Safety and survival programs and education.

The ~~contract~~ **agreement** will include a detailed description of how such services will be provided to the advanced life support fixed-wing air ambulance service provider organization. In those cases where more than one (1) hospital ~~contracts,~~ **enters into an agreement,** or seeks to ~~contract,~~ **enter into an agreement,** with an advanced life support fixed-wing air ambulance service provider organization as a supervising hospital, an interhospital agreement will be provided to the ~~commission~~ **agency** that clearly defines the specific duties and responsibilities of each hospital to ensure medical, safety, and administrative accountability of system operation. ~~A contract~~ **An agreement** is not required when the hospital and the provider are the same organization.

~~(e)~~ **(d)** The advanced life support fixed-wing air ambulance service provider organization will have an air-medical director provided by the advanced life support fixed-wing air ambulance service provider organization, or jointly with the supervising hospital, who ~~shall be a physician who holds a currently valid unlimited license to practice medicine and has an active role in the delivery of emergency care, and~~ has knowledge of air transport problems and flight physiology. The air-medical director is responsible for providing competent medical direction and overall supervision of the medical aspects of the advanced life support fixed-wing air ambulance service provider organization. The duties and responsibilities of the air-medical director include, but are not limited to, the following:

(1) Assume all medical control and authority over any and all patients treated and transported by the fixed-wing air ambulance service.

(2) Providing liaison with physicians.

(3) Assuring that the drugs, medications, supplies, and equipment are available to the advanced life support fixed-wing air ambulance service provider organization.

(4) Monitoring and evaluating overall operations.

(5) Assisting in the coordination and provision of continuing education.

(6) Providing information concerning the operation of the advanced life support fixed-wing air ambulance service provider organization to the ~~commission.~~ **agency.**

(7) Providing individual consultation to the air-medical personnel.

(8) Participating on the assessment committee of the supervising hospital in at least quarterly audit and review of cases treated by air-medical personnel.

(9) Attesting to the competency of air crewmembers affiliated with the advanced life support fixed-wing air ambulance service provider organization.

(10) Designating an individual or individuals to assist in the performance of these duties.

~~(f)~~ **(e)** Each fixed-wing air ambulance service provider **organization** shall designate one (1) person to assume responsibility for inservice training. This person shall be certified as a paramedic, a registered nurse, or a licensed physician and actively provide patient care during air transport.

~~(g)~~ **(f)** A fixed-wing air ambulance service provider **organization** shall not engage in conduct or practices detrimental to the health and safety of emergency patients or to members of the general public while in the course of business or service as a fixed-wing air ambulance service provider **organization.**

~~(h)~~ **(g)** Each advanced life support fixed-wing air ambulance service provider organization shall ~~do the following:~~

~~(1)~~ maintain an adequate number of trained personnel and aircraft to provide advanced life support services as advertised and specified in the fixed-wing air ambulance service ~~provider's~~ **provider organization's** application for certification or certification renewal.

~~(2) Notify the commission in writing within thirty (30) days of a paramedic's affiliation or termination of employment or for any reason that has prohibited a certified individual from performing the procedures required of a paramedic pursuant to 836 IAC 2.~~

~~(i)~~ **(h)** Each fixed-wing air ambulance service provider **organization** shall designate one (1) person to assume the responsibilities for establishment of a safety committee consisting of the following:

(1) Pilot or pilots.

(2) Air-medical personnel.

(3) Aircraft maintenance technician or technicians.

(4) Communications personnel.

The safety committee shall meet at least quarterly and may be concurrent and in conjunction with the audit/review committee. *(Indiana Emergency Medical Services Commission; 836 IAC 3-3-1; filed Oct 11, 1988, 11:05 a.m.: 12 IR 374; filed May 15, 1998, 10:25 a.m.: 21 IR 3924; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2498; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3556)*

SECTION 49. 836 IAC 3-3-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-3-2 Certification; application

Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 16-31

Sec. 2. (a) Application for certification as an advanced life support fixed-wing air ambulance service provider **organization** will be made on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** and include, but not be limited to, the following:

(1) A narrative summary of plans for providing fixed-wing air ambulance services, including the following:

(A) The staffing pattern of air-medical personnel and pilots.

(B) Base of operations.

(C) Aircraft types and identification numbers.

(D) A listing of all personnel and their qualifications by category who will regularly serve as pilots and air-medical personnel on the aircraft.

(E) A description of the weather minimums for both cross-country and local flights.

(F) A copy of the patient care transport record to be utilized on each transport.

(2) Plans and methodologies to ensure that the trained personnel are provided with continuing education relative to their level of training. Continuing education on air transportation problems and flight physiology shall be provided on an annual basis. Continuing education will be approved by the advanced life support fixed-wing air ambulance service provider organization air-medical director with the cooperation of the supervising hospital.

(3) A listing of all on-board life support and medical communications equipment available, including a list of drugs and medications to be carried on each aircraft.

(4) When appropriate, a copy of the contract between the advanced life support fixed-wing air ambulance service provider organization and the supervising hospital or hospitals.

(5) A copy of all treatment protocols and standing orders (if applicable) under which all nonphysician personnel will operate.

(6) ~~The~~ **Each fixed-wing ambulance service provider organization shall show proof of** insurance ~~requirement of IC 16-31 is satisfied if the fixed-wing air ambulance service provider:~~ **coverage as required by 836 IAC 1-3-6.**

~~(A) has in force and effect public liability insurance according to:~~

~~Minimum Limits Type of Liability~~	~~Each Person~~	~~Each Occurrence~~
~~Bodily injury liability excluding passengers~~	~~$75,000~~	~~$300,000~~
~~Passenger bodily injury liability~~	~~$75,000~~	~~$75,000 times 75% of total number of passenger seats installed in the aircraft~~
~~Property damage~~		~~$100,000~~

~~(B) combined coverage of a single limit of liability for each occurrence, at least equal to the required minimums stated in clause (A) for bodily injury excluding passengers, passenger bodily injury, and property damage; or~~

~~(C) is a governmental entity within the meaning of IC 34-6-2-49.~~

(7) The insurance coverage specified in subdivision (6) shall be for each and every aircraft owned ~~and/or~~ **or** operated, **or both,** by or for the fixed-wing air ambulance service provider **organization.**

(b) Upon approval, an advanced life support fixed-wing air ambulance service provider organization will be issued certification for the provision of advanced life support services as required in 836 IAC 2 and this article.

(c) The certificate issued ~~pursuant to these rules and regulations~~ **under** this article is valid for a period of two (2) years from the date of issue and is prominently displayed at the place of business.

(d) Application for certification renewal shall be made not less than sixty (60) days prior to the expiration date of the current certificate. Application for renewal shall be made on such forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** and shall show evidence of compliance with this article as set forth for original certification. *(Indiana Emergency Medical Services Commission; 836 IAC 3-3-2; filed Oct 11, 1988, 11:05 a.m.: 12 IR 375; filed May 15, 1998, 10:25 a.m.: 21 IR 3925; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2499; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3558)*

SECTION 50. 836 IAC 3-3-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-3-3 Minimum specifications

Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 16-31-3-20

Sec. 3. (a) The fixed-wing ambulance performance character-

istics are inherent in the type of aircraft selected by the fixed-wing air ambulance service provider **organization.** The aircraft and its equipment and operations shall be in compliance with prevailing F.A.R. for the type of aircraft in question and flying conditions under which the aircraft will be operated as specified in the 14 CFR 135 air carrier certificate of the fixed-wing air ambulance service provider **organization.**

(b) The aircraft shall be capable of carrying a minimum of one (1) patient on a litter in a horizontal position located so as not to obstruct the pilot's vision or interfere with the performance of any member of the flight crew or required air-medical personnel.

(c) There shall exist a means of securing each litter and attached patient securely to either the floor (deck), walls (bulkhead), seats, or specific litter rack, or any combination thereof, ~~which~~ **that** shall comply with an acceptable method using either approved data from the aircraft manufacturer or data approved by the F.A.A. If data approved by the F.A.A. is required, a field approval or supplemental type certificate (STC) shall be obtained.

(d) There shall be demonstrable unobstructed vertical space at the head and thorax areas of the upper surface of a litter or litters to allow for performance of advanced life support cardiac care.

(e) Both the head and thorax of the secured patient shall be accessible by a minimum of two (2) air-medical personnel at one (1) time.

(f) The patient compartment shall have lighting available for patient observation (a minimum of forty (40) foot-candles at the level of the patient is recommended). Lighting shall be such as to not interfere with the pilot's vision and will be focused, shielded, diffused, or colored illumination.

(g) The patient compartment shall have fresh air ventilation for the comfort of all persons on board.

(h) The patient compartment shall have temperature regulation to assure the comfort of all persons on board.

(i) The aircraft shall have one (1) door demonstrably large enough for ease of litter patient loading and unloading in the supine position.

(j) The electrical system of the aircraft shall be capable of supporting all of the ancillary equipment without the threat of overload or systems failure.

(k) Other specialized equipment may be required to conduct certain operations. The installation of this equipment shall comply with an acceptable method using either approved data from the aircraft manufacturer or data approved by the F.A.A. If data approved by the F.A.A. is required, a field approval or supplemental type certificate (STC) shall be obtained.

(l) The aircraft shall be equipped with adequate patient restraints to preclude interference with the crew or aircraft flight controls.

(m) The aircraft shall have an intercommunications system. *(Indiana Emergency Medical Services Commission; 836 IAC 3-3-3; filed Oct 11, 1988, 11:05 a.m.: 12 IR 376; filed May 15, 1998, 10:25 a.m.: 21 IR 3926; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2500; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3558)*

SECTION 51. 836 IAC 3-3-4 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-3-4 Operating procedures; flight and medical

Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 4-21.5-1

Sec. 4. (a) Each **provider** organization shall maintain accurate records concerning the emergency care provided to each patient within the state as well as the following:

(1) All advanced life support fixed-wing ambulance service ~~providers~~ **provider organizations** shall utilize a patient care transport record.

(2) All advanced life support fixed-wing ambulance ~~providers~~ **provider organizations** shall ~~participate in the emergency medical service system review by:~~

~~(A) collecting all data elements prescribed by the commission; and~~

~~(B) reporting that information according to the procedures and schedules prescribed by the commission.~~

maintain accurate records under 836 IAC 1-1-5.

(b) Premises shall be maintained, suitable to the conduct of a fixed-wing air ambulance service, with provision for adequate storage ~~and/or~~ **or** maintenance, **or both,** of fixed-wing ambulances and the on-board equipment.

(c) Each fixed-wing air ambulance service provider **organization** shall have a periodic maintenance program as outlined for each specific aircraft certified by the commission in compliance with F.A.A. and manufacturer's service recommendations (MSR) guidelines as a minimum to assure that each fixed-wing ambulance, including equipment, is maintained in good, safe working condition.

(d) All fixed-wing air ambulance service provider **organization** premises, records, and fixed-wing ambulances shall be made available for inspection by the ~~director or his authorized representative~~ **agency** at any time during regularly scheduled business hours.

(e) A determination of noncompliance with F.A.R. may result in immediate suspension of commission certification as a fixed-

wing air ambulance service provider **organization.**

(f) Each fixed-wing air ambulance service provider **organization** shall make available to the commission for inspection at place of operation during regular business hours any manual of operations required under F.A.R.

(g) Commission certification as a fixed-wing air ambulance service provider **organization** may be terminated upon the date specified in the notice.

(h) Each fixed-wing air ambulance service provider **organization** shall establish equipment checklist procedures to ensure the following:

(1) Electronic and mechanical equipment are in proper operating condition.

(2) Fixed-wing ambulances shall be maintained in safe operating conditions at all times.

(3) Emergency patient care equipment required for fixed-wing ambulance certification is maintained in minimum quantities either directly on board the fixed-wing ambulance or available at the time of patient transport.

(i) Each fixed-wing air ambulance service provider **organization** shall ensure that rigid sanitation conditions and procedures are in effect at all times. The following sanitation standards apply to all fixed-wing ambulances:

(1) The interior and the equipment within the aircraft are clean and maintained in good working order at all times.

(2) Freshly laundered linens are used on all litters, and pillows and linens shall be changed after each patient is transported.

(3) When an aircraft has been utilized to transport a patient known to have a communicable disease, the aircraft shall be cleansed and all contact surfaces be washed with soap and water and disinfected.

(j) A fixed-wing air ambulance service provider **organization** shall not operate a fixed-wing ambulance in Indiana if the fixed-wing ambulance does not meet the certification requirements of this article and does not have a certificate issued ~~pursuant to~~ **under** this article; however, a fixed-wing air ambulance service provider **organization** may operate, for a period not to exceed one hundred eighty (180) consecutive days, a temporary replacement fixed-wing ambulance if the temporary replacement fixed-wing ambulance is used to replace a certified fixed-wing ambulance that has been temporarily taken out of service providing the following:

(1) The replacement fixed-wing ambulance shall meet all certification requirements of this article.

(2) The fixed-wing air ambulance service provider **organization** shall notify the ~~commission,~~ **agency,** in writing, within seventy-two (72) hours of the time the replacement fixed-wing ambulance is placed in service. The written notice shall identify the following:

(A) The replacement date.

(B) The certification number of the replaced fixed-wing ambulance.

(C) The aircraft identification number of the replacement fixed-wing ambulance.

(D) The make and type of the replacement fixed-wing ambulance.

Upon receipt of the notification, a temporary certificate shall be issued effective the date the certified rotorcraft ambulance was replaced. Temporary certification will not exceed one hundred eighty (180) days **from the date that the replacement fixed-wing ambulance is placed in service,** and, upon return to service **of the certified fixed-wing ambulance,** the use of the replacement fixed-wing ambulance shall cease. If the replaced fixed-wing ambulance is not returned to service within the one hundred eighty (180) day period, use of the replacement fixed-wing ambulance shall cease unless certification is approved in accordance with this article. *(Indiana Emergency Medical Services Commission; 836 IAC 3-3-4; filed Oct 11, 1988, 11:05 a.m.: 12 IR 376; filed May 15, 1998, 10:25 a.m.: 21 IR 3926; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2501; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2360; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3559)*

SECTION 52. 836 IAC 3-3-5 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-3-5 Staffing

Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 4-21.5-1; IC 16-31-3-14

Sec. 5. (a) Each certified fixed-wing ambulance while transporting an emergency patient shall be staffed by no less than three (3) people and include the following requirements:

(1) The first person shall be a properly certified pilot who shall complete an orientation program covering flight and air-medical operations as prescribed by the air-medical director.

(2) The second person shall be an Indiana certified paramedic or registered nurse or a physician. ~~with a valid unlimited license to practice medicine.~~

(3) The third person shall be any appropriate personnel to properly care for the medical needs of the patient as required on board the fixed-wing aircraft in the patient compartment.

(4) All medical personnel on board the aircraft must be trained in air transport problems and principles of flight physiology.

(b) The advanced life support fixed-wing air ambulance service provider organization shall notify the ~~commission~~ **agency** in writing within thirty (30) days of any change in the advanced life support services provided.

(c) Upon suspension, revocation, or termination of a certificate, the provision of advanced life support services shall cease. *(Indiana Emergency Medical Services Commission; 836 IAC 3-3-5; filed Oct 11, 1988, 11:05 a.m.: 12 IR 378; filed May 15,*

1998, 10:25 a.m.: 21 IR 3928; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2503; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2362; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3560)

SECTION 53. 836 IAC 3-3-6 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-3-6 Equipment list
Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 16-31-3-20

Sec. 6. (a) The advanced life support fixed-wing air ambulance service provider organization shall ensure that the following basic life support and advanced life support equipment is available on board each aircraft and is appropriate for the age and medical condition of the patient to be transported at the time of transport:

(1) Portable or fixed suction apparatus, capable of a minimum vacuum of three hundred (300) millimeters of mercury, equipped with wide-bore tubing and other rigid and soft pharyngeal suction tips.
(2) Oropharyngeal airways (adult, child, and infant sizes).
(3) Nasopharyngeal airways (small, 20-24 french; medium, 26-30 french; large, 30 french or greater).
(4) Bag mask ventilation units, hand operated, one (1) unit in each of the following sizes, each equipped with clear face masks and oxygen reservoirs with oxygen tubing:
(A) Adult.
(B) Child.
(C) Infant (mask only).
(D) Neonatal (mask only).
(5) Portable oxygen equipment ~~with~~ of at least three hundred (300) liters capacity (D size cylinder) with yoke, medical regulator, pressure gauge, and nondependent flowmeter.
(6) Oxygen delivery device shall include the following:
(A) High concentration devices, two (2) each, in adult, child, and infant sizes.
(B) Low concentration devices, two (2) in adult size.
(7) Blood pressure manometer, one (1) each in the following cuff sizes:
(A) Large adult.
(B) Adult.
(C) Child.
(8) Stethoscope in adult size.
(9) Wound care supplies to include the following:
(A) Sterile gauze pads ~~(4 × 4).~~ **four (4) inches by four (4) inches.**
(B) Airtight dressing.
(C) Bandage shears.
(D) Adhesive tape, two (2) rolls.
(10) Rigid extrication collars, two (2) each capable of the following sizes:
(A) Pediatric.
(B) Small.
(C) Medium.
(D) Large.
(11) Portable defibrillator with self-contained cardiac monitor and ECG strip writer and equipped with defibrillation pads or paddles, appropriate for both adult and pediatric defibrillation, that will not interfere with the aircraft's electrical and radio system.
(12) Endotracheal intubation devices, including the following equipment:
(A) Laryngoscopes with spare batteries and bulbs.
(B) Laryngoscope blades (adult and pediatric, curved and straight).
(C) Disposable endotracheal tubes, a minimum of two (2) each, sterile packaged, in sizes 3, 4, 5, 6, 7, 8, and 9 millimeters inside diameter.
(13) Medications, intravenous fluids, administration sets, syringes, and needles will be specified by the air-medical director identifying types and quantities.

(b) Additional equipment and supplies approved by the supervising hospital shall be identified by the fixed-wing air ambulance service provider organization air-medical director and reported in writing to the ~~commission~~ **agency** for initial certification and recertification.

(c) All drugs shall be supplied by the supervising hospital, or by written arrangement with a supervising hospital, on an even exchange basis. Lost, stolen, or misused drugs shall only be replaced on order of the advanced life support fixed-wing air ambulance service provider organization medical director. All medications and advanced life support equipment are to be supplied by order of the medical director. Accountability for distribution, storage, ownership, and security of medications is subject to applicable requirements as determined by the ~~Indiana board of pharmacy~~ **medical director, pharmacist,** and the **United States Department of Justice** Drug Enforcement Administration. *(Indiana Emergency Medical Services Commission; 836 IAC 3-3-6; filed Oct 11, 1988, 11:05 a.m.: 12 IR 379; filed May 15, 1998, 10:25 a.m.: 21 IR 3929; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2503; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3561)*

SECTION 54. 836 IAC 3-3-7 IS AMENDED TO READ AS FOLLOWS:

836 IAC 3-3-7 Communications systems requirements
Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 16-31-3-20

Sec. 7. (a) Each fixed-wing ambulance shall have all communications equipment required under 14 CFR 135 for the type of aircraft and service provided. In addition, the fixed-wing ambulance shall have radio communications equipment that allows it to communicate directly with Indiana hospitals utilizing either the Indiana Hospital Emergency Radio Network (IHERN) system, the ultrahigh frequency medical communications channels used for advanced life support, or air-to-ground radio telephone.

(b) Transmitters are to operate with an output power not to exceed ten (10) watts as applicable to FCC rules and regulations.

(c) The fixed-wing air ambulance service provider **organization** shall maintain a dispatch and tactical communications system with the capability to provide a voice communications linkage with the fixed-wing air ambulance service ~~provider's~~ **provider organization's** base station. This channel will be used exclusively for dispatch and tactical communications and shall be apart from any involved in the IHERN.

(d) In addition to subsection (a), each multiengine fixed-wing air ambulance shall be equipped with a minimum of two (2) VHF aircraft band transceivers and two (2) independently functioning audio panels allowing each required pilot to communicate with ground resources separately. *(Indiana Emergency Medical Services Commission; 836 IAC 3-3-7; filed Oct 11, 1988, 11:05 a.m.: 12 IR 380; filed May 15, 1998, 10:25 a.m.: 21 IR 3929; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2504; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3561)*

SECTION 55. 836 IAC 3-5-1 IS AMENDED TO READ AS FOLLOWS:

Rule 5. Registry for Out-of-State Advanced Life Support Fixed-Wing Ambulance Service Provider Organization

836 IAC 3-5-1 Certificate of registry

Authority: IC 16-31-2-7; IC 16-31-3-20
Affected: IC 16-31-3-20

Sec. 1. (a) Application for certificate of registry as a fixed-wing ambulance service provider **organization** shall be made on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** and include, but are not limited to, a narrative summary of plans for providing fixed-wing ambulance services, including the following:

(1) The staffing pattern of personnel.

(2) Base of operations and a level of care to be provided.

(3) The training and experience of the applicant in the transportation and care of patients.

(4) A description and general location of each aircraft to be used as an air ambulance, including the make, model, year of manufacture, insignia, name or monogram, or other distinguishing characteristics.

(5) Types and quantity of medical equipment on board.

(6) Proof of current valid certification or license issued by another state.

(7) Other information as requested by the commission.

(b) Upon approval by the commission, the fixed-wing ambulance service provider **organization** shall be registered by the commission.

(c) Each fixed-wing ambulance shall comply with all applicable F.A.A. and F.A.R. requirements pertaining to operating as a commercial air transport service.

(d) Certificate of registry is required for all advanced life support fixed-wing ambulance service ~~providers~~ **provider organizations** based outside of Indiana and transporting patients originating in Indiana **to a location outside of Indiana.** *(Indiana Emergency Medical Services Commission; 836 IAC 3-5-1; filed Oct 11, 1988, 11:05 a.m.: 12 IR 380; filed May 15, 1998, 10:25 a.m.: 21 IR 3930; filed Apr 4, 2002, 9:08 a.m.: 25 IR 2505; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3562)*

SECTION 56. 836 IAC 4-1-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-1-1 Definitions

Authority: IC 16-31-2-7
Affected: IC 16-31

Sec. 1. The ~~following~~ definitions **in 836 IAC 1-1-1** apply throughout this article. ~~unless the context clearly denotes otherwise:~~

~~(1) "Advanced emergency medical technician" means an individual who can perform one (1) or more, but not all, of the procedures of a paramedic and who:~~

~~(A) has completed a prescribed course in advanced life support;~~

~~(B) has been certified by the commission;~~

~~(C) is associated with a single supervising hospital; and~~

~~(D) is affiliated with a provider organization.~~

~~(2) "Advanced emergency medical technician intermediate" means an individual who can perform one (1) or more, but not all, of the procedures of a paramedic and who:~~

~~(A) has completed a prescribed course in advanced life support;~~

~~(B) has been certified by the commission;~~

~~(C) is associated with a single supervising hospital; and~~

~~(D) is affiliated with a provider organization.~~

~~(3) "Advanced emergency medical technician intermediate organization" means an ambulance service provider or other emergency care organization certified by the commission to provide advanced life support services administered by advanced emergency medical technician intermediates in conjunction with a supervising hospital.~~

~~(4) "Advanced emergency medical technician organization" means an ambulance service provider or other emergency care organization certified by the commission to provide advanced life support services administered by advanced emergency medical technicians in conjunction with a supervising hospital.~~

~~(5) "Advanced life support", for purposes of IC 16-31, means:~~

~~(A) care given:~~

~~(i) at the scene of an:~~

~~(AA) accident;~~

~~(BB) act of terrorism (as defined in IC 35-41-1-26.5), if the governor has declared a disaster emergency under IC 10-4-1-7 in response to the act of terrorism; or~~

(CC) illness; or

(ii) during transport at a hospital;

by a paramedic, advanced emergency medical technician intermediate, or advanced emergency medical technician and that is more advanced than the care usually provided by an emergency medical technician; and

(B) may include:

(i) defibrillation;

(ii) endotracheal intubation;

(iii) parenteral injection of appropriate medications, including administration of epinephrine through an auto-injector;

(iv) electrocardiogram interpretation; and

(v) emergency management of trauma and illness.

(6) "Advanced life support nontransport vehicle" means a motor vehicle other than an ambulance, owned or leased by a certified emergency medical service provider, that provides advanced life support but does not supply patient transport from the scene of the emergency. The term does not include an employer-owned or employer-operated vehicle used for first aid purposes within or upon the employer's premises.

(7) "Ambulance" means any conveyance on land, sea, or air that is used or is intended to be used, for the purpose of responding to emergency life-threatening situations and providing transportation for an emergency patient.

(8) "Ambulance service provider" means any person who is certified by the commission and who engages in or seeks to furnish, operate, conduct, maintain, advertise, or otherwise engage in services for the transportation and care of emergency patients as a part of a regular course of doing business, either paid or voluntary.

(9) "An agency or instrumentality of the United States", as that phrase is used in IC 16-31-3-3, means to exclude all nongovernmental entities that have a contract with the government of the United States or any bureau, board, commission, or statutorily created entity thereof.

(10) "Anniversary date" means the date on which certification as a paramedic or an advanced emergency medical technician was issued by the commission.

(11) "Basic life support", for purposes of IC 16-31, means the following:

(A) Assessment of emergency patients.

(B) Administration of oxygen.

(C) Use of mechanical breathing devices.

(D) Application of anti-shock trousers.

(E) Performance of cardiopulmonary resuscitation.

(F) Application of dressing and bandage materials.

(G) Application of splinting and immobilization devices.

(H) Use of lifting and moving devices to ensure safe transport.

(I) Use of an automatic or a semiautomatic defibrillator if the defibrillator is used in accordance with training procedures established by the commission.

(J) Other procedures authorized by the commission, including procedures contained in the revised national emergency medical technician-basic training curriculum guide.

(12) "Certificate" or "certification" means authorization in written form issued by the commission to a person to furnish, operate, conduct, maintain, advertise, or otherwise engage in providing emergency medical services as a part of a regular course of doing business, either paid or voluntary.

(13) "Commission" means the Indiana emergency medical services commission.

(14) "Director" means the director of the state emergency management agency.

(15) "Emergency ambulance services" means the transportation of emergency patients by ambulance and the administration of emergency care procedures to emergency patients before, or during, such transportation.

(16) "Emergency management of trauma and illness" means the following:

(A) Those procedures for which the paramedic has been specifically trained that are a part of the curriculum prescribed by the commission.

(B) Those procedures for which the paramedic has been specifically trained as a part of the continuing education program and approved by the supervising hospital and the paramedic organization's medical director.

(C) Those procedures for which the advanced emergency medical technician has been specifically trained and have been approved by the administrative and medical staff of the supervising hospital, the advanced emergency medical technician organization medical director, and the commission as being within the scope and responsibility of the advanced emergency medical technician.

(17) "Emergency patient" means an individual who is acutely ill, injured, or otherwise incapacitated or helpless and who requires emergency care. The term includes an individual who requires transportation on a litter or cot or is transported in a vehicle certified as an ambulance under IC 16-31-3.

(18) "Emergency medical service nontransport provider" means an organization, certified by the commission, that provides first response patient care at an emergency that includes defibrillation but does not supply patient transport from the scene of the emergency.

(19) "Emergency medical service nontransport vehicle" means a motor vehicle other than an ambulance, owned or leased by a certified emergency medical service provider, that provides first response patient care at an emergency that includes defibrillation but does not supply patient transport from the scene of the emergency. The term does not include an employer-owned or employer-operated vehicle used for first aid purposes within or upon the employer's premises.

(20) "Emergency medical services" means the provision of emergency ambulance services or other services utilized in serving an individual's need for immediate medical care in order to prevent loss of life or aggravation of physiological or psychological illness or injury.

(21) "Emergency medical services driver" means an individual who has a certificate of completion of a commission-approved driver training course.

~~(22) "Emergency medical services provider" means any person certified by the commission who engages in or seeks to furnish, operate, conduct, maintain, advertise, or otherwise engage in services for the care of emergency patients as part of a regular course of doing business, either paid or voluntary.~~

~~(23) "Emergency medical services vehicle" means any of the following:~~

~~(A) An ambulance.~~

~~(B) An emergency medical services nontransport vehicle.~~

~~(C) A rescue squad.~~

~~(D) An advanced life support nontransport vehicle.~~

~~(24) "Emergency medical technician" means an individual certified by the commission who is:~~

~~(A) responsible for:~~

~~(i) the administration of emergency care procedures to emergency patients; and~~

~~(ii) the handling and transportation of such patients; and~~

~~(B) certified under this article.~~

~~(25) "First responder", for purposes of IC 16-31, means an individual who is:~~

~~(A) certified under IC 16-31 and meets the commission's standards for first responder certification; and~~

~~(B) the first individual to respond to an incident requiring emergency medical services.~~

~~(26) "Paramedic" means an individual who:~~

~~(A) is affiliated with a certified paramedic organization or is employed by a supervising hospital;~~

~~(B) has completed a prescribed course in advanced life support; and~~

~~(C) has been certified by the commission.~~

~~(27) "Paramedic organization" means an ambulance service provider or other emergency care organization certified by the commission to provide advanced life support services administered by paramedics or physicians with an unlimited license to practice medicine in Indiana in conjunction with supervising hospitals.~~

~~(28) "Person" means any:~~

~~(A) natural person or persons;~~

~~(B) partnership;~~

~~(C) corporation;~~

~~(D) association;~~

~~(E) joint stock association; or~~

~~(F) governmental entity other than an agency or instrumentality of the United States.~~

~~(29) "Physician" means an individual who currently holds a valid unlimited license to practice medicine in Indiana under IC 25-22.5.~~

~~(30) "Program director" means a person employed by a certified training institution that coordinates the advanced life support courses.~~

~~(31) "Provider organization" means an ambulance service or other emergency care organization certified by the commission to provide advanced life support in connection with a supervising hospital.~~

~~(32) "Provider organization operating area" means the geographic area in which an advanced emergency medical technician, affiliated with a specific advanced emergency medical technician organization, is able to maintain two-way voice communication with the provider organization's supervising hospitals.~~

~~(33) "Rescue squad organization" means an organization that holds a voluntary certification to provide extrication, rescue, or emergency medical services.~~

~~(34) "Supervising hospital" means a hospital licensed under IC 16-21-2 or under the licensing laws of another state that has been certified by the commission to supervise paramedics, advanced emergency medical technicians, and provider organizations in providing advanced life support.~~

(Indiana Emergency Medical Services Commission; 836 IAC 4-1-1; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2745; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2362; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3562)

SECTION 57. 836 IAC 4-2-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-2-1 General requirements for training institutions; staff

Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-21; IC 16-31-3-2; IC 20-10.1-1-16; IC 20-12-62-3; IC 20-12-71-8

Sec. 1. (a) All institutions administering or seeking to administer emergency medical services training programs shall be certified by the commission **prior to providing such training and shall comply with this section.** Any multiple campus institution administering or seeking to administer such programs shall have its training institution certified by the commission on a campus-by-campus basis.

(b) Each Indiana emergency medical services training institution of emergency medical technician programs shall be:

(1) a postsecondary institution as defined in IC 20-12-71-8;

(2) a private technical, vocational, or trade school as defined in IC 20-12-62-3;

(3) a high school as defined in IC 20-10.1-1-16;

(4) a provider organization as defined in IC 16-31; or

(5) an appropriately accredited hospital licensed under IC 16-21;

that has adequate resources and dedication to educational endeavors. Educational institutions shall be appropriately accredited by a regional accrediting association for higher education or have state licensure that assures comparable educational standards.

(c) Such an institution shall submit an application to the ~~commission not less than~~ **agency at least** ninety (90) days prior to the date for which certification is requested in a manner prescribed by the ~~commission.~~ **agency. The application shall include the following:**

(1) Name and address of training institution.
(2) Name of institution official.
(3) Agreement or agreements of affiliation with clinical and internship facilities.
(4) Type of emergency medical service courses conducted.
(5) Medical director approval form listing affiliated instructor.
(6) In-course standards and criteria by which the instructor is to determine successful completion of the didactic and clinical portions of the course to include the following:
(A) Attendance requirements and absentee policies.
(B) Testing procedures.
(C) Number and scope of in-course tests.
(D) Didactic pass/fail grade average and criteria.
(E) Provision for make-up test and classes.
(F) Minimal age for enrollment.
(G) Policies for provider organization reasonable accommodations under the Americans with Disabilities Act.
(H) Description of the screening and evaluation process for acceptance into any certified training program.
(7) Other information as required by the agency.

(d) Certification as an emergency medical services training institution is valid for a period of ~~three (3)~~ **two (2)** years from the date of certification.

~~(d)~~ **(e)** Certified emergency medical services training institutions shall be certified according to the institution's intent and ability to teach various levels of emergency medical services curricula as follows:

(1) **A** basic life support training institution **is defined as** an institution that presents ~~Indiana~~ **one (1) or more of the following training courses:**
(A) Basic emergency medical technician. ~~or the Indiana~~
(B) Emergency medical technician-basic advanced.
(C) Emergency medical first responder training courses. ~~or both.~~

(2) **An** advanced life support training institution **is defined as** an institution that presents ~~the Indiana advanced emergency medical technician, Indiana advanced~~ **one (1) or more of the following training courses and may include one (1) or more of the basic life support training courses listed under subdivision (1):**
(A) Emergency medical technician-intermediate. ~~or Indiana~~
(B) Paramedic. ~~training courses, or all levels of courses.~~

~~(e)~~ **(f)** A certified training institution shall submit an application for recertification to the ~~commission~~ **agency at least** sixty (60) days prior to the date of certification expiration. The application for recertification shall indicate compliance with the requirements currently in effect at the time of the application for renewal.

~~(f) Upon suspension, revocation, or termination of a certificate, the provision of such service shall cease.~~ *(Indiana Emergency Medical Services Commission; 836 IAC 4-2-1; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2747; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2364; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3564)*

SECTION 58. 836 IAC 4-2-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-2-2 Institutional responsibilities
Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 2. A certified training institution seeking commission approval for administering emergency medical services training courses shall meet the following minimum requirements:

(1) Designate one (1) person as a training institution official responsible for administering all of the activities of the emergency medical services training institution and for communicating with the ~~commission.~~ **agency.**

(2) Submit to an inspection of training facilities and equipment.

(3) Provide a list of educational staff to meet staffing-student ratio requirements ~~outlined~~ **established** in approved curricula.

(4) Have the necessary clinical facilities, or affiliations with clinical facilities, to conduct the required clinical phases of emergency medical ~~technician~~ **service** training programs.

(5) Under conditions where didactic and clinical training are to be conducted by separate institutions, program responsibility will rest with the institution that is certified by the commission. In cases where two (2) or more certified training institutions are cooperating in the presentation of an emergency medical services training program, both institutions will be held jointly responsible for the training programs.

(6) Provide evidence that the training institution has liability insurance on the students.

(7) Provide classroom space to effectively present the various requirements in the curricula.

(8) The curriculum requirements for all certified training programs shall be approved by the commission. Course applications will be made in a manner prescribed by the ~~commission.~~ **agency.** The **agency or** commission may disapprove a course application when it has been determined that the training institution or primary instructor has been found in noncompliance with rules and regulations.

(9) Have the training equipment and training aids (including the emergency care equipment) required by the curriculum of the courses that the training institution offers. The training institution shall have an adequate amount of the training equipment to be utilized by students to meet any equipment-to-student ratios prescribed by the curriculum being presented.

(10) Make available a minimum of twelve (12) hours, over a two (2) year period, of continuing education in educational principles and techniques for each of its affiliated primary instructors. A training institution may offer this continuing education or advise its faculty members of such continuing education at other sites. The training institution official may accept educational programs conducted at other facilities.

(11) Evaluate each course ~~and affiliated primary instructor once during every year~~ and retain a record of the evaluation in its files.

(12) Provide educational personnel for each approved training course, consisting of the following:

(A) **A** medical director.

(B) **A** program director ~~(advanced~~ **for the following levels:**

(i) For an emergency medical technician-basic advanced course, the program director shall be a physician, a registered nurse, an emergency medical technician-**basic** advanced, **an** emergency medical technician-intermediate, ~~and~~ **or a** paramedic. ~~courses only).~~

(ii) For an emergency medical technician-intermediate course, the program director shall be an emergency medical technician-intermediate, a paramedic, a physician, or a registered nurse.

(iii) For a paramedic course, the program director shall be a paramedic, a physician, or a registered nurse.

(C) **A** primary instructor.

(D) Instructional staff.

(13) Be responsible for in-course standards and criteria by which it determines a student's successful completion of the didactic and clinical portions of the course. The criteria include, but are not limited to, the following:

(A) Attendance requirements and absentee policies.

(B) In-course testing procedures.

(C) Number and scope of in-course tests.

(D) Didactic pass/fail grade average and criteria.

(E) Provision for make-up classes and tests.

(F) Minimum age for enrollment.

(G) Policies for providing reasonable accommodation ~~pursuant to~~ **under** the Americans with Disabilities Act.

(14) Be responsible for the screening and evaluation criteria for admission into any certified training program.

(15) Assure a certified primary instructor, affiliated with the training institution, is present in each ~~Indiana basic emergency medical technician~~ class session.

(16) Have a retention schedule of seven (7) years for all training and course records.

(Indiana Emergency Medical Services Commission; 836 IAC 4-2-2; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2748; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2365; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3565)

SECTION 59. 836 IAC 4-2-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-2-3 Educational staff qualifications and responsibilities

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 3. (a) Minimum personnel qualifications for the training institution's education staff shall be as follows:

(1) ~~The~~ **A** medical director. ~~shall be a physician who:~~

~~(A) holds an unlimited license to practice medicine in Indiana; and~~

~~(B) has an active role in the delivery of emergency care.~~

(2) ~~The~~ **A** program ~~coordinator~~ **director who** shall:

(A) have appropriate education and experience necessary to teach in the assigned areas at the discretion of the medical director;

(B) be thoroughly and appropriately knowledgeable about all subject matter; ~~and~~

(C) be able to demonstrate all skills assigned to teach or evaluate; ~~The program coordinator shall~~

(D) be a certified primary instructor; and

(E) hold a clinical certification or license at least equal to that of the curriculum of the course in which ~~they act~~ **the individual acts** as the program ~~coordinator.~~ **director.**

(3) The primary instructor shall be certified by the commission.

(4) Instructional staff members will be selected from various ~~specialities~~ **specialties** and have appropriate education and experience necessary to teach in the assigned areas at the discretion of the ~~medical director. They~~ **training institution official. The individual** must be thoroughly and appropriately knowledgeable about all subject matter and be able to demonstrate all skills that ~~they are~~ **the individual is** assigned to teach or evaluate. Instructional staff members involved in the skills testing of students shall be persons who hold a clinical certification or license at least equal to that of the curriculum of the course in which ~~they act~~ **the individual acts** as instructional staff.

(b) Education staff responsibilities are as follows:

(1) The medical director is responsible for the following:

(A) Providing competent medical direction in the conduct of the training program by providing necessary liaison with physicians to obtain adequate instructor services.

(B) Assuring accurate and thorough presentation of the medical content of the course curriculum.

(C) Attesting on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** to the competency of the course graduates to perform the medical skills required by the certification for which the student has been trained.

(2) The program ~~coordinator~~ **director** for any advanced life support course is responsible for the following:

(A) Developing teaching plans.

(B) Assuring that the course of instruction meets established standards of the commission and training institution.

(C) Providing liaisons with physicians and other specialists to obtain adequate instructor services for the course.

(D) Monitoring and evaluating classroom activities, including clinical and practice sessions.

(E) Assuring that the required equipment and materials necessary for teaching the course being offered are available at each class session.

(F) Coordinating and evaluating all didactic, clinical, practical, and field/internship activities associated with the course.

(G) Acting as the liaison between the students and the program staff.

(H) Maintaining student class records concerning attendance, performance, and grades.

(I) Fulfilling other course requirements as designated by the medical director and the training institution official.

~~(3) The primary instructor is responsible for the following:~~

~~(A) Developing teaching plans.~~

~~(B) Assuring that the course of instruction meets established standards of the commission and training institution.~~

~~(C) Providing liaisons with physicians and other specialists to obtain adequate instructor services for the course.~~

~~(D) Monitoring and evaluating classroom activities, including clinical and practice sessions.~~

~~(E) Assuring that the required equipment and materials necessary for teaching the course being offered are available at each class session.~~

~~(F) Coordinating and evaluating all didactic, clinical, practical, and field preceptor activities associated with the course.~~

~~(G) Acting as the liaison between the students and the program staff.~~

~~(H) Maintaining student class records concerning attendance, performance, and grades.~~

~~(I) Fulfilling other course requirements as designated by the medical director and the training institution official.~~

~~(4)~~ **(3)** Instructional staff are responsible to teach and to test students during selected lessons or class sessions as assigned by the ~~primary instructor,~~ program ~~coordinator, and~~ **director or** medical director. The instructional staff is evaluated and held accountable in the manner seen fit by the medical director and the training institution official.

(Indiana Emergency Medical Services Commission; 836 IAC 4-2-3; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2749; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3566)

SECTION 60. 836 IAC 4-2-4 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-2-4 Institution reporting requirements

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 4. (a) Each training institution shall submit ~~an annual report~~ **any changes within thirty (30) days** to the ~~commission~~ **agency** that includes the following information:

(1) Name, address, and telephone number of the training institution official.

(2) List of affiliated ~~primary instructors,~~ **educational staff,** including name, certification level, and certification number.

~~(3) Documentation of the continuing education offered to all affiliated primary instructors.~~

~~(4) Submit documentation of all primary instructor evaluations completed within the last year.~~

~~(5) Submit a copy of~~ **(3) Changes in** the training institutions standards and criteria.

(b) Each training institution will provide a final report on each course to the ~~commission~~ **agency** within fifteen (15) days following the completion of the course. These reports will be submitted in a manner prescribed by the ~~commission.~~ **agency.**

(c) Each training institution official will complete other forms as required by the ~~commission~~ **agency** for purposes of course, student, or training institution evaluation. The institution will cooperate with and assist the ~~commission~~ **agency** in collecting statistics and evaluating performance and costs related to emergency medical services training. *(Indiana Emergency Medical Services Commission; 836 IAC 4-2-4; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2750; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3567)*

SECTION 61. 836 IAC 4-3-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-3-2 Certification standards

Authority: IC 16-31-2-7
Affected: IC 16-31-2-8; IC 16-31-3

Sec. 2. (a) Applicants for original certification as a first responder shall meet the following requirements:

(1) Be a minimum of eighteen (18) years of age.

(2) Have successfully completed a commission-approved first responder course.

(3) Have successfully completed a state written and practical skills examinations as approved by the commission.

(b) Certification as a first responder shall be valid for a period of two (2) years. ~~and shall remain valid as long as compliance with the continuing education requirements of subsection (c) are maintained and reported to the commission prior to the certification expiration date.~~

(c) To ~~remain certified as a first responder, each certified~~ **renew a certification, a** first responder shall submit a report of continuing education every two (2) years that meets or exceeds the minimum requirement to take and report twenty (20) hours of continuing education according to the following:

(1) Participate in a minimum of sixteen (16) hours of any combination of lectures, critiques, skills proficiency examination, or audit and review ~~which~~ **that** reviews subject matter presented in the Indiana first responder curriculum.

(2) Participate in a minimum of four (4) hours in defibrillation and airway management as presented in the ~~Indianan~~ **Indiana** first responder curriculum.

(d) An individual who fails to comply with the continuing education requirements described in this article forfeits all

rights and privileges of a certified first responder and shall cease from providing the services authorized by a first responder certification as of the date of expiration of the current certificate.

(e) An individual wanting to reacquire a certification shall:
(1) complete a first responder recertification training course as approved by the commission; and
(2) successfully complete the state written and practical skills examinations as set forth and approved by the commission.
If the individual fails either certification examination, the person must retake an Indiana first responder training course.

(f) First responders shall comply with the following:
(1) A first responder shall not perform procedures for which the first responder has not been specifically trained:
(A) in the Indiana first responder curriculum; and
(B) that have not been approved by the commission as being within the scope and responsibility of the first responder.
(2) A first responder shall not act negligently, recklessly, or in such a manner that endangers the health or safety of emergency patients or the members of the general public.
(3) A first responder shall comply with the state and federal laws governing the confidentiality of patient medical information.
(4) A first responder shall not delegate to a less qualified individual any skill that requires an *[sic., a]* **first responder.**
(5) A first responder shall comply with the protocols established by the commission, the provider organization, and the provider organization's medical director.
(Indiana Emergency Medical Services Commission; 836 IAC 4-3-2; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2751; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2366; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3567)

SECTION 62. 836 IAC 4-3-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-3-3 Certification based upon reciprocity
Authority: IC 16-31-2-7
Affected: IC 16-31-3-8; IC 16-31-3-10

Sec. 3. (a) ~~Applicants for~~ **To obtain** certification based upon reciprocity, **an individual** shall be a minimum of eighteen (18) years of age and meet one (1) of the following requirements:
(1) Be a person who: ~~at the time of application for reciprocity:~~
(A) possesses a valid certificate or license as an *[sic., a]* first responder from another state; ~~or National Registry first responder certification;~~ and
(B) successfully completes the written and practical skills certification examinations as prescribed by the commission.
(2) Be a person who:
(A) while serving in the military of the United States, successfully completed a course of training and study equivalent to the material contained in the Indiana first responder training course; and
(B) successfully completes the written and practical skills certification examinations prescribed by the commission.
(3) Be a person who:
(A) holds a valid unlimited license to practice medicine in Indiana; and
(B) successfully completes the written and practical skills certification examinations prescribed by the commission.
(4) Be a person who:
(A) successfully completed a course of training and study equivalent to the material contained in the Indiana first responder training course; and
(B) successfully completes the written and practical skills certification examinations prescribed by the commission.
(5) Be a person who:
(A) holds a current first responder registration issued by the National Registry; and
(B) has completed a course equivalent to Indiana approved curriculum.

(b) Any nonresident of Indiana who possesses a certificate or license as a first responder that is valid in another state, ~~or a valid registration issued by the National Registry,~~ upon ~~affilliation~~ **affiliation** with an Indiana certified provider organization, may apply to the ~~director~~ **agency** for temporary certification as a first responder. Upon receipt of a valid application and verification of valid status by the ~~director,~~ **agency,** the ~~director~~ **agency** may issue temporary certification, which shall be valid for the duration of the applicant's current certificate or license or for a period not to exceed six (6) months from the date that the reciprocity request is approved by the ~~director,~~ **agency,** whichever period of time is shorter. A person receiving temporary certification may apply for full certification using the procedure required in ~~section 2 of this rule.~~ **subsection (a).** *(Indiana Emergency Medical Services Commission; 836 IAC 4-3-3; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2751; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3568)*

SECTION 63. 836 IAC 4-4-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-4-1 General certification provisions
Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 1. (a) Applicants for original certification as an emergency medical technician shall meet the following requirements:
(1) Be a minimum of eighteen (18) years of age.
(2) Successfully complete the Indiana basic emergency medical technician training course as approved by the commission and administered by a certified training institution.

(3) Pass the emergency medical technician written and practical skills examinations as set forth and approved by the commission.

(b) The applicant shall apply for certification on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** postmarked within one (1) year of the date that the course was concluded as shown on the course report.

(c) The minimum requirement for basic emergency medical technicians training shall be as follows:

(1) The current version of the Indiana basic emergency medical technician training course as amended and approved by the commission.

(2) Each Indiana basic emergency medical technician course shall be supervised by a ~~commission-certified primary instructor~~ **program director** who is affiliated with the course sponsoring training institution as described in this article.

(d) No course shall be approved as equivalent to subsection (c) unless the course meets the training standards ~~currently~~ in effect **on the date an equivalency determination is requested.**

(e) Emergency medical technicians shall comply with the following: ~~standards of professional ethical conduct:~~

(1) ~~Improve medical knowledge and skills through the completion of at least the prescribed regimen of continuing education described in this article.~~ **An emergency medical technician shall not perform procedures for which the emergency medical technician has not been specifically trained:**

(A) in the Indiana basic emergency medical technician curriculum; and

(B) that have not been approved by the commission as being within the scope and responsibility of the emergency medical technician.

(2) ~~Perform quality patient care based on the content of approved training or the orders of the provider medical director.~~ **An emergency medical technician shall not act negligently, recklessly, or in such a manner that endangers the health or safety of emergency patients or the members of the general public.**

(3) ~~Uphold and respect the patient's right to privacy, dignity, and safety by keeping confidential~~ **An emergency medical technician shall comply with the state and federal laws governing the confidentiality of** patient **medical** information.

(4) ~~Abiding by the legal responsibilities and limitations imposed upon the~~ **An** emergency medical technician ~~by training and state law.~~ **shall not delegate to a less qualified individual any skill that requires an emergency medical technician.**

(5) An emergency medical technician shall comply with the protocols established by the commission, the provider organization, and the provider organization's medical director.

(Indiana Emergency Medical Services Commission; 836 IAC 4-4-1; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2752; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2366; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3568)

SECTION 64. 836 IAC 4-4-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-4-2 Application for original certification or certification renewal

Authority: IC 16-31-2-7
Affected: IC 16-31

Sec. 2. (a) Application for emergency medical technician certification shall be made on forms ~~prescribed~~ **provided** by the ~~commission.~~ **agency.** Applicants shall complete the required forms and submit the forms to the ~~director.~~ **agency. The application shall include the following:**

(1) Name and address of applicant.

(2) Criminal history declarations of applicant.

(3) Name of training institution where training was completed.

(4) Other information required by agency.

(b) All applicants for original certification shall provide evidence of compliance with the requirements for certification.

(c) Certification as an emergency medical technician shall be valid for a period of two (2) years. ~~and remain valid as long as compliance with the continuing education requirements of subsection (d) are maintained and reported every two (2) years to the commission prior to the certification expiration date.~~

(d) To ~~remain certified as an emergency medical technician, each~~ **renew a certification, a** certified emergency medical technician shall submit a report of continuing education every two (2) years that meets or exceeds the minimum requirement to take and report forty (40) hours of continuing education according to the following:

(1) Participate in a minimum of thirty-four (34) hours of any combination of lectures, critiques, skills proficiency examinations, continuing education courses, or teaching sessions that review subject matter presented in the Indiana basic emergency medical technician curriculum.

(2) Participate in a minimum of six (6) hours of audit and review.

(3) Participate in any update course as required by the commission.

(4) Successfully complete proficiency evaluation that tests the skills presented in the Indiana basic emergency medical technician curriculum.

(e) Notwithstanding any other provisions of this article, a person also certified as an ~~advanced~~ emergency medical

technician-**basic advanced, emergency medical technician-intermediate,** or paramedic under IC 16-31 may substitute the required continuing education credits for those of subsection (d).

(f) An individual who fails to comply with the continuing education requirements described in this article shall not exercise any of the rights and privileges of an emergency medical technician and shall cease from providing the services authorized by an emergency medical technician certification as of the date of expiration of the current certificate.

(g) An individual wanting to reacquire a certification shall:
(1) complete an emergency medical technician recertification training course as approved by the commission; and
(2) successfully complete the state written and practical skills examinations as set forth and approved by the commission.

If the individual fails either certification ~~examinations,~~ **examination,** the person must retake an Indiana basic emergency medical technician training course.

~~(h) Notwithstanding the provisions of this section, a person whose emergency medical technician certificate expires during service in the armed forces is subject to IC 16-31 regarding certification renewal.~~ *(Indiana Emergency Medical Services Commission; 836 IAC 4-4-2; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2752; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3569)*

SECTION 65. 836 IAC 4-4-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-4-3 Certification based upon reciprocity
Authority: IC 16-31-2-7
Affected: IC 16-31-3-8; IC 16-31-3-10

Sec. 3. (a) ~~Applicants for~~ **To obtain** certification based upon reciprocity, **an individual** shall be a minimum of eighteen (18) years of age and meet one (1) of the following requirements:
(1) Be a person who: ~~at the time of application for reciprocity:~~
(A) possesses a valid certificate or license as an emergency medical technician from another state; ~~or National Registry basic emergency medical technician certification;~~ and
(B) successfully completes the written and practical skills certification examinations as prescribed by the commission.
(2) Be a person who:
(A) while serving in the military of the United States, successfully completed a course of training and study equivalent to the material contained in the Indiana basic emergency medical technician training course; and
(B) successfully completes the written and practical skills certification examinations prescribed by the commission.
(3) Be a person who:
(A) holds a valid unlimited license to practice medicine in Indiana; and
(B) successfully completes the written and practical skills certification examinations prescribed by the commission.
(4) Be a person who:
(A) successfully completed a course of training and study equivalent to the material contained in the Indiana basic emergency medical technician training course; and
(B) successfully completes the written and practical skills certification examinations prescribed by the commission.
(5) Be a person who:
(A) holds a current emergency medical technician registration from the National Registry; and
(B) has completed a course equivalent to the Indiana approved curriculum.

(b) Any nonresident of Indiana who possesses a certificate or license as an emergency medical technician that is valid in another state, or a valid registration issued by the National Registry, upon affiliation with an Indiana certified provider organization may apply to the ~~director~~ **agency** for temporary certification as an emergency medical technician. Upon receipt of a valid application and verification of valid status by the ~~director,~~ **agency,** the ~~director~~ **agency** may issue temporary certification, which shall be valid for the duration of the applicant's current certificate or license or for a period not to exceed six (6) months from the date that the reciprocity request is approved by the ~~director,~~ **agency,** whichever period of time is shorter. A person receiving temporary certification may apply for full certification using the procedure required in section 1 of this rule. *(Indiana Emergency Medical Services Commission; 836 IAC 4-4-3; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2753; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3570)*

SECTION 66. 836 IAC 4-5-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-5-2 Certification and recertification; general
Authority: IC 16-31-2-7
Affected: IC 16-31-3-14

Sec. 2. (a) Application for certification will be made on forms and according to procedures prescribed by the ~~commission.~~ **agency.** In order to be certified as an emergency medical services primary instructor, the applicant shall meet **one (1) of** the following requirements:
(1) Successfully complete a commission-approved Indiana emergency medical services primary instructor training course **and complete all of the following:**
~~(2)~~ **(A)** Successfully complete the primary instructor internship.
~~(3)~~ **(B)** Successfully complete the primary instructor written examination.
~~(4)~~ **(C)** Be currently certified as an Indiana emergency medical technician.
(2) Successfully complete a training course equivalent to the material contained in the Indiana emergency medical service primary instructor course and complete all of the following:

(A) Meet the requirements under section 1 of this rule.
(B) Successfully complete the primary instructor internship.
(C) Successfully complete the primary instructor written examination.
(D) Be currently certified as an Indiana emergency medical technician.

(b) Certification as an emergency medical services primary instructor is valid for two (2) years.

(c) In order to retain certification as a primary instructor, a person shall meet the following requirements:
(1) Retain affiliation with at least one (1) Indiana certified training institution.
(2) Conduct a minimum of eighty (80) hours of educational sessions based upon the emergency medical service curricula, which in content are either less than or equal to the primary instructor's level of clinical certification.
(3) Complete a minimum of twelve (12) hours of continuing education that specifically addresses the topic of educational philosophy and techniques, offered or approved by the affiliating training institution.
(4) Be evaluated by the training institution in regard to instructional skills and compliance with existing standards of the training institution and the commission at least once per course.
(5) Every two (2) years present, to the ~~commission,~~ **agency,** evidence of compliance with this subsection during the period of certification as prescribed by the commission.

(d) The minimum requirements for emergency medical services primary instructor training is the current version of the Indiana primary instructor course, based upon the current national standard curriculum as amended and approved by the commission.

(e) A primary instructor shall comply with the following: ~~standards of professional ethical conduct:~~
(1) ~~Improve medical knowledge and skills through the completion of at least the prescribed regimen of continuing education described in this article.~~ **All state and federal laws governing the confidentiality of student information.**
(2) ~~Uphold and respect the student's right to privacy, dignity, and safety by keeping student information confidential.~~ **The material taught by the primary instructor shall not conflict with the curriculum approved by the commission.**
(3) ~~Abiding by the legal responsibilities and limitations imposed upon the primary instructor.~~ **Not negligently, recklessly, or willfully endanger the health or safety of emergency patients or students.**
(4) All course standards as established by the training institution course policies and procedures.

(Indiana Emergency Medical Services Commission; 836 IAC 4-5-2; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2754; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2367; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3570)

SECTION 67. 836 IAC 4-7-1 IS AMENDED TO READ AS FOLLOWS:

Rule 7. Emergency Medical Technicians-Basic Advanced; Certification

836 IAC 4-7-1 Student qualification to enter training
Authority: IC 16-31-2-7
Affected: IC 16-31-3-14

Sec. 1. (a) An applicant for Indiana ~~advanced~~ emergency medical technician-**basic advanced** training shall hold a valid certificate as an emergency medical technician.

(b) Individuals who have successfully completed an Indiana basic emergency medical technician course or are accepted for basic reciprocity and have taken the Indiana basic written and practical certification examinations may hold a provisional spot in the ~~advanced~~ emergency medical technician-**basic advanced** course. *(Indiana Emergency Medical Services Commission; 836 IAC 4-7-1; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2755; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3571)*

SECTION 68. 836 IAC 4-7-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-7-2 Certification provisions; general
Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3-14

Sec. 2. (a) An applicant for certification as an ~~advanced~~ emergency medical technician-**basic advanced** shall meet the following requirements:
(1) Be an Indiana certified emergency medical technician.
(2) Be affiliated with a certified ~~advanced~~ emergency medical technician-**basic advanced provider** organization or a supervising hospital.
(3) Successfully complete the Indiana ~~advanced~~ emergency medical technician-**basic advanced** training course as approved by the commission and administered by a certified training institution.
(4) Pass the ~~advanced~~ emergency medical technician-**basic advanced** written and practical skills examinations as approved by the commission.

(b) The applicant shall apply for certification on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** postmarked within one (1) year of the date that the course was concluded as shown on the course report.

(c) The applicant shall submit verification of all affiliated ~~providers~~ **provider organizations** and supervising hospitals.

(d) Certification exemptions identified under ~~836 IAC 2-7.1-~~

~~1(j)~~ **836 IAC 1-1-4** shall apply to the certification of ~~advanced~~ emergency medical ~~technicians.~~ **technician-basic advanced.**

(e) ~~Advanced~~ Emergency medical technicians-**basic advanced** are prohibited from having in their possession, or maintained on board emergency response vehicles, any ~~advanced life support~~ equipment or supplies that have not been approved by ~~advanced~~ **the** emergency medical technician-**basic advanced provider** organization medical director.

(f) ~~Advanced~~ Emergency medical technicians-**basic advanced** shall comply with the following: ~~standards of professional ethical conduct:~~

(1) ~~Improve medical knowledge and skills through the completion of at least the prescribed regimen of continuing education described in this article.~~ **An emergency medical technician-basic advanced shall not perform a procedure for which the emergency medical technician-basic advanced has not been specifically trained:**

(A) in the Indiana emergency medical technician basic and the Indiana emergency medical technician-basic advanced curriculums; or

(B) that have not been approved by the commission as being within the scope and responsibility of the emergency medical technician-basic advanced.

(2) ~~Perform quality patient care based on the content of approved training or the orders of the provider medical director.~~ **An emergency medical technician-basic advanced shall not act negligently, recklessly, or in such a manner that endangers the health or safety of emergency patients or the members of the general public.**

(3) ~~Uphold and respect the patient's right to privacy, dignity, and safety by keeping confidential~~ **An emergency medical technician-basic advanced shall comply with the state and federal laws governing the confidentiality of** patient **medical** information.

(4) ~~Abide by the legal responsibilities and limitations imposed upon the advanced~~ **An** emergency medical ~~technician by training and applicable laws.~~ **technician-basic advanced shall not delegate to a less qualified individual any skill that requires an emergency medical technician-basic advanced.**

(5) An emergency medical technician-basic advanced shall comply with the protocols established by the commission, the provider organization, and the provider organization's medical director.

(Indiana Emergency Medical Services Commission; 836 IAC 4-7-2; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2755; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2368; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3571)

SECTION 69. 836 IAC 4-7-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-7-3 Application for certification

Authority: IC 16-31-2-7
Affected: IC 16-31-3-8; IC 16-31-3-20

Sec. 3. (a) Application for certification as an ~~advanced~~ emergency medical technician-**basic advanced** shall be made on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** and shall submit the forms to the ~~director.~~ **agency.**

(b) All applicants for original certification shall provide evidence of compliance with the requirements for certification.

(c) Certification as an ~~advanced~~ emergency medical technician-**basic advanced** shall be valid for two (2) years. ~~and shall remain valid as long as compliance with the continuing education requirements are maintained and reported every two (2) years to the commission prior to the certification expiration date.~~

(d) ~~Advanced~~ Emergency medical technicians-**basic advanced** are authorized to perform manual or automated defibrillation, rhythm interpretation, and intravenous line placement. These procedures may only be performed when affiliated with a certified ~~advanced~~ emergency medical technician-**basic advanced provider** organization and while operating under written protocols ~~under~~ **or** the direct supervision of a physician of the supervising hospital or an individual authorized in writing by the medical staff to act in the behalf of a physician of the approved supervising hospital. ~~Advanced~~ Emergency medical technicians-**basic advanced** are prohibited from performing any advanced life support procedure **other than manual or automated defibrillation, rhythm interpretation, and intravenous line placement as prescribed in the Indiana emergency medical technician-basic advanced course,** with or without physician direction, for which certification by the commission has not been granted.

(e) Individuals who have failed to comply with the continuing education requirements shall not exercise any of the rights and privileges ~~nor~~ **of an emergency medical technician-basic advanced or** administer advanced life support to any emergency patient.

(f) An individual wanting to reacquire a certification shall complete an ~~advanced~~ emergency medical technician-**basic advanced** recertification training course and successfully complete the state written and practical skills examinations as set forth and approved by the commission. If the individual fails the certification examinations, the person shall retake an entire ~~advanced~~ emergency medical technician-**basic advanced** training course.

(g) ~~Advanced~~ Emergency medical technicians-**basic advanced** failing to satisfy the requirements of subsection (f) shall satisfy the requirements for certification renewal by fulfilling the requirements for original certification as outlined in this article. *(Indiana Emergency Medical Services Commission; 836 IAC 4-7-3; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2756; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3572)*

SECTION 70. 836 IAC 4-7-3.5 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-7-3.5 Continuing education requirements
Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 3.5. ~~Advanced~~ **To renew a certification, a certified** emergency medical ~~technicians seeking certification renewal~~ **technician-basic advanced** shall ~~meet~~ **submit a report of continuing education every two (2) years that meets** or ~~exceed~~ **exceeds** the minimum requirements ~~in this section to maintain their certification. Concurrent emergency medical technician certification shall be maintained if the individual completes and reports~~ to ~~the commission~~ **take and report** fifty-six (56) hours of continuing education according to the following:

(1) Participate in a minimum of thirty-four (34) hours of any combination of lecture, critiques, skills proficiency examination, continuing education course, or ~~teach~~ **teaching** sessions that review subject matter presented in the Indiana basic emergency medical technician curriculum.

(2) Participate in a minimum of ten (10) hours of any combination of lecture, critiques, skills proficiency examination, or teaching sessions that review subject matter presented in the Indiana ~~advanced~~ emergency medical technician-**basic advanced** curriculum.

(3) Participate in a minimum of twelve (12) hours of audit and review.

(4) Participate in any update course as prescribed by the commission.

(5) Successfully complete a proficiency evaluation that tests the skills presented in the Indiana basic emergency medical technician curriculum and the Indiana ~~advanced~~ emergency medical technician-**basic advanced** curriculum.

(Indiana Emergency Medical Services Commission; 836 IAC 4-7-3.5; filed Apr 4, 2002, 9:15 a.m.: 25 IR 2517; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3573)

SECTION 71. 836 IAC 4-7-4 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-7-4 Emergency medical technician-basic advanced certification based upon reciprocity
Authority: IC 16-31-2-7
Affected: IC 16-31-3-2; IC 16-31-3-20

Sec. 4. (a) ~~Applicants for advanced~~ **To obtain** emergency medical technician-**basic advanced** certification based upon reciprocity, **an individual** shall meet the following requirements:

(1) Be affiliated with an Indiana certified ~~advanced~~ emergency medical technician-**basic advanced** provider organization or supervising hospital.

(2) Possess a valid certificate or license as an ~~advanced~~ emergency medical technician-**basic advanced** from another state or successfully complete a course of training and study equivalent to the material contained in the Indiana ~~advanced~~ emergency medical technician-**basic advanced** training course.

(3) Successfully pass the Indiana ~~advanced~~ emergency medical technician-**basic advanced** written and practical skills examinations as set forth and approved by the commission.

(b) Application for certification shall be postmarked or delivered to the commission office within six (6) months of the request for reciprocity.

(c) Any nonresident of Indiana who possesses a certificate or license as an ~~advanced~~ emergency medical technician-**basic advanced,** or intermediate that is valid in another state, or a valid registration with National Registry, upon ~~affilliation~~ **affiliation** with an Indiana certified ~~advanced~~ emergency medical technician-**basic advanced** provider organization may apply to the ~~director~~ **agency** for temporary certification as an ~~advanced~~ emergency medical technician-**basic advanced.** Upon receipt of a valid application and verification of valid status by the ~~director,~~ **agency,** the ~~director~~ **agency** may issue temporary certification that shall be valid for the duration of the applicant's current certificate or license or for a period not to exceed six (6) months from the date that the reciprocity request is approved by the director, whichever period of time is shorter. A person receiving temporary certification may apply for full certification using section 1 of this rule. *(Indiana Emergency Medical Services Commission; 836 IAC 4-7-4; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2756; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3573)*

SECTION 72. 836 IAC 4-7.1-1 IS AMENDED TO READ AS FOLLOWS:

Rule 7.1. Emergency Medical Technician-Intermediate; Certification

836 IAC 4-7.1-1 Student qualification to enter training
Authority: IC 16-31-2-7
Affected: IC 16-31-3-2

Sec. 1. An applicant for Indiana ~~advanced~~ emergency medical technician-intermediate training shall meet the following requirements:

(1) Hold a valid certificate as an emergency medical technician.

(2) Be at a minimum of eighteen (18) years of age.

(3) Have a high school diploma or general education diploma.

(Indiana Emergency Medical Services Commission; 836 IAC 4-7.1-1; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2369; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3573)

SECTION 73. 836 IAC 4-7.1-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-7.1-2 Registered nurses; qualification to enter training

Authority: IC 16-31-2-7
Affected: IC 16-31-3-2

Sec. 2. (a) A registered nurse may challenge the ~~advanced~~ emergency medical technician-intermediate course if he or she meets the following requirements:

(1) Be a registered nurse in Indiana.

(2) Be an Indiana certified emergency medical technician.

(3) Be able to document one (1) year of experience in an emergency department or as a flight nurse with an air ambulance service.

(4) Hold an advanced cardiac life support certification.

(5) Hold either an American Heart Association or American Red Cross health care provider card **or equivalent.**

(6) Be able to meet prerequisites required by the commission, the ~~advanced~~ emergency medical technician-intermediate curriculum, and the local training institution course.

(b) For successful completion of the ~~advanced~~ emergency medical technician-intermediate training course, a registered nurse must meet all of the requirements set forth by the training institution for all students or meet the prerequisites as described in subsection (a) and the following:

(1) May earn credit by written examination for individual modules of the ~~advanced~~ emergency medical technician-intermediate course.

(2) Test out of a module to be completed prior to the beginning of that module by completing:

(A) the written examination with a passing score; and

(B) the practical skills examination with a passing score.

Failure of any module exam will require the students to participate in the entire module.

(3) Successfully complete the ~~advanced~~ emergency medical technician-intermediate program comprehensive final examination.

(4) Demonstrate skill proficiency by completing the ~~advanced~~ emergency medical technician-intermediate level skills with course proficiency.

(5) May earn credit of clinical hours by review of the student's past experience in the clinical areas.

(6) Complete all field internship and required hospital clinical hours.

(7) Pass the ~~advanced~~ emergency medical technician-intermediate written and practical skills examinations as approved by the commission.

(8) Meet general certification requirements in section 3 of this rule.

(Indiana Emergency Medical Services Commission; 836 IAC 4-7.1-2; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2369; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3574)

SECTION 74. 836 IAC 4-7.1-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-7.1-3 General certification

Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3-14

Sec. 3. (a) An applicant for certification as an ~~advanced~~ emergency medical technician-intermediate shall meet the following requirements:

(1) Be a certified emergency medical technician.

(2) Be affiliated with a certified ~~advanced~~ emergency medical technician-intermediate **provider** organization or a supervising hospital.

(3) Successfully complete the Indiana ~~advanced~~ emergency medical technician-intermediate training course as approved by the commission and administered by an Indiana certified training institution.

(4) Pass the ~~advanced~~ emergency medical technician-intermediate written and practical skills examinations as approved by the commission.

(b) The applicant shall apply for certification on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** postmarked within one (1) year of the date of successful completion of the required certification examinations.

(c) The applicant shall submit verification of all affiliated ~~providers~~ **provider organizations** and supervising hospitals.

(d) Certification exemptions identified under ~~836 IAC 2-2-1(k)~~ **836 IAC 1-1-4** apply to the certification of ~~advanced~~ emergency medical technician-intermediates.

(e) ~~Advanced~~ Emergency medical technician-intermediates are prohibited from having in their possession, or maintained on board emergency response vehicles, any advanced life support equipment or supplies that have not been approved by the ~~advanced~~ emergency medical technician-intermediate **provider** organization medical director.

~~(f) Under IC 16-31-3-14, the commission may penalize a advanced emergency medical technician intermediate or the certificate of any advanced emergency medical technician intermediate, or both, may be suspended or revoked by the commission under 836 IAC 1-2-4 and 836 IAC 2-13-1 for any of the following:~~

~~(1) Fraud or misrepresentation in procuring certification.~~

~~(2) Failure to perform or failure to perform competently procedures that are within the patient care standards or scope and responsibility of advanced emergency medical technician intermediates for which training has been received in the advanced emergency medical technician intermediate training course as approved by the commission.~~

~~(3) Performing a procedure for which training:~~

~~(A) has not been received in the basic emergency medical technician course or advanced emergency medical technician intermediate training course as approved by the commission; or~~

(B) is not within the scope and responsibility of an advanced emergency medical technician intermediate as determined by the commission.

(4) Negligent, reckless, or dangerous conduct that endangers the health or safety of emergency patients or the members of the general public while functioning as a advanced emergency medical technician intermediate.

(5) Conviction of an offense if the acts that resulted in the conviction have a direct bearing on whether or not the person should be entrusted to serve the public as a advanced emergency medical technician intermediate.

(6) Delegating to a person less qualified any skill that requires the professional competence of a advanced emergency medical technician intermediate.

(7) Failure to comply with this title.

(g) Advanced **(f)** Emergency medical technician-intermediates shall: comply with the following standards of professional ethical conduct:

(1) Improve medical knowledge and skills through the completion of at least the prescribed regimen of continuing education described in this article. **not perform a procedure for which the emergency medical technician-intermediate has not been specifically trained:**

(A) in the Indiana emergency medical technician basic and the Indiana emergency medical technician-intermediate curriculums; or

(B) that have not been approved by the commission as being within the scope and responsibility of the emergency medical technician-intermediate;

(2) Perform quality patient care based on the content of approved training or the orders of the provider medical director. **not act negligently, recklessly, or in such a manner that endangers the health or safety of emergency patients or the members of the general public;**

(3) Uphold and respect the patient's right to privacy, dignity, and safety by keeping confidential **comply with the state and federal laws governing the confidentiality of** patient **medical** information;

(4) Abide by the legal responsibilities and limitations imposed upon the advanced emergency medical technician intermediate by training and applicable laws. **not delegate to a less qualified individual any skill that requires an emergency medical technician-intermediate; and**

(5) comply with the protocols established by the commission, the provider organization, and the provider organization's medical director.

(Indiana Emergency Medical Services Commission; 836 IAC 4-7.1-3; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2370; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3574)

SECTION 75. 836 IAC 4-7.1-4 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-7.1-4 Application for certification; renewal

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 4. (a) Application for certification as an advanced emergency medical technician-intermediate shall be made on forms prescribed **provided** by the commission. **agency.** An applicant shall complete the required forms and shall submit the forms to the director. **agency.**

(b) All applicants for original certification shall provide evidence of compliance with the requirements for certification.

(c) Certification as an advanced emergency medical technician-intermediate shall be valid for two (2) years. and remain valid as long as compliance with the continuing education requirements are maintained and reported every two (2) years to the commission prior to the certification expiration date.

(d) Individuals who have failed to comply with the continuing education requirements shall not exercise any of the rights and privileges nor administer advanced life support services to emergency patients.

(e) An individual wanting to reacquire a certification shall complete an advanced emergency medical technician-intermediate recertification training course and successful completion of state written and practical skills examinations as set forth and approved by the commission. If the individual fails the certification examinations, the person shall retake an entire advanced emergency medical technician-intermediate training course. *(Indiana Emergency Medical Services Commission; 836 IAC 4-7.1-4; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2370; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3575)*

SECTION 76. 836 IAC 4-7.1-5 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-7.1-5 Continuing education requirements

Authority: IC 16-31-2-7
Affected: IC 16-31-3-8; IC 16-31-3-20

Sec. 5. (a) Any applicant making application for **To renew a** certification, or certification renewal **a certified emergency medical technician-intermediate** shall meet the qualifications in this section to maintain their certification. Concurrent emergency medical technician certification shall be maintained if the requirements in this section are fulfilled. **submit a report of continuing education every two (2) years that meets or exceeds the minimum requirements in subsection (b).**

(b) An applicant shall report a minimum of seventy-two (72) hours of continuing education consisting of the following:

(1) Section Ia, thirty-six (36) hours of continuing education adhering to and including the content of the Indiana emergency medical technician-intermediate course.

(2) Section Ib, attach a current copy of advanced cardiac life support certification.

(3) Section Ic, attach a current copy of cardiopulmonary resuscitation certification.

(4) Section II, thirty-six (36) hours of continuing education with twelve (12) hours audit and review. No more than eighteen (18) hours may be taken in any one (1) topic.

(5) Section III, skill maintenance (with no specified hour requirement), all skills shall be directly observed by the emergency medical service medical director or emergency medical service educational staff of the supervising hospital, either at an inservice or in an actual clinical setting. The observed skills include, but are not limited to, the following:

(A) Patient assessment and management; medical and trauma.

(B) Ventilatory management skills/knowledge.

(C) Cardiac arrest management.

(D) Hemorrhage control and splinting procedures.

(E) IV therapy skills.

(F) Spinal immobilization; seated and lying patients.

(G) Obstetrics and gynecologic skills/knowledge.

(H) Other related skills/knowledge:

(i) radio communications; and

(ii) report writing and documentation.

(Indiana Emergency Medical Services Commission; 836 IAC 4-7.1-5; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2371; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3575)

SECTION 77. 836 IAC 4-7.1-6 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-7.1-6 Emergency medical technician-intermediate certification based upon reciprocity

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 6. (a) ~~An applicant for advanced~~ **To obtain** emergency medical technician-intermediate certification based upon reciprocity, **an applicant** shall be affiliated with a certified ~~advanced~~ emergency medical technician-intermediate provider organization and ~~meet~~ **be a person who, at the time of applying for reciprocity, meets** one (1) of the following requirements:

(1) ~~Be a person who, at the time of applying for reciprocity,~~ Possesses a valid certificate or license as an ~~advanced~~ emergency medical technician-intermediate from another state and who successfully passes the ~~advanced~~ emergency medical technician-intermediate practical and written certification examinations as set forth and approved by the commission. Application for certification shall be postmarked or delivered to the commission office within six (6) months of the request for reciprocity.

(2) ~~Be a person who, at the time of applying for reciprocity,~~ Has successfully completed a course of training and study equivalent to the material contained in the Indiana ~~advanced~~ emergency medical technician-intermediate training course and successfully completes the written and practical skills certification examinations prescribed by the commission.

(3) ~~Be a person who, at the time of applying for reciprocity,~~ Possesses a valid National Registry intermediate certification based on the ~~advanced~~ emergency medical technician-intermediate curriculum approved by the commission.

(b) Notwithstanding subsection (a), any nonresident of Indiana who possesses a certificate or license as an ~~advanced~~ emergency medical technician-intermediate that is valid in another state may apply to the director for temporary certification as an ~~advanced~~ emergency medical technician-intermediate. Upon receipt of a valid application and verification of valid status by the ~~director,~~ **agency,** the ~~director~~ **agency** may issue temporary certification that shall be valid for the duration of the applicant's current certificate or license or for a period not to exceed six (6) months from the date that the reciprocity request is approved by the ~~director,~~ **agency,** whichever period of time is shorter. A person receiving temporary certification may apply for full certification using the procedure required in section 1 of this rule. *(Indiana Emergency Medical Services Commission; 836 IAC 4-7.1-6; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2371; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3576)*

SECTION 78. 836 IAC 4-9-1 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-9-1 Student qualification to enter training

Authority: IC 16-31-2-7
Affected: IC 16-31-3-2

Sec. 1. An applicant for Indiana paramedic training shall meet the following requirements:

(1) Hold a valid certificate as an emergency medical technician.

(2) Be at a minimum ~~or~~ **of** eighteen (18) years of age.

(3) Have a high school diploma or general education diploma.

(Indiana Emergency Medical Services Commission; 836 IAC 4-9-1; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2757; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3576)

SECTION 79. 836 IAC 4-9-2 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-9-2 Registered nurses; qualification to enter training

Authority: IC 16-31-2-7
Affected: IC 16-31-3-2

Sec. 2. (a) A registered nurse can challenge the paramedic course if they meet the following:

(1) Be a registered nurse in Indiana.

(2) Be an Indiana certified emergency medical technician.

(3) Be able to document one (1) year of experience in an emergency department or as a flight nurse with an air ambulance service.

(4) Hold an advanced cardiac life support certification.

(5) Hold either an American Heart Association or American Red Cross Health care provider card **or equivalent.**

(6) Be able to meet prerequisites required by the commission, the emergency medical technician paramedic curriculum, and the local training institution course.

(b) For successful completion of the paramedic training course, a registered nurse must meet all of the requirements set forth by the training institution for all students or meet the prerequisites as described in subsection (a) and the following:

(1) May earn credit by written examination for individual modules of the paramedic course.

(2) Test out of a module to be completed prior to the beginning of that module by completing:

(A) the written examination with a passing score; and

(B) the practical skills examination with a passing score.

Failure of any module exam will require the students to participate in the entire module.

(3) Successfully complete the paramedic program comprehensive final examination.

(4) Demonstrate skill proficiency by completing the paramedic level skills with course proficiency.

(5) May earn credit of clinical hours by review of the student's past experience in the clinical areas.

(6) Complete all field internship and required hospital clinical hours.

(7) Pass the paramedic written and practical skills examinations as approved by the commission.

(8) Meet general certification requirements in section 3 of this rule.

(Indiana Emergency Medical Services Commission; 836 IAC 4-9-2; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2757; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3576)

SECTION 80. 836 IAC 4-9-3 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-9-3 General certification

Authority: IC 16-31-2-7
Affected: IC 4-21.5; IC 16-31-3-14

Sec. 3. (a) An applicant for certification as a paramedic shall meet the following requirements:

(1) Be a certified emergency medical technician.

(2) Be affiliated with a certified paramedic **provider** organization or a supervising hospital.

(3) Successfully complete the Indiana paramedic training course as approved by the commission and administered by an Indiana certified training institution.

(4) Pass the paramedic written and practical skills examinations as approved by the commission.

(b) The applicant shall apply for certification on forms ~~prescribed~~ **provided** by the ~~commission~~ **agency** postmarked within one (1) year of the date of successful completion of the required certification examinations.

(c) The applicant shall submit verification of all affiliated ~~providers~~ **provider organizations** and supervising hospitals.

(d) Certification exemptions identified under ~~836 IAC 2-2-1(k)~~ **836 IAC 1-1-4** apply to the certification of paramedics.

(e) Paramedics are prohibited from having in their possession, or maintained on board emergency response vehicles, any advanced life support equipment or supplies that have not been approved by the paramedic **provider** organization medical director.

(f) Paramedics shall: ~~comply with the following standards of professional ethical conduct:~~

(1) ~~Improve medical knowledge and skills through the completion of at least the prescribed regimen of continuing education described in this article.~~ **not perform a procedure for which the emergency medical technician paramedic has not been specifically trained:**

(A) in the Indiana emergency medical technician basic and the Indiana emergency medical technician paramedic curriculums; or

(B) that have not been approved by the commission as being within the scope and responsibility of the emergency medical technician paramedic;

(2) ~~Perform quality patient care based on the content of approved training or the orders of the provider medical director.~~ **not act negligently, recklessly, or in such a manner that endangers the health or safety of emergency patients or the members of the general public;**

(3) ~~Uphold and respect the patient's right to privacy, dignity, and safety by keeping confidential~~ **comply with the state and federal laws governing the confidentiality of** patient **medical** information;

(4) ~~Abide by the legal responsibilities and limitations imposed upon the paramedic by training and applicable laws.~~ **not delegate to a less qualified individual any skill that requires a paramedic; and**

(5) comply with the protocols established by the commission, the provider organization, and the provider organization's medical director.

(Indiana Emergency Medical Services Commission; 836 IAC 4-9-3; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2757; filed Feb 20, 2003, 8:00 a.m.: 26 IR 2372; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3577)

SECTION 81. 836 IAC 4-9-4 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-9-4 Application for certification; renewal

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 4. (a) Application for certification as a paramedic shall be made on forms ~~prescribed~~ **provided** by the commission. An applicant shall complete the required forms and shall submit the forms to the ~~director.~~ **agency.**

(b) All applicants for original certification shall provide evidence of compliance with the requirements for certification.

(c) Certification as a paramedic shall be valid for two (2) years. ~~and remain valid as long as compliance with the continuing education requirements are maintained and reported every two (2) years to the commission prior to the certification expiration date.~~

(d) Individuals who have failed to comply with the continuing education requirements shall not exercise any of the rights and privileges nor administer advanced life support services to emergency patients.

(e) An individual wanting to reacquire a certification shall complete a paramedic recertification training course and successful completion of state written and practical skills examinations as set forth and approved by the commission. If the individual fails the certification examinations, the person shall retake an entire paramedic training course. *(Indiana Emergency Medical Services Commission; 836 IAC 4-9-4; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2758; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3577)*

SECTION 82. 836 IAC 4-9-5 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-9-5 Continuing education requirements

Authority: IC 16-31-2-7
Affected: IC 16-31-3-8; IC 16-31-3-20

Sec. 5. (a) ~~Any applicant making application for~~ **To renew a** certification, ~~or certification renewal~~ **a certified paramedic** shall ~~meet the qualifications in this section to maintain their certification. Concurrent emergency medical technician certification shall be maintained if~~ **submit a report of continuing education every two (2) years that meets or exceeds** the **minimum** requirements in ~~this section are fulfilled.~~ **subsection (b).**

(b) An applicant shall report a minimum of seventy-two (72) hours of continuing education consisting of the following:

(1) Section IA, forty-eight (48) hours of continuing education through a formal paramedic refresher course as approved by the commission or forty-eight (48) hours of continuing education that includes the following:

(A) Division I, prehospital environment.

(B) Division II, preparatory (minimum of eight (8) hours).

(C) Division III, trauma (minimum of ten (10) hours).

(D) Division IV, medical emergencies (minimum of twenty-two (22) hours).

(E) Division V, obstetrics/neonatal (minimum of four (4) hours).

(F) Division VI, behavioral emergencies (minimum of four (4) hours).

(2) Section IB, attach a current copy of cardiopulmonary resuscitation certification.

(3) Section IC, attach a current copy of advanced cardiac life support certification.

(4) Section II, twenty-four (24) additional hours of continuing education; twelve (12) of these hours shall be obtained from audit and review. The participation in a fourteen (14) hour Indiana continuing education course as approved by the commission may be included in this section.

(5) Section III, skill maintenance (with no specified hour requirement); all skills shall be directly observed by the emergency medical service medical director or emergency medical service educational staff of the supervising hospital either at an inservice or in an actual clinical setting. The observed skills include, but are not limited to, the following:

(A) Patient assessment and management.

(B) Ventilatory management.

(C) Cardiac arrest management.

(D) Bandaging and splinting.

(E) Intravenous therapy and intraosseous therapy.

(F) Spinal immobilization.

(G) Obstetrics and gynecological scenarios.

(H) Other related skills.

(Indiana Emergency Medical Services Commission; 836 IAC 4-9-5; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2758; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3578)

SECTION 83. 836 IAC 4-9-6 IS AMENDED TO READ AS FOLLOWS:

836 IAC 4-9-6 Paramedic certification based upon reciprocity

Authority: IC 16-31-2-7
Affected: IC 16-31-3

Sec. 6. (a) ~~An applicant for~~ **To obtain** paramedic certification based upon reciprocity, **an applicant** shall be affiliated with a certified paramedic provider organization and ~~meet~~ **be a person who, at the time of applying for reciprocity, meets** one (1) of the following requirements:

(1) ~~Be a person who, at the time of applying for reciprocity,~~ Possesses a valid certificate or license as a paramedic from another state and who successfully passes the paramedic practical and written certification examinations as set forth and approved by the commission. Application for certification shall be postmarked or delivered to the commission office within six (6) months of the request for reciprocity.

(2) ~~Be a person who, at the time of applying for reciprocity,~~ Has successfully completed a course of training and study equivalent to the material contained in the Indiana paramedic training course and successfully completes the written and practical skills certification examinations prescribed by the commission.

(3) ~~Be a person who, at the time of applying for reciprocity,~~ Possesses a valid National Registry paramedic certification.

(b) Notwithstanding subsection (a), any nonresident of Indiana who possesses a certificate of license as an paramedic

that is valid in another state, upon residing at an Indiana address, may apply to the ~~director~~ **agency** for temporary certification as a paramedic. Upon receipt of a valid application and verification of valid status by the ~~director,~~ **agency,** the ~~director~~ **agency** may issue temporary certification that shall be valid for the duration of the applicant's current certificate or license or for a period not to exceed six (6) months from the date that the reciprocity request is approved by the director, whichever period of time is shorter. A person receiving temporary certification may apply for full certification using the procedure required in section 1 of this rule. *(Indiana Emergency Medical Services Commission; 836 IAC 4-9-6; filed Jun 30, 2000, 4:18 p.m.: 23 IR 2759; filed Jun 11, 2004, 1:30 p.m.: 27 IR 3578)*

SECTION 84. THE FOLLOWING ARE REPEALED: 836 IAC 2-7.1; 836 IAC 2-11-1; 836 IAC 4-6-1; 836 IAC 4-8-1.

LSA Document #03-188(F)
Notice of Intent Published: August 1, 2003; 26 IR 3676
Proposed Rule Published: January 1, 2004; 27 IR 1212
Hearing Held: February 4, 2004
Approved by Attorney General: June 4, 2004
Approved by Governor: June 10, 2004
Filed with Secretary of State: June 11, 2004, 1:30 p.m.
Incorporated Documents Filed with Secretary of State: None

TITLE 68 INDIANA GAMING COMMISSION

LSA Document #03-204(AC)

Under IC 4-22-2-38, corrects the following typographical, clerical, or spelling errors in LSA Document #03-204(F), printed at 27 IR 2440:

(1) In 68 IAC 6-3-2(d)(5), on page 3 of the original document (27 IR 2441), after "placement on the", delete "self-exclusion" and insert "voluntary exclusion".

(2) In 68 IAC 6-3-2(h)(4), on page 4 of the original document (27 IR 2442), after "cash under the riverboat", delete "licensee" and insert "licensee's".

(3) In 68 IAC 6-3-3(a), on page 4 of the original document (27 IR 2442), in the first sentence after "executive director or his", insert "or her".

(4) In 68 IAC 6-3-3(a), on page 4 of the original document (27 IR 2442), in the third sentence after "executive director or his", insert "or her".

Filed with Secretary of State: July 9, 2004, 2:21 p.m.

Under IC 4-22-2-38(g)(2), this correction takes effect 45 days from the date and time filed with the Secretary of State.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #03-236(AC)

Under IC 4-22-2-38, corrects the following clerical error in LSA Document #03-236(F), printed at 27 IR 2482:

In 405 IAC 1-10-5.3(z), on page 5 of the original document (27 IR 2486), after "twenty-four (24)" delete "hours" and insert "hour".

Filed with Secretary of State: June 16, 2004, 9:35 a.m.

Under IC 4-22-2-38(g)(2), this correction takes effect 45 days from the date and time filed with the Secretary of State.

TITLE 52 INDIANA BOARD OF TAX REVIEW

LSA Document #04-184(E)

DIGEST

Temporarily adds provisions establishing procedures to govern proceedings before the Indiana board of tax review with respect to appeals for the 2002 assessment year in Lake County. Authority: HEA 1535, P.L.235-2003; IC 4-22-2-37.1; IC 6-1.1-4-34. Effective June 25, 2004.

SECTION 1. **The purpose of this document is to establish procedures to govern administrative proceedings before the board arising from appeals of assessments of real property in Lake County for the March 1, 2002, assessment date. The definitive procedures, procedural requirements, and evidentiary controls established by this document are deemed essential to assure that the administrative appeals before the board are conducted in the most uniform and objective manner possible.**

SECTION 2. **(a) The provisions of this document apply to and govern all proceedings before the board that arise from appeals of assessments:**

(1) of real property located in Lake County;

(2) completed for the March 1, 2002, assessment date; and

(3) performed by the department of local government finance or the department's authorized contractor pursuant to IC 6-1.1-4-32.

(b) The procedures set forth in 52 IAC 2 apply to petitions filed under IC 6-1.1-15 and do not reflect the unique process of IC 6-1.1-34 (governing appeals from the Lake county reassessment for 2002). However, many of the general rule provisions of 52 IAC 2 are applicable to matters heard under IC 6-1.1-34. Therefore, the definitions and rules found in 52 IAC 2 that are not inconsistent with this document apply to the appeals described in subsection (a). If there is a conflict, the definitions and rules of this document will control.

(c) The provisions of 52 IAC 2-6-6 do not apply to this document.

SECTION 3. **The board shall conduct an impartial review of an appeal from a final assessment decision under IC 6-1.1-4-33(g) issued by the department.**

SECTION 4. **The following definitions apply throughout this document:**

(1) "Appeal petition", as used in this document, means a petition for review of a final assessment decision issued by the department and filed with the board under IC 6-1.1-4-34 on form 139L or such other form as prescribed by the board.

(2) "Contractor" means a firm that entered into a contract with the department to assess property in the county and to conduct informal hearings concerning assessments of real property in the county under IC 6-1.1-4-32 and IC 6-1.1-4-33.

(3) "County" means Lake County, Indiana.

(4) "Department" means the department of local government finance established under IC 6-1.1-30-1.1.

(5) "Final assessment decision" means a final decision issued by the department that serves as notice of a changed reassessment that may be appealed under IC 6-1.1-4-34(c).

(6) "Final order" or "final determination", as used in this document, means any action of the board that is:

(A) designated as final by the board;

(B) the final step in the administrative process before resort may be made to the judiciary; or

(C) subject to appeal to tax court under IC 6-1.1-4-34(m).

(7) "Informal hearing" means the process described in IC 6-1.1-4-33(b).

(8) "Notice of reassessment" means a written notice of the assessed value of real property delivered to the taxpayer by the department pursuant to IC 6-1.1-4-32(f).

(9) "Special master" means a qualified individual designated by the board under IC 6-1.1-4-34(e) to conduct evidentiary hearings and prepare reports in accordance with IC 6-1.1-4-34(g).

SECTION 5. **(a) An appeal petition must be filed with the county assessor within thirty (30) days after the department gives notice of the final assessment decision.**

(b) There is a rebuttable presumption that the final assessment decision is mailed on the date of the final assessment decision.

SECTION 6. **In order to appeal to the board, the taxpayer must:**

(1) request and participate as required in the informal hearing process under IC 6-1.1-4-33 not later than forty-five (45) days after the date of the notice of reassessment;

(2) receive a final assessment decision from the department; and

(3) file an appeal petition with the county assessor not later than thirty (30) days after the notice of the final assessment decision is given to the taxpayer.

SECTION 7. **The hearing shall be scheduled no earlier than thirty (30) days after receipt of the appeal petition unless otherwise agreed by the parties.**

SECTION 8. **(a) Hearings will be conducted by a special master or by a member of the board acting as a special master.**

(b) All testimony shall be under oath or affirmation.

(c) Hearings will be tape-recorded. The recording will serve as the basis of the official record of the proceeding unless the hearing is transcribed by a court reporter. A party may hire a court reporting service to transcribe the hearing so long as the reporting service is directed to submit an official copy of the transcript to the board at no cost to the board.

(d) The special master may rule on any nonfinal order without the approval of a majority of the board.

(e) In order for a tax representative to participate in the hearing, the tax representative must be certified by the department and follow the rules of 52 IAC 1.

SECTION 9. **(a) Hearings held before a special master shall be held in the county or at such other location as the parties and the designated special master agree.**

(b) Hearings held by a member of the board acting as a special master may be held in the central office.

SECTION 10. **(a) Except as provided in subsection (d), a party participating in the hearing may introduce evidence that is otherwise proper and admissible without regard to whether that evidence has previously been introduced at the informal hearing described in IC 6-1.1-4-33.**

(b) No posthearing submissions will be allowed or accepted unless requested by the board.

(c) The parties shall make available to all other parties copies of any documentary evidence and the names and addresses of all witnesses intended to be presented at the hearing at least five (5) days before the hearing. At the commencement of the hearing, the parties shall make available to the presiding special master a copy of all documentary evidence provided to the other parties.

(d) Failure to comply with subsection (c) may serve as grounds to exclude the evidence.

SECTION 11. **A hearing may be continued only upon a showing of extraordinary circumstances.**

SECTION 12. **(a) The board shall conduct a hearing within the time limits set forth in IC 6-1.1-15-4(f) unless the board extends the time under subsection (c).**

(b) The board shall make a final determination within the time limits set forth in IC 6-1.1-15-4(h) unless the board extends the time under subsection (c).

(c) If, due to the volume of pending appeals, it becomes impracticable to either conduct a hearing or make a final determination within the time frames established by IC 6-1.1-15-4, the board may extend the time frames as necessary.

SECTION 13. **(a) The board shall examine each petition filed under SECTION 5** *[of this document]* **to determine whether it meets the jurisdictional requirements of IC 6-1.1-4-34(c). The board may establish procedures for such examinations, and the procedures may include orders to submit additional information, telephone conferences to clarify information provided, or other proceedings involving the parties as necessary to determine the events surrounding the taxpayer's filing.**

(b) If a petitioner fails to respond to an order requesting additional information, or if, after the board has completed its examination, it is determined that the petitioner did not meet the jurisdictional requirements set forth in IC 6-1.1-4-34(c), the board shall dismiss the petition.

SECTION 14. **The board may establish procedures to govern the participation of a township assessor or county assessor who wishes to attend or participate in a hearing under IC 6-1.1-4-34(j).**

SECTION 15. **This document supersedes and repeals the provisions of LSA Document #04-108(E).**

LSA Document #04-184(E)
Filed with Secretary of State: June 25, 2004, 10:45 a.m.

TITLE 65 STATE LOTTERY COMMISSION

LSA Document #04-185(E)

DIGEST

Temporarily adds rules concerning pull-tab game number 016. Effective July 1, 2004.

SECTION 1. **The name of this pull-tab game is "Pull-Tab Game Number 016, Catch the Big One".**

SECTION 2. **Pull-tab tickets for pull-tab game number 016 shall sell for fifty cents ($0.50) per ticket.**

SECTION 3. **Pull-tab game number 016 is a criss-cross game.**

SECTION 4. **A pull-tab ticket in pull-tab game number 016 shall contain fifteen (15) play symbols and play symbol captions arranged in a matrix of five (5) rows and three (3) columns. Each row shall be covered by a tab. The play symbols and play symbol captions in pull-tab game number**

016 shall consist of the following possible play symbols:

(1) A picture of a red fish
RED FISH
(2) A picture of a green fish
GREEN FISH
(3) A picture of a blue fish
BLUE FISH
(4) A picture of an orange fish
ORANGE FISH
(5) A picture of a purple fish
PURPLE FISH
(6) A picture of a fishing bobber
BOBBER
(7) A picture of a canoe
CANOE
(8) A picture of a fishing tackle box
TACKLE BOX

SECTION 5. **A row, column, or diagonal on a pull-tab ticket in pull-tab game number 016 which contains three (3) identical play symbols of three (3) "RED FISH", three (3) "GREEN FISH", three (3) "BLUE FISH", three (3) "ORANGE FISH", or three (3) "PURPLE FISH" is not a criss-cross winning combination unless all of the following are true:**

(1) The play symbols and play symbol captions in a row, column, or diagonal are consistent with those specified in SECTION 4 of this rule *[document]***.**

(2) The three (3) play symbols and play symbol captions in a row, column, or diagonal are bisected by a pink arrow.

(3) The prize amount appears on the left side of the row in red ink in a yellow box.

SECTION 6. **Subject to SECTION 5 of this rule** *[document]***, the holder of a valid pull-tab ticket for pull-tab game number 016 containing a criss-cross winning row, column, or diagonal is entitled to a prize amount the approximate number** *[sic., numbers]* **of which are as follows:**

Matching Play Symbol in Match 3 Winning Row	Prize Amount	Approximate Number of Prizes
3 – Purple Fish	$0.50	154,800
3 – Orange Fish	$1	44,505
3 – Blue Fish	$5	11,610
3 – Green Fish	$25	1,935
3 – Red Fish	$100	1,935

SECTION 7. **A total of approximately one million (1,000,000) pull-tab tickets will be initially available for pull-tab game number 016. The odds of winning a prize in pull-tab game 016 are approximately 1 in 6.05. If additional pull-tab tickets are made available for this pull-tab game, the approximate number of each prize shall increase proportionally.**

SECTION 8. **The last day to claim prizes in pull-tab game number 016 shall be sixty (60) days after the end of the game. Game end dates are available on the commission's Web site at www.hoosierlottery.com or may be obtained through the commission's toll-free customer service number or from any scratch-off ticket retailer.**

LSA Document #04-185(E)
Filed with Secretary of State: June 30, 2004, 11:00 a.m.

TITLE 65 STATE LOTTERY COMMISSION

LSA Document #04-186(E)

DIGEST

Temporarily adds rules concerning pull-tab game number 017. Effective July 1, 2004.

SECTION 1. **The name of this pull-tab game is "Pull-Tab Game Number 017, Diamonopoly".**

SECTION 2. **Pull-tab tickets for pull-tab game number 017 shall sell for one dollar ($1) per ticket.**

SECTION 3. **Pull-tab game number 017 is a criss-cross game.**

SECTION 4. **A pull-tab ticket in pull-tab game number 017 shall contain fifteen (15) play symbols and play symbol captions arranged in a matrix of five (5) rows and three (3) columns. Each row shall be covered by a tab. The play symbols and play symbol captions in pull-tab game number 017 shall consist of the following possible play symbols:**

(1) A picture of a diamond
DIAMOND
(2) A picture of a seven with a diamond
SEVEN
(3) A picture of a bar with a diamond
BAR-BAR
(4) A picture of cherries with a diamond
CHERRIES
(5) A picture of a heart
HEART
(6) A picture of a four-leaf clover
CLOVER
(7) A picture of a crown
CROWN
(8) A picture of a horseshoe
HORSESHOE
(9) A picture of a bell
BELL
(10) A picture of lemons
LEMONS

SECTION 5. **A row, column, or diagonal on a pull-tab ticket in pull-tab game number 016** *[sic., 017]* **which contains three (3) play symbols of three (3) "DIAMONDS", three (3) "HEARTS", three (3) "CLOVERS", or three (3) "CROWNS", or two (2) "DIAMONDS" with a "SEVEN", "BAR-BAR", or "CHERRIES" is not a criss-cross winning combination unless all of the following are true:**

(1) The play symbols and play symbol captions in a row, column, or diagonal are consistent with those specified in SECTION 4 of this rule *[document]***.**

(2) The three (3) play symbols and play symbol captions in a row, column, or diagnoal *[sic.]* **are bisected by a pink arrow.**

(3) The prize amount appears on the left side of the line in red ink on a yellow box.

SECTION 6. **Subject to SECTION 5 of this rule** *[document]***, the holder of a valid pull-tab ticket for pull-tab game number 017 containing a criss-cross winning row, column, or diagonal is entitled to a prize the amount and the approximate number** *[sic., numbers]* **of which are as follows:**

Matching Play Symbol in Match 3 Winning Row	Prize Amount	Approximate Number of Prizes
3 crowns	$1	181,521
3 clover	$2	44,820
3 hearts	$5	13,446
2 diamonds + 1 cherries	$1	33,615
2 diamonds + 1 bar-bar	$20	2,241
2 diamonds + 1 seven	$50	2,241
3 diamonds	$200	2,241

SECTION 7. **A total of approximately one million five hundred thousand (1,500,000) pull-tab tickets will be initially available for pull-tab game number 017. The odds of winning a prize in pull-tab game 017 are approximately 1 in 5.38. If additional pull-tab tickets are made available for this pull-tab game, the approximate number of each prize shall increase proportionally.**

SECTION 8. **The last day to claim prizes in pull-tab game number 017 shall be sixty (60) days after the end of the game. Game end dates are available on the commission's Web site at www.hoosierlottery.com or may be obtained through the commission's toll-free customer service number or from any scratch-off retailer.**

LSA Document #04-186(E)
Filed with Secretary of State: June 30, 2004, 11:00 a.m.

TITLE 65 STATE LOTTERY COMMISSION

LSA Document #04-193(E)

DIGEST

Adds 65 IAC 4-347 concerning scratch-off game number 698. Effective July 9, 2004.

65 IAC 4-347

SECTION 1. 65 IAC 4-347 IS ADDED TO READ AS FOLLOWS:

Rule 347. Scratch-Off Game 698

65 IAC 4-347-1 Name
Authority: IC 4-30-3-7; IC 4-30-3-9
Affected: IC 4-30

Sec. 1. The name of this scratch-off game is "Scratch-Off Game Number 698, $54,000,000 Extravaganza". *(State Lottery Commission; 65 IAC 4-347-1; emergency rule filed Jul 8, 2004, 2:20 p.m.: 27 IR 3584, eff Jul 9, 2004)*

65 IAC 4-347-2 Ticket price
Authority: IC 4-30-3-7; IC 4-30-3-9
Affected: IC 4-30

Sec. 2. Scratch-off tickets in scratch-off game number 698 shall sell for twenty dollars ($20) per ticket. *(State Lottery Commission; 65 IAC 4-347-2; emergency rule filed Jul 8, 2004, 2:20 p.m.: 27 IR 3584, eff Jul 9, 2004)*

65 IAC 4-347-3 Scratch-off ticket layout
Authority: IC 4-30-3-7; IC 4-30-3-9
Affected: IC 4-30

Sec. 3. Each scratch-off ticket in scratch-off game number 698 shall contain forty-eight (48) play symbols and play symbol captions in the game play data area all concealed under a large spot of latex material. Eight (8) play symbols and play symbol captions shall appear in the area labeled "WINNING NUMBERS". Forty (40) play symbols and play symbol captions shall appear in the area labeled "YOUR NUMBERS" arranged in pairs representing numbers or pictures and prize amounts. *(State Lottery Commission; 65 IAC 4-347-3; emergency rule filed Jul 8, 2004, 2:20 p.m.: 27 IR 3584, eff Jul 9, 2004)*

65 IAC 4-347-4 Play symbols and play symbol captions
Authority: IC 4-30-3-7; IC 4-30-3-9
Affected: IC 4-30

Sec. 4. (a) The play symbols and play symbol captions in scratch-off game number 698, other than those representing prize amounts, shall consist of the following possible play symbols and play symbol captions:

(1) 1
ONE
(2) 2
TWO
(3) 3
THR
(4) 4
FOR
(5) 5
FIV
(6) 6
SIX
(7) 7
SVN
(8) 8
EGT
(9) 9
NIN
(10) 10
TEN
(11) 11
ELV
(12) 12
TLV
(13) 13
TRN
(14) 14
FRN
(15) 15
FTN
(16) 16
SXT
(17) 17
SVT
(18) 18
ETN
(19) 19
NTN
(20) 20
TWY
(21) 21
TWN
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TSN
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FYH
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FYF

(55) 55
FYV
(56) 56
FYS
(57) 57
FYN
(58) 58
FYE
(59) 59
FNN
(60) 60
SXY
(61) A picture of a money roll
WIN

(b) The play symbols and play symbol captions representing prize amounts in scratch-off game number 698 shall consist of the following possible play symbols and play symbol captions:

(1) $5.00
FIVE
(2) $10.00
TEN
(3) $20.00
TWENTY
(5) $25.00
TWY FIVE
(6) $40.00
FORTY
(7) $50.00
FIFTY
(8) $100
ONE HUN
(9) $200
TWO HUN
(10) $500
FIVE HUN
(11) $1,000
ONE THOU
(12) $10,000
TEN THOU
(13) $50,000
FTY THOU
(14) $100,000
HUN THOU
(15) $1,000,000
ONE MIL

(State Lottery Commission; 65 IAC 4-347-4; emergency rule filed Jul 8, 2004, 2:20 p.m.: 27 IR 3584, eff Jul 9, 2004)

65 IAC 4-347-5 How to play
Authority: IC 4-30-3-7; IC 4-30-3-9
Affected: IC 4-30

Sec. 5. The holder of a ticket in scratch-off game number 698 shall remove the latex material covering the forty-eight (48) play symbols and play symbol captions. If one (1) or more of "YOUR NUMBERS" match any of the "WINNING NUMBERS", the holder is entitled to the prize amount paired with the matched number. If the play symbol of a picture of a money roll with the play symbol caption "WIN" is exposed in the "YOUR NUMBERS" area, the player is automatically entitled to the paired prize amount. *(State Lottery Commission; 65 IAC 4-347-5; emergency rule filed Jul 8, 2004, 2:20 p.m.: 27 IR 3586, eff Jul 9, 2004)*

65 IAC 4-347-6 Number of prizes
Authority: IC 4-30-3-7; IC 4-30-3-9
Affected: IC 4-30

Sec. 6. The number of matches, paired prize amount play symbols, total prize amounts, and number of winners in scratch-off game number 698 are as follows:

Number of Matches and Paired Prize Amount Play Symbols	Total Prize Amount	Approximate Number of Winners
2 – $10.00	$20	288,000
1 – $20.00	$20	288,000
1 – $5.00 + 2 – $10.00	$25	144,000
1 – $25.00	$25	144,000
2 – $5.00 + 3 – $10.00	$40	72,000
4 – $10.00	$40	36,000
1 – $40.00	$40	36,000
10 – $5.00	$50	36,000
5 – $10.00	$50	18,000
1 – $50.00	$50	18,000
20 – $5.00	$100	36,000
10 – $10.00	$100	18,000
1 – $100	$100	18,000
20 – $10.00	$200	5,580
10 – $20.00	$200	5,580
1 – $10.00 + 2 – $20.00 + 3 – $50.00	$200	5,580
4 – $50.00	$200	5,580
1 – $200	$200	5,580
15 – $20.00 + 4 – $50.00	$500	900
10 – $50.00	$500	900
6 – $50.00 + 2 – $100	$500	750
5 – $100	$500	750
1 – $500	$500	720
20 – $50.00	$1,000	600
10 – $50.00 + 5 – $100	$1,000	600
10 – $100	$1,000	420
5 – $200	$1,000	390
1 – $1,000	$1,000	390
20 – $500	$10,000	180
1 – $10,000	$10,000	180

2 – $50,000	**$100,000**	**5**
1 – $100,000	**$100,000**	**5**
1 – $1,000,000	**$1,000,000**	**6**

(State Lottery Commission; 65 IAC 4-347-6; emergency rule filed Jul 8, 2004, 2:20 p.m.: 27 IR 3586, eff Jul 9, 2004)

65 IAC 4-347-7 Number of tickets; odds; reorders
Authority: IC 4-30-3-7; IC 4-30-3-9
Affected: IC 4-30

Sec. 7. (a) There shall be approximately three million six hundred thousand (3,600,000) scratch-off tickets initially available in scratch-off game number 698.

(b) The odds of winning a prize in scratch-off game number 698 are approximately 1 in 3.03.

(c) All reorders of tickets for scratch-off game number 698 shall have the same:
(1) prize structure;
(2) number of prizes per prize pool of one hundred twenty thousand (120,000); and
(3) odds;
as contained in the initial order. *(State Lottery Commission; 65 IAC 4-347-7; emergency rule filed Jul 8, 2004, 2:20 p.m.: 27 IR 3587, eff Jul 9, 2004)*

65 IAC 4-347-8 Last day to claim prizes
Authority: IC 4-30-3-7; IC 4-30-3-9
Affected: IC 4-30

Sec. 8. Players will have up to sixty (60) days from the end of scratch-off 710 *[sic., 698]* **within which to claim their prizes. Game end dates are available on the commission's Web site at www.hoosierlottery.com or may be obtained through the commission's toll-free customer service number or from any instant ticket retailer.** *(State Lottery Commission; 65 IAC 4-347-8; emergency rule filed Jul 8, 2004, 2:20 p.m.: 27 IR 3587, eff Jul 9, 2004)*

SECTION 2. **SECTION 1 of this document takes effect July 9, 2004.**

LSA Document #04-193(E)
Filed with Secretary of State: July 8, 2004, 2:20 p.m.

TITLE 312 NATURAL RESOURCES COMMISSION

LSA Document #04-183(E)

DIGEST

Temporarily allows for the use of a general license for qualified activities under the Flood Control Act if the Department of Natural Resources, Division of Fish and Wildlife, gives prior written approval. (On May 18, 2004, the Natural Resources Commission gave final adoption to LSA Document #03-215, amendments to 312 IAC 10-5, to implement this concept, but the language would likely not complete the review process until completion of the primary 2004 construction season.) Effective June 14, 2004.

SECTION 1. **Notwithstanding 312 IAC 10-5-6(b)(2), a project under IC 14-28-1, within a river or stream listed in the Indiana Register at 16 IR 1677 in the Outstanding Rivers List for Indiana, is eligible for a general license under 312 IAC 10-5 if prior written approval for the project is received from the department of natural resources, division of fish and wildlife's environmental unit, for:**
(1) a utility line crossing;
(2) the removal of logjams and obstructions; or
(3) the placement of outfall projects.

SECTION 2. **SECTION 1 of this document expires on January 1, 2005.**

LSA Document #04-183(E)
Filed with Secretary of State: June 14, 2004, 9:10 a.m.

TITLE 407 OFFICE OF THE CHILDREN'S HEALTH INSURANCE PROGRAM

LSA Document #04-192(E)

DIGEST

Temporarily amends 407 IAC 3-7-1 and 407 IAC 3-13-1 by revoking coverage for treatment by a psychiatric residential treatment facility with sixteen or fewer beds. Authority: IC 4-22-2-37.1; IC 12-17.6-2-11. *NOTE: The original emergency document, LSA Document #04-104(E), printed at 27 IR 2519, effective April 8, 2004, expires July 7, 2004.* Effective July 7, 2004.

SECTION 1. (407 IAC 3-7-1) (a) Reimbursement is available for mental health services subject to the limitations set out in the Medicaid program as well as additional limitations set forth in this rule.

(b) Inpatient mental health and substance abuse services are not covered when provided in an institution for mental diseases with more than sixteen (16) beds.

(c) Psychiatric residential treatment facility (PRTF) services are not covered by the children's health insurance program.

~~(c)~~ **(d)** Outpatient mental health and substance abuse services

are limited to a maximum of thirty (30) office visits per rolling twelve (12) month period without prior approval. Up to twenty (20) additional visits up to a maximum of fifty (50) visits per rolling twelve (12) month period may be prior authorized subject to Medicaid prior authorization criteria.

~~(d)~~ **(e)** Reimbursement is not available for reservation of beds in psychiatric hospitals.

~~(e)~~ **(f)** Community mental health rehabilitation services (Medicaid rehabilitation option) are not covered by the children's health insurance program.

SECTION 2. (407 IAC 3-13-1) (a) The following services are not covered by CHIP:

(1) Services that are not covered by the Medicaid program.
(2) Services provided in a nursing facility.
(3) Services provided in an intermediate care facility for the mentally retarded (ICF/MR).
(4) Private duty nursing.
(5) Case management services for the following:
  (A) Persons with HIV/AIDS.
  (B) Pregnant women.
  (C) Mentally ill or emotionally disturbed individuals.
(6) Nonambulance transportation.
(7) Services provided by Christian Science nurses.
(8) Services provided in Christian Science sanatoriums.
(9) Organ transplants.
(10) Over-the-counter drugs (except insulin).
(11) Reserved beds in psychiatric hospitals.
(12) Services provided in inpatient mental health facilities (other than acute care hospitals) with more than sixteen (16) beds.
(13) Psychiatric residential treatment facility (PRTF) services.
~~(13)~~ **(14)** Any other service or supply listed in this ~~article~~ **document** as noncovered.

LSA Document #04-192(E)
Filed with Secretary of State: July 7, 2004, 2:25 p.m.

TITLE 407 OFFICE OF THE CHILDREN'S HEALTH INSURANCE PROGRAM

LSA Document #04-35(F)

Under IC 12-17.6-2-11, LSA Document #04-35, printed at 27 IR 2535, was adopted by the Director of the Children's Health Insurance Program on Monday, June 14, 2004. This rule amends 407 IAC 3-7-1 to exclude coverage of psychiatric residential treatment facility (PRTF) services for individuals enrolled in the Children's Health Insurance Program Phase II (Hoosier Healthwise Package C) and amends 407 IAC 3-7-1 concerning noncovered services. The rule that was adopted is the same version as the proposed rule which was published in the Indiana Register on May 1, 2004.

Change in Notice of Public Hearing

TITLE 326 AIR POLLUTION CONTROL BOARD

#00-236(APCB)

The Air Pollution Control Board gives notice that the date of the public hearing for consideration of preliminary adoption of #00-236(APCB), printed at 26 IR 3151, has been changed. The changed Notice of Public Hearing appears below:

Notice of Public Hearing

Under IC 4-22-2-24, IC 13-14-8-6, and IC 13-14-9, notice is hereby given that on ***October 6, 2004****, at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on new rule 326 IAC 7-4.1, amendments to 326 IAC 7-1.1-1, 326 IAC 7-1.1-2, 326 IAC 7-2-1, and the repeal of 326 IAC 7-4-1.1.*

The purpose of this hearing is to receive comments from the public prior to preliminary adoption of these rules by the board. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed amendments. Oral statements will be heard, but, for the accuracy of the record, all comments should be submitted in writing.

Additional information regarding this action may be obtained from Christine Pedersen, Rules Development Section, Office of Air Quality, (317) 233-6868 or (800) 451-6027, press 0, and ask for extension 3-6868 (in Indiana). If the date of this hearing is changed, it will be noticed in the Change in Notice of Public Hearing section of the Indiana Register. Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

Attn: ADA Coordinator
Indiana Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

or call (317) 233-0855, TDD: (317) 232-6565. Speech and hearing impaired callers also may contact the agency via the Indiana Relay Service at 1-800-743-3333. Please provide a minimum of 72 hours' notification.

Copies of these rules are now on file at the Office of Air Quality, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East, Indianapolis, Indiana and are open for public inspection.

Janet McCabe
Assistant Commissioner
Office of Air Quality

TITLE 326 AIR POLLUTION CONTROL BOARD

LSA Document #03-264

The Air Pollution Control Board gives notice that the date of the public hearing for consideration of final adoption of LSA Document #03-264, printed at 27 IR 2123, has been changed. The changed Notice of Public Hearing appears below:

Notice of Public Hearing

Under IC 4-22-2-24, IC 13-14-8-6, and IC 13-14-9, notice is hereby given that on ***October 6, 2004****, at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on amendments to 326 IAC 20-25 and new rule 326 IAC 20-56.*

The purpose of this hearing is to receive comments from the public prior to final adoption of these rules by the board. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed new rules/amendments. Oral statements will be heard, but for the accuracy of the record, all comments should be submitted in writing.

Additional information regarding this action may be obtained from Susan Bem, Rules Section, Office of Air Quality, (317) 233-5697 or (800) 451-6027, press 0, and ask for extension 3-5697 (in Indiana). If the date of this hearing is changed it will be noticed in the Change in Notice of Public Hearing section of the Indiana Register. Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

Attn: ADA Coordinator
Indiana Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

or call (317) 233-0855. TDD (317) 232-6565. Speech and hearing impaired callers also may contact the agency via the Indiana Relay Service at 1-800-743-3333. Please provide a minimum of 72 hours' notification.

Copies of these rules are now on file at the Office of Air Quality, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East, Indianapolis, Indiana and are open for public inspection.

Janet McCabe
Assistant Commissioner
Office of Air Quality

Change in Notice of Public Hearing

TITLE 326 AIR POLLUTION CONTROL BOARD

LSA Document #03-282

The Air Pollution Control Board gives notice that the date of the public hearing for consideration of final adoption of LSA Document #03-282, printed at 27 IR 2768, has been changed. The changed Notice of Public Hearing appears below:

Notice of Public Hearing

Under IC 4-22-2-24, IC 13-14-8-6, and IC 13-14-9, notice is hereby given that on ***October 6, 2004****, at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on amendments to 326 IAC 7-4-13.*

The purpose of this hearing is to receive comments from the public prior to final adoption of these rules by the board. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed amendments. Oral statements will be heard, but, for the accuracy of the record, all comments should be submitted in writing.

Additional information regarding this action may be obtained from Christine Pedersen, Rules Development Section, Office of Air Quality, (317) 233-6868 or (800) 451-6027, press 0, and ask for extension 3-6868 (in Indiana). If the date of this hearing is changed, it will be noticed in the Change in Notice of Public Hearing section of the Indiana Register. Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

Attn: ADA Coordinator
Indiana Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

or call (317) 233-0855, TDD: (317) 232-6565. Speech and hearing impaired callers also may contact the agency via the Indiana Relay Service at 1-800-743-3333. Please provide a minimum of 72 hours' notification.

Copies of these rules are now on file at the Office of Air Quality, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East, Indianapolis, Indiana and are open for public inspection.

Janet McCabe
Assistant Commissioner
Office of Air Quality

TITLE 326 AIR POLLUTION CONTROL BOARD

LSA Document #03-283

The Air Pollution Control Board gives notice that the date of the public hearing for consideration of final adoption of LSA Document #03-283, printed at 27 IR 3143, has been changed. The changed Notice of Public Hearing appears below:

Notice of Public Hearing

Under IC 4-22-2-24, IC 13-14-8-6, and IC 13-14-9, notice is hereby given that on ***October 6, 2004*** *at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on amendments to 326 IAC 18-1 and 326 IAC 18-2, asbestos licensing requirements.*

The purpose of this hearing is to receive comments from the public prior to final adoption of these rules by the board. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed amendments. Oral statements will be heard, but, for the accuracy of the record, all comments should be submitted in writing.

Additional information regarding this action may be obtained from Suzanne Whitmer, Rules Development Section, Office of Air Quality, (317) 232-8229 or (800) 451-6027, press 0, and ask for extension 2-8229 (in Indiana). If the date of this hearing is changed, it will be noticed in the Change in Notice of Public Hearing section of the Indiana Register. Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

Attn: ADA Coordinator
Indiana Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

or call (317) 233-0855. TDD (317) 232-6565. Speech and hearing impaired callers also may contact the agency via the Indiana Relay Service at 1-800-743-3333. Please provide a minimum of 72 hours' notification.

Copies of these rules are now on file at the Office of Air Quality, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East, Indianapolis, Indiana and are open for public inspection.

Janet McCabe
Assistant Commissioner
Office of Air Quality

Change in Notice of Public Hearing

TITLE 326 AIR POLLUTION CONTROL BOARD

LSA Document #04-107

The Air Pollution Control Board gives notice that the date of the public hearing for consideration of final adoption of LSA Document #04-107, printed at 27 IR 3168, has been changed. The changed Notice of Public Hearing appears below:

Notice of Public Hearing

Under IC 4-22-2-24, IC 13-14-8-6, and IC 13-14-9, notice is hereby given that on ***October 6, 2004*** *at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on new rules 326 IAC 20-71, 326 IAC 20-72, 326 IAC 20-73, 326 IAC 20-74, 326 IAC 20-75, 326 IAC 20-76, 326 IAC 20-77, 326 IAC 20-78, and 326 IAC 20-79.*

The purpose of this hearing is to receive comments from the public prior to final adoption of these rules by the board. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed amendments. Oral statements will be heard, but, for the accuracy of the record, all comments should be submitted in writing.

Additional information regarding this action may be obtained from Gayl Killough, Rules Development Section, Office of Air Quality, (317) 233-8628 or (800) 451-6027, press 0, and ask for extension 3-8628 (in Indiana). If the date of this hearing is changed, it will be noticed in the Change in Notice of Public Hearing section of the Indiana Register. Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

Attn: ADA Coordinator
Indiana Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

or call (317) 233-0855. TDD (317) 232-6565. Speech and hearing impaired callers also may contact the agency via the Indiana Relay Service at 1-800-743-3333. Please provide a minimum of 72 hours' notification.

Copies of these rules are now on file at the Office of Air Quality, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East, Indianapolis, Indiana and are open for public inspection.

Janet McCabe
Assistant Commissioner
Office of Air Quality

TITLE 40 STATE ETHICS COMMISSION

LSA Document #04-198

Under IC 4-22-2-23, the State Ethics Commission intends to adopt a rule concerning the following:

OVERVIEW: The rule will amend the Indiana code of ethics for the conduct of state business by amending 40 IAC 2-1-4, relating to definitions; 40 IAC 2-1-6, relating to acceptable gifts, favors, services, entertainment, food, drink, and honoraria; 40 IAC 2-1-7, relating to appearances, activities, and expenses; and amend other sections found at 40 IAC 2 as necessary to maintain consistency and conformity with the foregoing. The rule will also amend 40 IAC 2 by adding a provision concerning ethics education. Questions or comments concerning the proposed rule may be directed by mail to the State Ethics Commission, attention: Nina Brahm, Staff Counsel, 402 West Washington Street, Indianapolis, IN 46204, or by electronic mail to nbrahm@ethics.state.in.us. Statutory authority: IC 4-2-6-3; IC 4-2-6-4.

TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #04-187

Under IC 4-22-2-23, the Bureau of Motor Vehicles intends to adopt a rule concerning the following:

OVERVIEW: Adds rules necessary to fully implement the requirements of Section 1012 of the Uniting and Strengthening America by Providing Appropriate Tools Requirements to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act). These rules will establish licensing requirements for commercial driver's licenses with a hazardous materials endorsement. Questions or comments on the proposed rule may be directed to Cassandra Ashley-Jordan, Chief Legal Counsel, and Bureau of Motor Vehicles at (317) 232-7043. Statutory authority: IC 9-24-6.5-3.

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #04-188

Under IC 4-22-2-23, the Indiana State Department of Health intends to adopt a rule concerning the following:

OVERVIEW: This rule will update and clarify the requirements pertaining to the design, construction, installation, maintenance, and operation of commercial and residential on-site sewage disposal systems. Written comments may be submitted to the Indiana State Department of Health, ATTENTION: Sanitary Engineering, 2 North Meridian Street, Indianapolis, Indiana 46204. Statutory authority: IC 16-19-3-4; IC 16-19-3-5.

TITLE 460 DIVISION OF DISABILITY, AGING, AND REHABILITATIVE SERVICES

LSA Document #04-199

Under IC 4-22-2-23, the Division of Disability, Aging, and Rehabilitative Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 460 IAC 1-8-3 to add to the list of those who are precluded from providing attendant care services. Adds new sections regarding the hire of a fiscal agent by an individual in need of self-directed in-home care who has hired a personal services attendant, including duties, methods of payment for a personal services attendant and fiscal agent, and record keeping requirements. Effective 30 days after filing with the secretary of state. Statutory authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-10-17.

TITLE 515 PROFESSIONAL STANDARDS BOARD

LSA Document #04-197

Under IC 4-22-2-23, the Professional Standards Board intends to adopt a rule concerning the following:

OVERVIEW: Adds 515 IAC 10 to provide certain requirements and procedures for the issuance by the Professional Standards Board of the workplace specialist licenses and other matters concerning the workplace specialist license. Public comments are invited and may be directed to Marie Theobald, Executive Director, Indiana Professional Standards Board, 101 W. Ohio Street, Indianapolis, IN 46204. Statutory authority: IC 20-1-1.4-7.

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #04-194

Under IC 4-22-2-23, the Fire Prevention and Building Safety Commission intends to adopt a rule concerning the following:

OVERVIEW: To adopt and amend the 2003 International Residential Code (IRC) to replace the current Indiana Residen-

tial Code (675 IAC 14-4.2). Included in the proposed rule will be standards for visitability of Class 2 structures and Class 1 townhouses so that, if desired, accessibility features may be provided in these structures. Public comments are invited and may be directed to the Department of Fire and Building Services, Attention: Technical Services, Indiana Government Center-South, 402 West Washington Street, Room W246, Indianapolis, Indiana 46204 or by e-mail at jweesner@sema.state.in.us. Statutory authority: IC 22-13-2-2; IC 22-13-2-13; P.L.112-2003, SECTION 2.

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #04-195

Under IC 4-22-2-23, the Fire Prevention and Building Safety Commission intends to adopt a rule concerning the following:

OVERVIEW: To make a substantive change to the General Administrative Rules, 675 IAC 12, to adopt a rule that would continue the practice of allowing a nonlawyer to provide representation in actions before the Fire Prevention and Building Safety Commission and the Fire and Building Services Department. Public comments are invited and may be directed to the Department of Fire and Building Services, Attention: Technical Services, Indiana Government Center-South, 402 West Washington Street, Room W246, Indianapolis, Indiana 46204 or by e-mail at jweesner@sema.state.in.us. Statutory authority: IC 22-13-2-2; IC 22-13-2-13.

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #04-196

Under IC 4-22-2-23, the Fire Prevention and Building Safety Commission intends to adopt a rule concerning the following:

OVERVIEW: Under IC 22-11-14.5-3, the proposed rule (i) will add 675 IAC 22-2.2-26 to adopt NFPA 1126, Standard for the Use of Pyrotechnics before a Proximate Audience, 2001 edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts, together with all amendments adopted by the Commission and (ii) under IC 35-47.5-4-4.5, will add 675 IAC 26 to govern the use of a regulated explosive and establish requirements for the issuance of a license for the use of a regulated explosive. Public comments are invited and may be directed to the Department of Fire and Building Services, Attention: Technical Services, Indiana Government Center-South, 402 West Washington Street, Room W246, Indianapolis, Indiana 46204 or by e-mail at jweesner@sema.state.in.us. Statutory authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-11-14.5-3; IC 35-47.5-4-4.5.

TITLE 828 STATE BOARD OF DENTISTRY

LSA Document #04-189

Under IC 4-22-2-23, the State Board of Dentistry intends to adopt a rule concerning the following:

OVERVIEW: Adds 828 IAC 1-5-6 to require that continuing education credit for dentists and dental hygienists must include two hours in ethics, professional responsibility, statutes governing the licensure and practice of dentists and dental hygienists, or administrative rules governing the licensure and practice of dentists and dental hygienists. Questions or comments concerning the proposed rules may be directed to: Health Professions Bureau, ATTENTION: Board Director, 402 West Washington Street, Room W066, Indianapolis, Indiana 46204 or by electronic mail at smazo@hpb.state.in.us. Statutory authority: IC 25-13-1-5; IC 25-13-2-10; IC 25-14-1-13; IC 25-14-3-12.

TITLE 878 HOME INSPECTORS LICENSING BOARD

LSA Document #04-191

Under IC 4-22-2-23, the Home Inspectors Licensing Board intends to adopt a rule concerning the following:

OVERVIEW: Adds Title 878 concerning definitions, educational and licensing requirements, license renewal requirements, fees, continuing education requirements, standards for the competent performance of home inspections, code of ethics, and standards for home inspection reports prepared by home inspectors to implement the home inspector program under IC 25-20.2. Questions or comments may be directed by mail to the Home Inspectors Licensing Board, Indiana Government Center-South, 302 West Washington Street, Room E012, Indianapolis, Indiana 46204, or by electronic mail at wlowhorn@pla.in.gov. Statutory authority: IC 25-1-8-2; IC 25-20.2-3-8; IC 25-20.2-3-9; IC 25-20.2-6-5.

TITLE 25 INDIANA DEPARTMENT OF ADMINISTRATION

Proposed Rule
LSA Document #04-172

DIGEST

Adds 25 IAC 6 concerning definitions of terms and phrases used in executive lobbying activity and provides for registration and regulatory procedures and requirements for executive lobbyists and enforcement of such regulation. Effective 30 days after filing with the secretary of state.

25 IAC 6

SECTION 1. 25 IAC 6 IS ADDED TO READ AS FOLLOWS:

ARTICLE 6. EXECUTIVE AGENCY LOBBYING

Rule 1. Definitions

25 IAC 6-1-1 Applicability
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 1. The definitions in this rule apply throughout this article. *(Indiana Department of Administration; 25 IAC 6-1-1)*

25 IAC 6-1-2 "Activity report" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 2. "Activity report" means the activity report provided for by 25 IAC 6-4. *(Indiana Department of Administration; 25 IAC 6-1-2)*

25 IAC 6-1-3 "Commissioner" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 3. "Commissioner" refers to the commissioner of the department or that person's designee. *(Indiana Department of Administration; 25 IAC 6-1-3)*

25 IAC 6-1-4 "Compensation" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 4. "Compensation" means anything of value given as payment for doing or refraining from doing an act. *(Indiana Department of Administration; 25 IAC 6-1-4)*

25 IAC 6-1-5 "Department" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 5. "Department" means the Indiana department of administration. *(Indiana Department of Administration; 25 IAC 6-1-5)*

25 IAC 6-1-6 "Employer" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 6. "Employer" means a person who engages an executive agency lobbyist. The term does not include any person who is a member of:
(1) a business;
(2) a trade;
(3) a professional;
(4) a civic; or
(5) any other membership;
organization that employs an executive agency lobbyist and does not directly employ such executive agency lobbyist. *(Indiana Department of Administration; 25 IAC 6-1-6)*

25 IAC 6-1-7 "Engage" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 7. "Engage" means to make an arrangement whereby an individual is employed or retained for compensation to act for or on behalf of an employer to conduct executive agency lobbying. *(Indiana Department of Administration; 25 IAC 6-1-7)*

25 IAC 6-1-8 "Executive agency" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 8. "Executive agency" means the office of an elected executive official or any other state agency, department, board, or commission, including bodies corporate and politic, controlled or directed by an elected executive official or otherwise subject to an elected executive official's authority. *(Indiana Department of Administration; 25 IAC 6-1-8)*

25 IAC 6-1-9 "Executive agency decision" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 9. "Executive agency decision" means a:
(1) regulatory decision; or
(2) decision of an executive agency regarding the expenditure of funds of the state or of an executive agency with respect to the award of:
(A) a contract;
(B) a grant;
(C) a lease; or
(D) any other financial arrangement;
under which such funds are distributed, paid, or allocated. *(Indiana Department of Administration; 25 IAC 6-1-9)*

25 IAC 6-1-10 "Executive agency lobbying" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 10. "Executive agency lobbying" means communicating by any means with any executive official with the purpose of influencing any executive agency decision, except as described in 25 IAC 6-3-6. *(Indiana Department of Administration; 25 IAC 6-1-10)*

25 IAC 6-1-11 "Executive agency lobbyist" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 11. "Executive agency lobbyist" means any person who:
(1) engages in executive agency lobbying; and
(2) in any registration year, receives or expends an aggregate of five hundred dollars ($500) in compensation or expenditures reportable under this article for executive agency lobbying, whether the compensation is solely for executive agency lobbying or the executive agency lobbying is incidental to that individual's regular employment.
(Indiana Department of Administration; 25 IAC 6-1-11)

25 IAC 6-1-12 "Executive official" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 12. "Executive official" means an officer or employee of an executive agency or members of boards and commissions whose principal duties are to formulate policy or to participate directly or indirectly in the preparation, review, or award of:
(1) contracts;
(2) grants;
(3) leases; or
(4) other financial arrangements;
with an executive agency. The department shall publicly list all executive agency personnel who qualify as executive officials under this article. *(Indiana Department of Administration; 25 IAC 6-1-12)*

25 IAC 6-1-13 "Expenditure" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 13. "Expenditure" means:
(1) any:
(A) advance;
(B) conveyance;
(C) deposit;
(D) distribution;
(E) transfer of funds;
(F) loan;
(G) payment;
(H) gift;
(I) honorarium;
(J) pledge; or
(K) subscription;
of money or anything of value, including payment of salary; and
(2) any:
(A) contract;
(B) agreement;
(C) promise; or
(D) other obligation;
whether or not legally enforceable, to make an expenditure.
The term does not include any publication of a trade, industry, government, or professional association. *(Indiana Department of Administration; 25 IAC 6-1-13)*

25 IAC 6-1-14 "Immediate family" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 14. "Immediate family" means a spouse residing in the person's household and dependent children. *(Indiana Department of Administration; 25 IAC 6-1-14)*

25 IAC 6-1-15 "Influencing" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 15. "Influencing" means:
(1) promoting;
(2) supporting;
(3) influencing;
(4) modifying;
(5) opposing; or
(6) delaying;
by any means. *(Indiana Department of Administration; 25 IAC 6-1-15)*

25 IAC 6-1-16 "Paid" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 16. "Paid" means that payment has been made. *(Indiana Department of Administration; 25 IAC 6-1-16)*

25 IAC 6-1-17 "Pay" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 17. "Pay" means the act of making a payment. *(Indiana Department of Administration; 25 IAC 6-1-17)*

25 IAC 6-1-18 "Payment" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 18. "Payment" means:
(1) a payment;
(2) a compensation;
(3) a reimbursement;
(4) a distribution;

(5) a transfer;
(6) a loan;
(7) an advance;
(8) a conveyance;
(9) a deposit;
(10) a gift;
(11) a pledge;
(12) a subscription; or
(13) any other rendering;

of money, property, services, or anything else of value, whether tangible or intangible, and any contract, agreement, promise, or other obligation, whether or not legally enforceable, to make a payment. *(Indiana Department of Administration; 25 IAC 6-1-18)*

25 IAC 6-1-19 "Person" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 19. "Person" means the following:
(1) A human being.
(2) A corporation.
(3) A limited liability company.
(4) A partnership.
(5) An association.
(6) A firm.
(7) A church.
(8) A religious group.
(9) An educational institution.
(Indiana Department of Administration; 25 IAC 6-1-19)

25 IAC 6-1-20 "Public employee" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 20. "Public employee" means an employee of the state or federal government or a political subdivision of either of those governments and includes an official or employee of any university, college, or other educational institution, presently existing or hereafter established in Indiana, for the purpose of providing programs of collegiate or university education or other post-high school education and that is supported in whole or in part by appropriations made by the general assembly. *(Indiana Department of Administration; 25 IAC 6-1-20)*

25 IAC 6-1-21 "Public official" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 21. "Public official" means an individual who holds office in the executive, judicial, or legislative branch of the state or federal government or a political subdivision of either of those governments and includes an official or employee of any university, college, or other educational institution, presently existing or hereafter established in Indiana, for the purpose of providing programs of collegiate or university education or other post-high school education and that is supported in whole or in part by appropriations made by the general assembly. *(Indiana Department of Administration; 25 IAC 6-1-21)*

25 IAC 6-1-22 "Registrant" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 22. "Registrant" means a person who is required to register under 25 IAC 6-3-1. *(Indiana Department of Administration; 25 IAC 6-1-22)*

25 IAC 6-1-23 "Registration statement" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 23. "Registration statement" means the registration statement provided for by 25 IAC 6-3. *(Indiana Department of Administration; 25 IAC 6-1-23)*

25 IAC 6-1-24 "Regulatory decision" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 24. "Regulatory decision" means a decision made by an agency, board, or commission that has broad, universal application to all persons under the jurisdiction of such agency, board, or commission. Such regulatory decision specifically includes the adoption of:
(1) an administrative rule;
(2) a bulletin;
(3) a directive; or
(4) any other policy statement or guideline;

that the executive agency, board, or commission intends to apply generally to all persons under the jurisdiction of such agency, board, or commission. *(Indiana Department of Administration; 25 IAC 6-1-24)*

25 IAC 6-1-25 "Verified" defined
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 25. "Verified" means a signed statement that the document provided is truthful under penalty of perjury. *(Indiana Department of Administration; 25 IAC 6-1-25)*

Rule 2. Responsibility for the Administration of this Article

25 IAC 6-2-1 Administration and authority
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 1. The commissioner has the authority and responsibility for the administration of this article. *(Indiana Department of Administration; 25 IAC 6-2-1)*

25 IAC 6-2-2 Powers and duties
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 2. (a) The commissioner has the powers and duties specified in this article.

(b) The commissioner may do the following:
(1) Convene and hold meetings as necessary.
(2) Make recommendations to the governor concerning administration of this article.
(3) Subject to 25 IAC 6-8, receive and hear any complaint alleging a violation of this article.
(4) Obtain information relevant to an audit conducted or a complaint filed under this article.
(5) Act as an advisor by providing advisory opinions to executive agency lobbyists on questions relating to the requirements of this article.
(6) Establish qualifications for and employ the personnel required to implement this article.
(7) Make reasonable and necessary expenditures of money appropriated to the commissioner.
(8) Do other things necessary and proper:
(A) to implement this article; or
(B) as requested by the governor.
(Indiana Department of Administration; 25 IAC 6-2-2)

Rule 3. Registration Statements

25 IAC 6-3-1 Filings required
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 1. Each executive agency lobbyist and employer shall file annually with the commissioner a verified registration statement. *(Indiana Department of Administration; 25 IAC 6-3-1)*

25 IAC 6-3-2 Filings deadlines; effect of late filings
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 2. (a) Each registration statement shall be filed:
(1) not later than January 15; or
(2) within fifteen (15) days after the registrant becomes an executive agency lobbyist;
whichever is later. Each registration statement expires on December 31 of the year for which it was issued. The commissioner may accept registration statements before January 1 of the year to which they apply, as the commissioner determines.

(b) Upon thirty (30) days advance written notice to the executive agency lobbyist, the commissioner may impose a suspension of the privilege of executive agency lobbying until the statement is filed.

(c) The suspension shall continue until the registration statement is filed.

(d) The commissioner may waive the suspension if the commissioner determines that the circumstances make imposition of the suspension inappropriate.

(e) The commissioner may grant an extension of the filing deadline in extenuating circumstances. *(Indiana Department of Administration; 25 IAC 6-3-2)*

25 IAC 6-3-3 Information required in filings for lobbyists
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 3. The registration statement of each executive agency lobbyist shall include the following:
(1) The executive agency lobbyist's name, business address, and telephone number.
(2) The name, business address, telephone number, and kind of business of each employer who engages the executive agency lobbyist.
(3) The executive agency lobbyist's primary occupation and the name or names of the executive agency lobbyist's place of business if different than those specified in subdivision (2).
(4) The subject matter of the executive agency lobbying for each employer of the executive agency lobbyist.
(Indiana Department of Administration; 25 IAC 6-3-3)

25 IAC 6-3-4 Information required in filings for employers
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 4. The registration statement of each employer shall include the following:
(1) The employer's:
(A) full name;
(B) business address;
(C) telephone number; and
(D) kind of business;
and the full name of the individual who controls the business, the partners, if any, and officers.
(2) The full name, business address, and telephone number of each person engaged by the employer as an executive agency lobbyist.
(3) The subject matter for which the employer has employed or engaged an executive agency lobbyist.
(Indiana Department of Administration; 25 IAC 6-3-4)

25 IAC 6-3-5 Amendment procedure; termination
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 5. If a material change occurs in any of the information contained in a registration statement, an appropriate amendment shall be filed within fifteen (15) days after the

change. Each registered executive agency lobbyist may file a notice of termination within fifteen (15) days after the executive agency lobbyist ceases the activity that required the registration; however, this does not relieve the executive agency lobbyist of the reporting requirements of 25 IAC 6-4. *(Indiana Department of Administration; 25 IAC 6-3-5)*

25 IAC 6-3-6 Exclusions; nonapplicability
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 6. (a) This rule and 25 IAC 6-4 are not applicable to any full-time or part-time public:
(1) official acting in an official capacity; or
(2) employee acting within the scope of employment.

(b) This rule and 25 IAC 6-4 are not applicable to any:
(1) newspaper;
(2) other periodical of general circulation;
(3) book publisher;
(4) news wire service;
(5) radio station; or
(6) television station;
including any individual who owns, publishes, or is employed by any such newspaper or periodical, radio station, or television station, that in the ordinary course of business publishes news items, editorials, or other comments or paid advertisement that directly or indirectly attempts to influence executive decisions if such newspaper, periodical, book publisher, radio station, television station, or individual engages in no further or other activities in connection with influencing executive decisions other than to appear before an executive official at a public meeting of the executive agency in support of or in opposition to such executive decision.

(c) This rule and 25 IAC 6-4 are not applicable to an individual invited, by any executive official, to testify before the executive official at a public meeting of the executive agency.

(d) Notwithstanding the definition of executive agency lobbying as specified in 25 IAC 6-1-10, in no instance shall this article be construed to prohibit in any way free and open communication between any citizen of the state and executive officials. Specifically, executive agency lobbying does not include the following:
(1) The action of any person having a direct interest in executive agency decisions, if the person acting on his or her own behalf or acting under Article 1, Section 31 of the Constitution of the State of Indiana assembles together with other persons for the common good, petitions any person described in this subsection for the redress of grievances, or other proper purposes.
(2) Contacts made for the sole purpose of gathering information contained in public records.
(3) Appearances before public meetings of executive agencies, including the submission of written comments on the public record regarding the adoption of a proposed administrative rule.

(e) This rule and 25 IAC 6-4 are not applicable to communication with or to:
(1) the Indiana department of commerce;
(2) the Indiana development finance authority;
(3) the film commission;
(4) the Indiana business modernization and technology corporation; or
(5) any other executive agency;
that has responsibility for economic development, by or on behalf of a business, nonprofit organization, or municipality for the purpose of developing industrial, research, technology, or commercial prospects. *(Indiana Department of Administration; 25 IAC 6-3-6)*

Rule 4. Activity Reports

25 IAC 6-4-1 Required activity reports from lobbyists
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 1. Each executive agency lobbyist and employer shall file semiannually with the commissioner a verified activity report. The executive agency lobbyist shall file a separate activity report relating to each person from whom payment is received for executive agency lobbying. *(Indiana Department of Administration; 25 IAC 6-4-1)*

25 IAC 6-4-2 Filing time frames; effect of late filings
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 2. (a) One (1) activity report shall be filed not later than November 30, covering the period from May 1 through October 31. The other activity report shall be filed not later than May 31, covering the period from November 1 through April 30.

(b) Upon thirty (30) days advance written notice to the executive agency lobbyist, the commissioner may impose a suspension of the privilege of executive agency lobbying until the activity report is filed.

(c) The suspension shall continue until the activity report is filed.

(d) The commissioner may waive the suspension if the commissioner determines that the circumstances make imposition of the suspension inappropriate.

(e) The commissioner may grant an extension of the filing deadline in extenuating circumstances. *(Indiana Department of Administration; 25 IAC 6-4-2)*

25 IAC 6-4-3 Required information for activity reports
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 3. (a) The activity reports of each executive agency lobbyist and employer shall include the following:

(1) A complete and current statement of the information required to be supplied under 25 IAC 6-3-3 or 25 IAC 6-3-4, as applicable.

(2) Total expenditures on executive agency lobbying (prorated, if necessary) broken down to include at least the following categories:

(A) The amount of compensation paid by the employer to executive agency lobbyists who perform executive agency lobbying services.

(B) The amount of reimbursement paid by the employer to executive agency lobbyists who perform executive agency lobbying services.

(C) Receptions.

(D) Entertainment, including meals.

(3) A statement of expenditures made by the registrant or his or her agent to benefit:

(A) an executive official; or

(B) a member of the immediate family of anyone included in clause (A). This rule does not apply to compensation paid to the spouse or dependent children of an executive official for goods or services provided by the spouse or dependent children in the ordinary course of business to an executive agency lobbyist or an employer.

(4) A list of the general subject matter concerning which an executive agency lobbying effort was made within the registration period.

(5) The name of the beneficiary of each expenditure made by the executive agency lobbyist or the executive agency lobbyist's agent that is required to be reported under subdivision (3).

(b) In the second semiannual report, when total amounts are required to be reported, totals shall be stated both for the:

(1) period covered by the statement; and

(2) entire reporting year.

(c) An amount reported under this section is not required to include the following:

(1) Overhead costs.

(2) Charges for any of the following:

(A) Postage.

(B) Express mail service.

(C) Stationery.

(D) Facsimile transmissions.

(E) Telephone calls.

(F) Copies.

(3) Expenditures for the personal services of clerical and other support staff persons who are not executive agency lobbyists.

(4) Expenditures for leasing or renting an office.

(5) Expenditures for lodging, meals, and other personal expenses of the executive agency lobbyist.

(Indiana Department of Administration; 25 IAC 6-4-3)

25 IAC 6-4-4 Retention of documents related to filings
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 4. Each executive agency lobbyist shall obtain and preserve all documents necessary to substantiate the activity reports required under this rule for four (4) years from the date of filing of the report containing these items. The executive agency lobbyist shall make these materials available for inspection upon request by the commissioner. *(Indiana Department of Administration; 25 IAC 6-4-4)*

25 IAC 6-4-5 Termination statements
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 5. Every person who files a notice of termination as provided in 25 IAC 6-3-5 must file a termination report covering the semiannual reporting period or portion thereof immediately preceding the termination of the registration statement; such report shall contain the information required by section 3 of this rule. *(Indiana Department of Administration; 25 IAC 6-4-5)*

Rule 5. Duties of the Commissioner

25 IAC 6-5-1 Duty to establish forms; availability of forms
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 1. The commissioner shall prescribe forms for the registration statements, activity reports, and other documents required to be filed under this article and make the forms available to persons required to file the registration statements, activity reports, and other documents. *(Indiana Department of Administration; 25 IAC 6-5-1)*

25 IAC 6-5-2 Requirement for manual of procedures
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 2. The commissioner shall prepare and publish a manual setting forth recommended, uniform methods of reporting for use by persons required to file statements and reports under this article. *(Indiana Department of Administration; 25 IAC 6-5-2)*

25 IAC 6-5-3 Availability of filed documents as public records
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-14; IC 5-22

Sec. 3. The commissioner shall make statements, reports, and other documents filed with the commissioner under this article available for public inspection and copying during regular office hours and make copying facilities available to the public in accordance with the Access to Public Records Act, IC 5-14. *(Indiana Department of Administration; 25 IAC 6-5-3)*

25 IAC 6-5-4 Index of filed documents
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 4. The commissioner shall compile and maintain an index of all reports and statements filed with the commissioner under this article to facilitate public access to these reports and statements. *(Indiana Department of Administration; 25 IAC 6-5-4)*

25 IAC 6-5-5 Annual report required
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 5. The commissioner shall prepare and publish annual summaries of statements and reports filed with the commissioner under this article. *(Indiana Department of Administration; 25 IAC 6-5-5)*

25 IAC 6-5-6 Annual audit requirements
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 6. The commissioner shall annually inspect and audit at least five percent (5%) of all registration statements and reports filed with the commissioner under this rule by requiring the registrant to produce verifying documents. The statements and reports inspected and audited shall be selected at random by a computer random number generator. Nothing in this rule shall be construed as prohibiting the commissioner from inspecting and auditing any statement or report if the commissioner has reason to believe that a violation of this article may have occurred. *(Indiana Department of Administration; 25 IAC 6-5-6)*

25 IAC 6-5-7 Notification of errors in filings; procedures for corrections
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 7. The commissioner shall notify by certified mail, return receipt requested, persons required to file statements and reports under this article of any violations or errors discovered during inspections or audits conducted under section 6 of this rule within thirty (30) days of the discovery of the errors or violations. The person required to file statements and reports under this article shall within thirty (30) days from receipt of notification file a corrected statement or report meeting all requirements set forth in this article. If no corrected statement or report is filed within thirty (30) days, or if violations remain following the filing of a corrected report or statement, the commissioner may impose a suspension of the privilege of executive agency lobbying until the registration statement or report is corrected or filed. *(Indiana Department of Administration; 25 IAC 6-5-7)*

25 IAC 6-5-8 Retention schedule
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 8. The commissioner shall preserve statements and reports filed with the commissioner under this article for a period of four (4) years from the date of receipt. *(Indiana Department of Administration; 25 IAC 6-5-8)*

Rule 6. Prohibitions

25 IAC 6-6-1 Prohibited compensation for public employees
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 1. Subject to 25 IAC 6-3-6(a), the receiving of compensation, other than the regular compensation of such elected or appointed officials, for executive agency lobbying is prohibited for any full-time public official or public employee in the state. *(Indiana Department of Administration; 25 IAC 6-6-1)*

25 IAC 6-6-2 Persons barred from executive agency lobbying
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22; IC 6-8.1-8-2

Sec. 2. The following persons may not be registered as an executive agency lobbyist and are prohibited from engaging in executive agency lobbying under this article:

(1) Any individual convicted of a felony for violating any law while the individual was an officer or employee of any executive agency or political subdivision.

(2) Any person convicted of a felony relating to executive agency lobbying.

(3) Any person convicted of a felony who:

(A) is in prison;

(B) is on probation; or

(C) has been in prison or on probation within the immediate past one (1) year.

(4) Any person:

(A) whose statement or report required to be filed under this article was found to be materially incorrect; and

(B) who has not filed a corrected statement or report within thirty (30) days after being requested to do so by the commissioner.

(5) Any person who is on the most recent tax warrant list

established and published by the department of state revenue until:

(A) the person provides a statement to the commissioner indicating that the person's delinquent tax liability has been satisfied; or

(B) the commissioner receives a notice from the commissioner of the department of state revenue under IC 6-8.1-8-2(k).

(Indiana Department of Administration; 25 IAC 6-6-2)

Rule 7. Enforcement

25 IAC 6-7-1 Enforcement by commissioner
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 1. The commissioner or his or her delegatee is responsible for investigating alleged or suspected violations and enforcing this article. *(Indiana Department of Administration; 25 IAC 6-7-1)*

25 IAC 6-7-2 Violation of executive agency lobbying rules
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 2. Any person who knowingly or intentionally violates any provision of 25 IAC 6-3, 25 IAC 6-4, or 25 IAC 6-6 has engaged in prohibited executive agency lobbying. *(Indiana Department of Administration; 25 IAC 6-7-2)*

25 IAC 6-7-3 Executive agency lobbying activity after suspension
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 3. Any person who engages in executive agency lobbying after being suspended from such activities by the commissioner engages in prohibited executive agency lobbying. *(Indiana Department of Administration; 25 IAC 6-7-3)*

25 IAC 6-7-4 Conspiracy to violate executive agency lobbying rules
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 4. An executive official who knowingly or intentionally conspires with an executive agency lobbyist in the violation of section 2 or 3 of this rule commits prohibited executive agency lobbying. *(Indiana Department of Administration; 25 IAC 6-7-4)*

25 IAC 6-7-5 Termination of registration; personnel action
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 4-21.5; IC 5-22

Sec. 5. If the commissioner after a hearing conducted under IC 4-21.5-3 finds that an individual has engaged in prohibited executive agency lobbying, the individual may terminate such individual's registration for a period up to two (2) years. If the individual is a state employee, the individual may be punished pursuant to policy established by the appropriate supervising official. *(Indiana Department of Administration; 25 IAC 6-7-5)*

Rule 8. Commissioner Investigations and Hearings

25 IAC 6-8-1 Conducting of investigation
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 1. The commissioner shall conduct an investigation under this rule of a complaint alleging a violation of this article. *(Indiana Department of Administration; 25 IAC 6-8-1)*

25 IAC 6-8-2 Written complaints; signature required
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 2. A complaint must be in writing and be signed by the individual making the complaint. *(Indiana Department of Administration; 25 IAC 6-8-2)*

25 IAC 6-8-3 Notification of person investigated
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 3. When a complaint is filed, the commissioner shall promptly send a copy of the complaint to the person alleged to have committed the violation of this article. *(Indiana Department of Administration; 25 IAC 6-8-3)*

25 IAC 6-8-4 Dismissal and notification
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 4. If the commissioner determines that the complaint does not allege facts sufficient to constitute a violation of this article, the commissioner shall do both of the following:

(1) Dismiss the complaint.

(2) Notify the complainant and the respondent of the commissioner's action.

(Indiana Department of Administration; 25 IAC 6-8-4)

25 IAC 6-8-5 Basis for investigation; dismissal after investigation; hearing time established
Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 4-21.5; IC 5-22

Sec. 5. (a) If the commissioner determines the complaint alleges facts sufficient to constitute a violation of this article, the commissioner shall promptly investigate the allegation.

(b) If after a preliminary investigation the commissioner finds that probable cause does not exist to support an allegation of a violation of this article, the commissioner

shall do the following:

(1) Dismiss the complaint.

(2) Notify the complainant and the respondent of the commissioner's action.

(c) If the commissioner finds that probable cause exists to support an allegation of a violation of this article, the commissioner shall hold a hearing on the matter not more than thirty (30) days after making the determination. IC 4-21.5 applies to a hearing held under this subsection. *(Indiana Department of Administration; 25 IAC 6-8-5)*

Rule 9. Severability

25 IAC 6-9-1 Severability

Authority: IC 4-13-1-7
Affected: IC 4-13.6; IC 5-22

Sec. 1. If any provision of this article as now or later amended or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions that can be given effect without the invalid provision or application. *(Indiana Department of Administration; 25 IAC 6-9-1)*

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on September 20, 2004 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room C, Indianapolis, Indiana the Indiana Department of Administration will hold a public hearing on a proposed new rule concerning executive agency lobbying. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W479 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Daniel B. Dovenbarger
Deputy Commissioner
Indiana Department of Administration

TITLE 50 DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Proposed Rule
LSA Document #04-174

DIGEST

Adds 50 IAC 20 to provide uniform procedures necessary to prescribe both a mileage and per diem allowance for attendance of initial training sessions and continuing education sessions under IC 6-1.1-35.2. Effective 30 days after filing with the secretary of state.

50 IAC 20

SECTION 1. 50 IAC 20 IS ADDED TO READ AS FOLLOWS:

ARTICLE 20. REMUNERATION FOR INITIAL TRAINING AND CONTINUING EDUCATION SESSIONS

Rule 1. Purpose

50 IAC 20-1-1 Scope

Authority: IC 6-1.1-35.2
Affected: IC 6-1.1-1-1.5; IC 6-1.1-35.2-2; IC 6-1.1-35.2-3

Sec. 1. The purpose of this article is to establish procedures for reimbursement of assessing officials as defined under IC 6-1.1-1-1.5 for attending an initial training session under IC 6-1.1-35.2-2 or a continuing education session under IC 6-1.1-35.2-3. *(Department of Local Government Finance; 50 IAC 20-1-1)*

Rule 2. Definitions

50 IAC 20-2-1 Applicability

Authority: IC 6-1.1-35.2
Affected: IC 6-1.1-1-1.5; IC 6-1.1-1-22; IC 6-1.1-35

Sec. 1. Unless otherwise indicated, the definitions in IC 6-1.1-1 and this rule apply throughout this article. *(Department of Local Government Finance; 50 IAC 20-2-1)*

50 IAC 20-2-2 "Lodging per diem" defined

Authority: IC 6-1.1-35.2-2
Affected: IC 6-1.1-1-1.5; IC 6-1.1-1-22; IC 6-1.1-35

Sec. 2. "Lodging per diem" means the expense incurred for overnight lodging. *(Department of Local Government Finance; 50 IAC 20-2-2)*

50 IAC 20-2-3 "Meal per diem" defined

Authority: IC 6-1.1-35.2-2
Affected: IC 6-1.1-1-1.5; IC 6-1.1-1-22; IC 6-1.1-35

Sec. 3. "Meal per diem" means the expenses incurred for subsistence. *(Department of Local Government Finance; 50 IAC 20-2-3)*

Rule 3. Per Diem Allowance

50 IAC 20-3-1 Mileage for attending the initial training sessions and the continuing education sessions

Authority: IC 6-1.1-35.2-2; IC 6-1.1-35.2-3
Affected: IC 6-1.1-35.2-2; IC 6-1.1-35.2-3

Sec. 1. All assessing officials shall be entitled to a mileage per diem for attending new official training and continuing education classes. The county fiscal body shall designate a

mileage per diem. If the county fiscal body fails to designate a mileage per diem, the assessing official is entitled to reimbursement as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the Indiana state budget agency. *(Department of Local Government Finance; 50 IAC 20-3-1)*

50 IAC 20-3-2 Meal per diem for attending the initial training sessions and the continuing education sessions

Authority: IC 6-1.1-35.2-2; IC 6-1.1-35.2-3
Affected: IC 6-1.1-35.2-2; IC 6-1.1-35.2-3

Sec. 2. All assessing officials shall be entitled to a meal per diem for attending new official training and continuing education sessions. The county fiscal body shall designate a meal per diem. If the county fiscal body fails to designate a meal per diem, the assessing official is entitled to reimbursement as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the Indiana state budget agency. *(Department of Local Government Finance; 50 IAC 20-3-2)*

50 IAC 20-3-3 Lodging per diem for attending the initial training sessions and the continuing education sessions

Authority: IC 6-1.1-35.2-2; IC 6-1.1-35.2-3
Affected: IC 6-1.1-35-3

Sec. 3. All assessing officials shall be entitled to a lodging per diem for attending new official training and continuing education sessions. The county fiscal body shall designate a lodging per diem. If the county fiscal body fails to designate a lodging per diem, the assessing official is entitled to reimbursement as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the Indiana state budget agency. *(Department of Local Government Finance; 50 IAC 20-3-3)*

Rule 4. Payment

50 IAC 20-4-1 Payment by county

Authority: IC 6-1.1-35.2-3
Affected: IC 5-11-14-1; IC 6-1.1-35.2-5

Sec. 1. A county making a payment to an assessing official under this section must make the payment regardless of an appropriation. The payment may be made from the county's cumulative reassessment fund or the county's general fund. *(Department of Local Government Finance; 50 IAC 20-4-1)*

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on August 27, 2004 at 11:00 a.m., at the Indiana Government Center-North, 100 North Senate Avenue, Room 1058, Department of Local Government Finance Conference Room, Indianapolis, Indiana the Department of Local Government Finance will hold a public hearing on proposed new rules to govern the mileage and per diem allowance to assessing officials. Parties interested in participating in the public hearing are encouraged to attend and submit written statements expressing their specific or general concerns, any suggested additions or revisions, and any documentation that may serve to support, clarify, or supplement their concerns, suggestions, or proposed revisions. The Department of Local Government Finance also encourages any interested party who has concerns, suggestions, or proposed revisions to contact Toma Shepherd, Department of Local Government Finance, at (317) 233-4361. Copies of these rules are now on file at the Indiana Government Center-North, 100 North Senate Avenue, Room 1058 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Toma Shepherd
Appeals Coordinator
Department of Local Government Finance

TITLE 312 NATURAL RESOURCES COMMISSION

Proposed Rule
LSA Document #04-67

DIGEST

Amends 312 IAC 2-4-12, which governs fishing tournaments at lakes administered by the department of natural resources, division of state parks and reservoirs, to reauthorize fishing tournaments, which had been suspended while repairs were underway for the dam that forms the lake, on Mississinewa Lake. Effective 30 days after filing with the secretary of state.

312 IAC 2-4-12

SECTION 1. 312 IAC 2-4-12 IS AMENDED TO READ AS FOLLOWS:

312 IAC 2-4-12 Limitations on fishing tournaments at lakes administered by the division of state parks and reservoirs

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 5-14-3; IC 14

Sec. 12. (a) This section governs fishing tournaments at lakes administered by the division of state parks and reservoirs.

(b) The number of watercraft that may participate in a fishing tournament must not, on any date, exceed the following:

	Monroe	Salamonie	Mississinewa	Huntington	Brookville	Hardy	Patoka	Lieber	Raccoon
March	100	75	~~0~~ **75**	18	100	30	178	50	100
April	175	75	~~0~~ **75**	18	100	30	178	50	60
May	175	75	~~0~~ **64**	30	100	20	178	28	50
June	175	30	~~0~~ **30**	30	75	20	125	28	50
July	175	30	~~0~~ **30**	30	75	20	125	28	50
August	175	30	~~0~~ **30**	30	75	20	125	28	50
September	175	75	~~0~~ **75**	30	100	20	178	28	60
October	175	75	~~0~~ **75**	18	100	30	178	50	100
November	100	0	0	0	100	30	178	0	0

(c) A watercraft used to administer a tournament is excluded in determining the number of participating watercraft.

(d) The director may authorize a license for a fishing tournament under this section where the participants are not provided advance notice of the location. The name of the lake may be omitted from the license application, but the department must be provided with the name of the lake at least ten (10) days before the tournament. A license issued under this subsection does not authorize a fishing tournament that conflicts with another license issued under this section. Subject to IC 5-14-3, the department will not publish the location of a fishing tournament issued under this subsection.

(e) Notwithstanding section 7(a) of this rule, the department's division of state parks and reservoirs ~~will~~ **shall** conduct an organizational meeting between October 1 and December 15 to establish dates for the following two (2) years on which fishing tournaments or other organized activities can be conducted.

(f) Notwithstanding subsection (b), no more than one hundred (100) watercraft may participate in a fishing tournament on Monroe Lake on any date after October 15.

(g) At least thirty (30) days before the scheduled event, a license holder ~~shall~~ **must** file a certificate of insurance or an insurance binder with the department. The certificate of insurance or insurance binder shall name the license holder and the department as ~~insureds~~ **beneficiaries** and shall demonstrate the license holder has obtained an irrevocable general liability insurance policy with a limitation for each of the following of not less than:

(1) One hundred thousand dollars ($100,000) for all damages to property for a single occurrence.

(2) One hundred thousand dollars ($100,000) for injury or death of one (1) person in a single occurrence.

(3) Three hundred thousand dollars ($300,000) for injury to or death of multiple persons in a single occurrence.

(h) At least fourteen (14) days before the scheduled event, a license holder must deliver each of the following to the department:

(1) A cash bond or other security approved by the department in the amount of one hundred fifty dollars ($150) to compensate the department for expenses incurred to:

(A) restore the mooring, judge's, or spectators' area; and

(B) reimburse the department for the costs of supervision, maintenance, and labor.

(2) A user fee equal to the number of individual contestants in a fishing tournament or other organized activity at a rate of one dollar ($1) per contestant or participant.

(i) The director may require insurance in addition to what is set forth in subsection (a) if the director determines a fishing tournament poses an unusual risk of liability to the department.

(j) A license holder shall indemnify, defend, exculpate, and hold harmless the department and its officials, employees, and agents from liability due to loss, damage, injury, or other casualty to the person or property of anyone arising directly or indirectly from the activity. *(Natural Resources Commission; 312 IAC 2-4-12; filed Aug 3, 2001, 10:54 a.m.: 24 IR 3932, eff Jan 1, 2002; readopted filed Oct 2, 2002, 9:10 a.m.: 26 IR 546; filed May 27, 2003, 12:35 p.m.: 26 IR 3320, eff Oct 1, 2003)*

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on August 23, 2004 at 9:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Room W272, Indianapolis, Indiana the Natural Resources Commission will hold a public hearing on a proposed amendment concerning fishing tournaments on Mississinewa Lake. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W272 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Michael Kiley
Chairman
Natural Resources Commission

TITLE 326 AIR POLLUTION CONTROL BOARD

Proposed Rule
LSA Document #04-148

DIGEST

Amends 326 IAC 1-4-1 concerning attainment status designations for the 8-hour ozone national ambient air quality standard. Effective 30 days after filing with the secretary of state.

HISTORY

IC 13-14-9-8 Notice and Notice of First Hearing: June 1, 2004, Indiana Register (27 IR 2883).

Date of First Hearing: July 7, 2004.

PUBLIC COMMENTS UNDER IC 13-14-9-4.5

IC 13-14-9-4.5 states that a board may not adopt a rule under IC 13-14-9 that is substantively different from the draft rule published under IC 13-14-9-4, until the board has conducted a third comment period that is at least twenty-one (21) days long. Because this proposed rule is not substantively different from the draft rule published on June 1, 2004, at 27 IR 2883, the Indiana Department of Environmental Management (IDEM) is not requesting additional comment on this proposed rule.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On July 7, 2004, the air pollution control board (board) conducted the first public hearing/board meeting concerning amendments to 326 IAC 1-4-1. No comments were made at the first hearing.

326 IAC 1-4-1

SECTION 1. 326 IAC 1-4-1, AS AMENDED AT 27 IR 1167, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

326 IAC 1-4-1 Designations

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 1. **(a)** The air pollution control board incorporates by reference **the following documents concerning attainment status designations:**

(1) 40 CFR 81.315*.

(2) 66 FR 53665 (October 23, 2001)*. ~~and~~

(3) 68 FR 1370 (January 10, 2003)*.

(4) 69 FR 23858 (April 30, 2004)*.

~~concerning attainment status designations.~~

(b) For purposes of permits that are subject to 326 IAC 2-3 due to the designations in subsection (a)(4), notwithstanding 326 IAC 2-3-2(a) and 326 IAC 2-3-2(e), the requirements of 326 IAC 2-3 apply to any permit that:

(1) would otherwise be subject to 326 IAC 2-3; and

(2) is issued on or after the effective date of the incorporation of 69 FR 23858.

*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. *(Air Pollution Control Board; 326 IAC 1-4-1; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2379; filed Aug 9, 1991, 11:00 a.m.: 14 IR 2218; filed Dec 30, 1992, 9:00 a.m.: 16 IR 1382; filed Apr 18, 1995, 3:00 p.m.: 18 IR 2220; filed Oct 22, 1997, 8:45 a.m.: 21 IR 932; filed Apr 17, 1998, 9:00 a.m.: 21 IR 3342; filed Apr 29, 1998, 3:15 p.m.: 21 IR 3341; filed May 21, 2002, 10:20 a.m.: 25 IR 3056; filed Nov 15, 2002, 11:17 a.m.: 26 IR 1077; filed Dec 1, 2003, 10:00 a.m.: 27 IR 1167)*

Notice of Public Hearing

Under IC 4-22-2-24, IC 13-14-8-6, and IC 13-14-9, notice is hereby given that on September 1, 2004 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on amendments to 326 IAC 1-4-1.

The purpose of this hearing is to receive comments from the public prior to final adoption of these rules by the board. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed amendments. Oral statements will be heard, but, for the accuracy of the record, all comments should be submitted in writing.

Additional information regarding this action may be obtained from Christine Pedersen, Rules Development Section, Office of Air Quality, (317) 233-6868 or (800) 451-6027 (in Indiana).

Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

Attn: ADA Coordinator
Indiana Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

or call (317) 233-0855), (TDD): (317) 233-6565. Speech and hearing impaired callers may contact IDEM via the Indiana Relay Service at 1-800-743-3333. Please provide a minimum of 72 hours' notification.

Copies of these rules are now on file at the Office of Air Quality, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Janet G. McCabe
Assistant Commissioner
Office of Air Quality

TITLE 327 WATER POLLUTION CONTROL BOARD

Proposed Rule
LSA Document #03-129

DIGEST

Amends 327 IAC 1-1, 327 IAC 2-1, 327 IAC 2-1.5, 327 IAC

2-4, 327 IAC 5-1.5, and 327 IAC 5-2 concerning water quality standards, methods, and implementation procedures. Effective 30 days after filing with the secretary of state.

HISTORY

First Notice of Comment Period: #03-129(WPCB), June 1, 2003, Indiana Register (26 IR 3166).

Second Notice of Comment Period and Notice of First Hearing: #03-129(WPCB), January 1, 2004, Indiana Register (27 IR 1314).

Date of First Hearing: June 9, 2004.

PUBLIC COMMENTS UNDER IC 13-14-9-4.5

IC 13-14-9-4.5 states that a board may not adopt a rule under IC 13-14-9 that is substantively different from the draft rule published under IC 13-14-9-4 until the board has conducted a third comment period that is at least twenty-one (21) days long.

REQUEST FOR PUBLIC COMMENTS

Although the proposed rule (preliminarily adopted rule) is not substantively different from the draft rule published on January 1, 2004, at 27 IR 1314, IDEM is requesting additional comment on the proposed rule.

This notice requests the submission of comments on the entire proposed rule, including suggestions for specific amendments. These comments and the department's responses thereto will be presented to the board for its consideration at final adoption under IC 13-14-9-6. Mailed comments should be addressed to:

LSA Document #03-129 [Fast Track]
MaryAnn Stevens
Rules Section
Office of Water Quality
Indiana Department of Environmental Management
P.O. Box 6015
Indianapolis, Indiana 46206-6015.

Hand delivered comments will be accepted by the IDEM receptionist on duty at the twelfth floor reception desk, Office of Water Quality, Indiana Government Center-North, Room 1255, 100 North Senate Avenue, Indianapolis, Indiana. Comments may be delivered by facsimile to (317) 232-8406. Please confirm the timely receipt of faxed comments by calling the Office of Water Quality Rules Section at (317) 233-8903. Please note it is not necessary to follow a faxed comment letter with another sent through the postal system.

COMMENT PERIOD DEADLINE

Comments must be postmarked, hand delivered, or faxed by August 21, 2004.

SUMMARY/RESPONSE TO COMMENTS FROM THE SECOND COMMENT PERIOD

IDEM requested public comment from January 1, 2004, through January 30, 2004, on IDEM's draft rule language. IDEM received one (1) comment letter from the following party by the comment period deadline:

Indiana Water Quality Coalition and the Indiana Manufacturers Association, represented by Barnes and Thornburg (IWQC-IMA)

Following is a summary of the comments received and IDEM's responses thereto:

Comment: The draft rule has moved the point of application of the two hundred fifty (250) mg/l criterion for sulfates in the non-Great Lakes system to the point of drinking water intakes, which is the proper point of application based on proper science to protect designated uses. This approach also is consistent with the existing Great Lakes system water quality standards application of the sulfate standard. However, the draft rule has established an interim sulfate criterion of one thousand (1,000) mg/l that would apply to all waters in the non-Great Lakes system outside of the applicable mixing zone. IDEM has provided no justification to support establishment of a generally applicable sulfate criterion and is without sufficient information at this time to establish the one thousand (1,000) mg/l criterion as an appropriate, scientifically-based criterion. There is no evidence that protection of designated uses requires application of a sulfate standard beyond the point of drinking water intake. The human health calculations in the water quality standards do not support establishment of a one thousand (1,000) mg/l criterion to protect human health outside a mixing zone for recreational uses. Laboratory-based aquatic life studies support a sulfate criterion between one thousand five hundred (1,500) mg/l and two thousand (2,000) mg/l for protection of aquatic life outside a mixing zone, according to Mr. Robert Moser at the Illinois EPA. Mr. Moser has also indicated that field-based biological studies may indicate that a higher sulfate standard around three thousand (3,000) mg/l may be fully protective of aquatic life. It is ill-advised to institute an interim criterion that once effective in the state's water quality standards will have to be used in NPDES permit issuance and the 303(d) listing and TMDL processes. If the interim criterion is later found to be inappropriate and revised to be less restrictive, dischargers with permit limits based on the interim standard may be unable to obtain limits based on the revised criterion because of antibacksliding and antidegradation. It would also be a waste of valuable resources to undertake efforts to bring a waterbody into attainment with a criterion that is not appropriately based on protection of a designated use. For these reasons, the fast track rulemaking should not address creating a sulfate standard outside the mixing zone, but, if IDEM insists on adopting an interim criterion, it should be two thousand (2,000) mg/l based on information from the Illinois EPA. Furthermore, if IDEM moves forward with an interim sulfate criterion, revisions to the mixing zone provisions applicable to the criterion, such as those adopted by Illinois EPA to allow establishment of wet weather mixing zones, should also be considered. (IWQC-IMA)

Response: IDEM has proposed an interim sulfate surface water criterion of 1,000 mg/l to be applied to all waters outside of the mixing zone. IDEM agrees that this interim number will be replaced by new surface water criteria and that Illinois EPA has been paying a contractor to conduct aquatic toxicity tests on sulfate. Since sulfate can be toxic to aquatic life, sulfate can cause impairment to the state's surface water aquatic life designated uses. IDEM recognizes that personnel in other states have been speculating on what the sulfate aquatic life criteria would be following ongoing testing. Preliminary results appear to indicate that sulfate toxicity is hardness based although more testing will be taking place in the next few months to determine what the actual criteria will be. IDEM is committed to reviewing the new toxicity data as it is released and to replace the interim sulfate criterion when data have been collected that allow new criteria to be developed.

Comment: The draft rule leaves the non-Great Lakes system fluoride criterion as a generally applicable standard outside the applicable mixing zone. Allowing a fluoride mixing zone is appropriate, but the standard should only apply at points of water withdrawal for drinking water purposes. If IDEM is uncomfortable with the absence of an aquatic life criterion for fluoride, then the Great Lakes Initiative Tier II criteria could be used as the basis for interim values. (IWQC-IMA)

Response: IDEM recognizes that many of the surface water criteria currently in Indiana's water rules need to be reviewed and updated. IDEM will be starting a new rulemaking that will evaluate and, if necessary, revise all of the state's water quality criteria and methodologies that are used to derive new criteria.

Comment: IDEM and the fast track rulemaking workgroup should explore adoption of a performance-based procedure that can be approved by EPA for establishing site-specific modifications of water quality criteria for waters outside the Great Lakes system. Each site-specific modification established in accordance with such a performance-based procedure would not require individual review and approval by EPA. Development of a performance-based procedure should also address implementation procedures for determining whether species "occur at the site." (IWQC-IMA)

Response: IDEM has been working with EPA to develop rules that will allow the development of site-specific criteria using the Recalculation Procedure. These rules are being developed so that they follow EPA's 'performance-based' approach and will thus not require IDEM to adopt each criterion into the rules before they can be used in NPDES permits.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On June 9, 2004, the water pollution control board conducted the first public hearing/board meeting concerning the development of the fast track rulemaking regarding water quality standards, methods, and implementation procedures in 327 IAC 1-1, 327 IAC 2-1, 327 IAC 2-1.5, 327 IAC 2-4, 327 IAC 5-1.5, and 327 IAC 5-2. Comments were made by the following party:

Glen Pratt, citizen (GP)

Following is a summary of the comments received and IDEM's responses thereto:

Comment: Establishing the point of application of a water quality standard at the drinking water intake of a public water supply sets a bad precedence. (GP)

Response: Applying drinking water human health criteria to the point of water intake is consistent with the way IDEM has been applying this type of criteria since 1990. These criteria are applied to the public water intakes in order to assure that drinking water systems do not have to remove excessive quantities of pollutants before the water is suitable for human consumption.

327 IAC 1-1-1
327 IAC 1-1-2
327 IAC 1-1-3
327 IAC 2-1-5
327 IAC 2-1-6
327 IAC 2-1-8
327 IAC 2-1-8.1
327 IAC 2-1-8.2
327 IAC 2-1-8.3
327 IAC 2-1-8.9
327 IAC 2-1-9
327 IAC 2-1-12
327 IAC 2-1-13
327 IAC 2-1.5-2
327 IAC 2-1.5-6
327 IAC 2-1.5-8
327 IAC 2-1.5-10
327 IAC 2-1.5-11
327 IAC 2-1.5-16
327 IAC 2-1.5-20
327 IAC 2-4-3
327 IAC 5-1.5-72
327 IAC 5-2-1.5
327 IAC 5-2-11.1
327 IAC 5-2-11.2
327 IAC 5-2-11.4
327 IAC 5-2-11.5
327 IAC 5-2-11.6
327 IAC 5-2-13
327 IAC 5-2-15

SECTION 1. 327 IAC 1-1-1 IS AMENDED TO READ AS FOLLOWS:

327 IAC 1-1-1 References to Federal Act

Authority: IC 13-14-9; IC 13-18-3-2
Affected: IC 13-14-8

Sec. 1. Unless otherwise indicated, references in ~~these rules (327 IAC)~~ **this title** to the Federal Water Pollution Control Act or to the Clean Water Act (CWA) shall mean the Federal Water Pollution Control Act ~~as defined~~ in ~~IC 13-7-1-10.~~ **effect July 1, 2004.** *(Water Pollution Control Board; 327 IAC 1-1-1; filed Sep 24, 1987, 3:00 p.m.: 11 IR 579; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518)*

SECTION 2. 327 IAC 1-1-2 IS AMENDED TO READ AS FOLLOWS:

327 IAC 1-1-2 References to the Code of Federal Regulations

Authority: IC 13-14-9; IC 13-18-3-2
Affected: IC 13-14-8

Sec. 2. Unless otherwise indicated, any reference to a provision of the Code of Federal Regulations (CFR) shall mean the July 1, ~~1986~~ **2004,** revision. *(Water Pollution Control Board; 327 IAC 1-1-2; filed Sep 24, 1987, 3:00 p.m.: 11 IR 579; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518)*

SECTION 3. 327 IAC 1-1-3 IS AMENDED TO READ AS FOLLOWS:

327 IAC 1-1-3 Severability

Authority: IC 13-14-9; IC 13-18-3-2
Affected: IC 13-14-8

Sec. 3. If any provision of ~~these rules (327 IAC)~~ **this title** or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect any other provisions or applications of ~~these rules (327 IAC) which~~ **this title that** can be given effect without the invalid provision or application. *(Water Pollution Control Board; 327 IAC 1-1-3; filed Sep 24, 1987, 3:00 p.m.: 11 IR 579; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518)*

SECTION 4. 327 IAC 2-1-5 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1-5 Exception to quality standards applicability

Authority: IC 13-14-9; IC 13-18-3-2
Affected: IC 13-14-8

Sec. 5. All surface water quality standards in section 6 of this rule, except those provided in section 6(a)(1) of this rule, will cease to be applicable when the stream flows are less than the average minimum seven (7) consecutive day low flow ~~which~~ **that** occurs once in ten (10) years. This determination will be made using Low-Flow Characteristics of Indiana Streams, ~~1983,~~ **1996,** United States Department of the Interior, Geological Survey, or any additional information compiled on a comparable basis. *(Water Pollution Control Board; 327 IAC 2-1-5; filed Sep 24, 1987, 3:00 p.m.: 11 IR 581; filed Feb 1, 1990, 4:30 p.m.: 13 IR 1020)*

SECTION 5. 327 IAC 2-1-6 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1-6 Minimum surface water quality standards

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18-4; IC 13-30-2-1; IC 14-22-9

Sec. 6. (a) The following are minimum **surface** water quality conditions:

(1) All **surface** waters at all times and at all places, including **waters within** the mixing zone, shall meet the minimum conditions of being free from substances, materials, floating debris, oil, or scum attributable to municipal, industrial, agricultural, and other land use practices, or other discharges **that do any of the following:**

(A) ~~that~~ Will settle to form putrescent or otherwise objectionable deposits.

(B) ~~that~~ Are in amounts sufficient to be unsightly or deleterious.

(C) ~~that~~ Produce color, visible oil sheen, odor, or other conditions in such degree as to create a nuisance.

(D) Are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.

~~(D) which~~ **(E)** Are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill, aquatic life, other animals, plants, or humans:

(i) to assure protection of aquatic life, concentrations of toxic substances shall not exceed the final acute value (FAV = 2 (AAC)) in the undiluted discharge or the acute aquatic criterion (AAC) outside the zone of initial dilution or, if applicable, the zone of discharge-induced mixing:

(AA) for certain substances, ~~the~~ **an** AAC ~~are~~ **is** established and set forth in **subdivision (3),** Table ~~1~~ **6-1 and subdivision (3), Table 6-2** (which table incorporates **subdivision (4),** Table ~~2);~~ ~~and~~ **6-3);**

(BB) for substances for which an AAC is not specified in **subdivision (3),** Table ~~1,~~ ~~or if a different AAC can be scientifically justified based on new toxicological data or site-specific conditions concerning water quality characteristics or species present,~~ **6-1 or subdivision (3), Table 6-2,** an AAC can be calculated by the commissioner using the procedures in section 8.2 of this rule; and

(CC) the AAC determined under subitem (AA) or (BB) may be modified on a site-specific basis to reflect local conditions in accordance with section 8.9 of this rule; and

(ii) this clause shall not apply to the chemical control of plants and animals when that control is performed in compliance with approval conditions specified by the Indiana department of natural resources as provided by ~~IC 14-2-1;~~ ~~and~~ **IC 14-22-9.**

~~(E) which are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.~~

(2) At all times, all **surface** waters outside of mixing zones shall be free of substances in concentrations ~~which~~ **that** on the basis of available scientific data are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants. To assure protection against the adverse effects identified in this subdivision, the following requirements are established:

(A) A toxic substance or pollutant shall not be present in such waters in concentrations ~~which~~ **that** exceed the most stringent of the following continuous criterion concentrations (CCCs):

(i) A chronic aquatic criterion (CAC) to protect aquatic life from chronic toxic effects.

(ii) A terrestrial life cycle safe concentration (TLSC) to protect terrestrial organisms from toxic effects ~~which~~ **that** may result from the consumption of aquatic organisms ~~and/or~~ **or** water from the waterbody.

(iii) A human life cycle safe concentration (HLSC) to protect human health from toxic effects ~~which~~ **that** may result from the consumption of aquatic organisms ~~and/or~~ **or** drinking water from the waterbody.

(iv) For carcinogenic substances, a criterion to protect human health from unacceptable cancer risk of greater than one (1) additional occurrence of cancer per one hundred thousand (100,000) population.

(B) For certain substances, one (1) or more of the CCCs identified in clause (A) are established and set forth in **subdivision (3),** Table ~~1~~ **6-1 and subdivision (3), Table 6-2** (which table incorporates **subdivision (4),** Table ~~2). If~~ **6-3).**

(C) For substances for which one (1) or more of the CCCs **identified in clause (A)** are ~~absent from~~ **not specified in subdivision (3),** Table ~~1 or if a different criterion or criteria can be scientifically justified based on new toxicological data or site-specific conditions of water quality or resident species,~~ **6-1 or subdivision (3), Table 6-2,** such criterion or criteria may be calculated by the commissioner using the corresponding procedures prescribed by sections 8.3 through 8.6 of this rule.

(D) A CCC determined under clause (B) or (C) may be modified on a site-specific basis to reflect local conditions in accordance with section 8.9 of this rule.

~~(C)~~ **(E)** The CAC and TLSC for a substance apply in all **surface** waters outside a mixing zone for a discharge of that substance. Similarly, in waters where a public ~~drinking~~ water **system** intake is not present or is unaffected by the discharge of a substance, the HLSC and the carcinogenic criterion for that substance based on consumption of organisms from the waterbody and only incidental inges-

tion of water shall apply to all **surface** waters outside the mixing zone for a discharge of that substance. In **surface** waters where a public ~~drinking~~ water **system** intake is present, the HLSC and the carcinogenic criterion for a substance based on consumption of organisms and potable water from the waterbody shall apply at the point of the public ~~drinking~~ water **system** intake.

~~(D) All CCCs shall be met at the point at which they apply (outside of the mixing zone or point of drinking water intake).~~

(3) The ~~toxicity criteria set forth for metals in Table 1 are expressed in terms of the acid-soluble fraction of the metals (unless specified otherwise) in order to be consistent with the ambient~~ **following establishes surface** water quality criteria ~~published by the U.S. Environmental Protection Agency (EPA)~~ for ~~these metals. In the absence of an analytical chemistry method approved by EPA for determination of the acid-soluble fraction of a metal, the criteria in Table 1 shall be enforced as total recoverable metals, except as otherwise provided in 327 IAC 5-2-11.1, until an acid-soluble analytical method is approved by EPA, and by the board through rulemaking.~~ **specific substances:**

Table ~~1~~ **6-1**

Surface Water Quality Criteria for Specific Substances

Substances	AAC (Maximum)	CCC ~~(4-Day Average)~~ Outside of Mixing Zone Aquatic Life (CAC) **(4-Day Average)**	CCC ~~(4-Day Average)~~ Outside of Mixing Zone Human Health **(30-Day Average)**	CCC ~~(4-Day Average)~~ Point of Water Intake Human Health **(30-Day Average)**
Metals (µg/l)				
~~(Acid soluble, except as indicated)~~				
(Total recoverable)				
Antimony			45,000 (T)	146 (T)
Arsenic (III)@	~~360~~ #	~~190~~ #	0.175 (C)	0.022 (C)
Barium				1,000 (D)
Beryllium			1.17 (C)	0.068 (C)
Cadmium #@	$e^{(1.128\ [\ln Hard]-3.828)}$ #	$e^{(0.7852\ [\ln Hard]-3.490)}$ #		10 (D)
Chromium (III) #@	$e^{(0.819\ [\ln Hard]+3.688)}$ #	$e^{(0.8190\ [\ln Hard]+1.561)}$ #	3,433,000 (T)	170,000 (T)
Chromium (VI)@	~~(dissolved)~~ ~~16~~ #	~~11~~ #		50 (D)
Copper #	$e^{(0.9422\ [\ln Hard]-1.464)}$ #	$e^{(0.8545\ [\ln Hard]-1.465)}$ #		
Lead #	$e^{(1.273\ [\ln Hard]-1.460)}$ #	$e^{(1.273\ [\ln Hard]-4.705)}$ #		50 (D)
Mercury @$	2.4	0.012	0.15 (T)	0.14 (T)
Nickel #	$e^{(0.8460\ [\ln Hard]+3.3612)}$ #	$e^{(0.8460\ [\ln Hard]+1.1645)}$ #	100 (T)	13.4 (T)
Selenium	130* ~~&~~	35		10 (D)
Silver #	$e^{(1.72\ [\ln Hard]-6.52)}$/~~2~~** #			50 (D)
Thallium			48 (T)	13 (T)
Zinc #	$e^{(0.8473\ [\ln Hard]+0.8604)}$ #	$e^{(0.8473\ [\ln Hard]+0.7614)}$ #		
Organics (µg/l)				
Acrolein			780 (T)	320 (T)
Acrylonitrile			6.5 (C)	0.58 (C)
Aldrin @$	1.5~~***~~		0.00079 (C)	0.00074 (C)
Benzene @			400 (C)	6.6 (C)
Benzidine			0.0053 (C)	0.0012 (C)
Carbon Tetrachloride			69.4 (C)	4.0 (C)
Chlordane @$	1.2~~***~~	0.0043	0.0048 (C)	0.0046 (C)
Chlorinated Benzenes				
Monochlorobenzene @				488 (T)
1,2,4,5-Tetrachlorobenzene **$**			48 (T)	38 (T)
Pentachlorobenzene $			85 (T)	74 (T)
Hexachlorbenzene @~~$~~			0.0074 (C)	0.0072 (C)
Chlorinated Ethanes				

1,2-dichloroethane			2,430 (C)	9.4 (C)
1,1,1-trichloroethane ☎			1,030,000 (T)	18,400 (T)
1,1,2-trichloroethane ☎			418 (C)	6.0 (C)
1,1,2,2-tetrachloroethane☎			107 (C)	1.7 (C)
Hexachloroethane ☎$			87.4 (C)	19 (C)
Chlorinated Phenols				
2,4,5-trichlorophenol				2,600 (T)
2,4,6-trichlorophenol ☎			36 (C)	12 (C)
Chloroalkyl Ethers				
bis(2-chloroisopropyl) ether			4,360 (T)	34.7 (T)
bis(chloromethyl) ether			0.018 (C)	0.000038 (C)
bis(2-chloroethyl) ether			13.6 (C)	0.3 (C)
Chloroform			157 (C)	1.9 (C)
Chlorpyrifos $	0.083	0.041		
DDT ☎$	0.55***	0.0010	0.00024 (C)	0.00024 (C)
Dichlorobenzenes ☎			2,600 (T)	400 (T)
Dichlorobenzidine ☎			0.2 (C)	0.1 (C)
1,1-dichloroethylene			18.5 (C)	0.33 (C)
2,4-dichlorophenol ☎				3,090 (T)
Dichloropropenes			14,100 (T)	87 (T)
Dieldrin ☎$	1.3***	0.0019	0.00076 (C)	0.00071 (C)
2,4-dinitrotoluene ☎			91 (C)	1.1 (C)
Dioxin (2,3,7,8-TCDD) ☎$			0.0000001 (C)	0.0000001 (C)
1,2-diphenylhydrazine ☎			5.6 (C)	0.422 (C)
Endosulfan ☎	0.11***	0.056	159 (T)	74 (T)
Endrin ☎$	0.09***	0.0023		1.0 (D)
Ethylbenzene ☎			3,280 (T)	1,400 (T)
Fluoranthene ☎$			54 (T)	42 (T)
Halomethanes			157 (C)	1.9 (C)
Heptachlor ☎$	0.26***	0.0038	0.0028 (C)	0.0028 (C)
Hexachlorobutadiene ☎$			500 (C)	4.47 (C)
Hexachlorocyclohexane (HCH)				
alpha HCH ☎$			0.31 (C)	0.09 (C)
beta HCH ☎$			0.55 (C)	0.16 (C)
gamma HCH (Lindane) ☎$	1.0***	0.080	0.63 (C)	0.19 (C)
Technical HCH ☎$			0.41 (C)	0.12 (C)
Hexachlorocyclopentadiene ☎				206 (T)
Isophorone			520,000 (T)	5,200 (T)
Nitrobenzene				19,800 (T)
Nitrophenols				
4,6-dinitro-o-cresol			765 (T)	13.4 (T)
Dinitrophenol			14,300 (T)	70 (T)
Nitrosamines				
N-nitrosodiethylamine			12.4 (C)	0.008 (C)
N-nitrosodimethylamine			160 (C)	0.014 (C)
N-nitrosodibutylamine			5.9 (C)	0.064 (C)
N-nitrosodiphenylamine ☎			161 (C)	49 (C)
N-nitrosopyrrolidine			919 (C)	0.16 (C)
Parathion ☎	0.065	0.013		

Pentachlorophenol @	$e^{(1.005\ [pH]-4.830)}$	$e^{(1.005\ [pH]-5.290)}$		1,000 (T)
Phenol $				3,500 (T)
Phthalate Esters				
Dimethyl phthalate			2,900,000 (T)	313,000 (T)
Diethyl phthalate			1,800,000 (T)	350,000 (T)
Dibutyl phthalate @$			154,000 (T)	34,000 (T)
Di-2-ethylhexyl phthalate $			50,000 (T)	15,000 (T)
Polychlorinated Biphenyls (PCBs) @$		0.014	0.00079 (C)	0.00079 (C)
Carcinogenic Polynuclear Aromatic Hydrocarbons (PAHs) @$			0.31 (C)	0.028 (C)
Tetrachloroethylene @			88.5 (C)	8 (C)
Toluene @			424,000 (T)	14,300 (T)
Toxaphene @$	0.73	0.0002	0.0073 (C)	0.0071 (C)
Trichloroethylene @			807 (C)	27 (C)
Vinyl Chloride			5,246 (C)	20 (C)
Other Substances				
Asbestos (fibers/liter)				300,000 (C)
Chlorides (mg/l)	860	230		
Chlorine (Total Residual) (µg/l)	19	11		
Chlorine[a] (mg/l) (intermittent, total residual)		0.2		
Cyanide (Free) (µg/l)	**22**	**5.2**		
Cyanide (Total) (µg/l)	~~22~~	~~5.2~~		200 (D)
Nitrate-N + Nitrite-N (mg/l)				10 (D)
Nitrite-N (mg/l)				1.0 (D)

~~Dissolved solids shall not exceed 750 mg/l in all waters.~~

Fluoride shall not exceed **two** (2.0) mg/l in all **surface** waters **outside of the mixing zone** except the Ohio River and Interstate Wabash River where it shall not exceed **one** (1.0) mg/l **outside of the mixing zone.**

Sulfates shall not exceed ~~250~~ **one thousand (1,000)** mg/l in all **surface** waters **outside of the mixing zone.**

~~#See Table 2 for calculated~~ **#The** AAC and CAC ~~values at various hardness levels. The criteria from Table 2 may be utilized in the alternative to criteria from Table 1 to determine protective concentrations for the seven (7) metallic substances for acute and chronic toxicity based on the characteristic hardness for a particular waterbody. For hardness values other than those specifically listed in Table 2, the standard proportional interpolation technique should be used to obtain the corresponding criteria values.~~ **for this substance are established in Table 6-2.**

~~*Natural logarithm of hardness in milligrams per liter $CaCO_3$.~~

~~**~~ ***One-half (½) of the final acute value (FAV) as calculated by procedures developed by U.S. EPA in 1980. This value would correspond to acute aquatic values calculated using IDEM procedures or U.S. EPA procedures developed in 1985 in which the calculated FAV is divided by two (2) to reduce acute toxicity.

T derived from threshold toxicity.

C derived from nonthreshold cancer risk.

D derived from drinking water standards, equal to or less than threshold toxicity.

~~@This substance, which has a log octanol-water partition coefficient greater than or equal to two (2.0), is considered to be bioconcentrating and of concern.~~

$This substance is ~~considered to be~~ a bioaccumulative chemical of concern.

[a]To be considered an intermittent discharge, total residual chlorine shall not be detected in the discharge for a period of more than forty (40) minutes in duration, and such periods shall be separated by at least five (5) hours.

Table 6-2
Surface Water Quality Criteria for Specific Substances

Substances	AAC (Maximum) (µg/l)	AAC Conversion Factors	CAC (4-Day Average) (µg/l)	CAC Conversion Factors
Metals (dissolved)[1]				
Arsenic (III)	**WER[2](360)**	**1.000**	**WER[2](190)**	**1.000**
Cadmium	**WER[2]($e^{(1.128\ [\ln(\text{hardness})]-3.828)}$)**	**1.136672-[(ln hardness)(0.041838)]**	**WER[2]($e^{(0.7852\ [\ln(\text{hardness})]-3.490)}$)**	**1.101672-[(ln hardness)(0.041838)]**
Chromium (III)	**WER[2]($e^{(0.819\ [\ln(\text{hardness})]+3.688)}$)**	**0.316**	**WER[2]($e^{(0.8190\ [\ln(\text{hardness})]+1.561)}$)**	**0.860**
Chromium (VI)	**WER[2](16)**	**0.982**	**WER[2](11)**	**0.962**
Copper	**WER[2]($e^{(0.9422\ [\ln(\text{hardness})]-1.464)}$)**	**0.960**	**WER[2]($e^{(0.8545\ [\ln(\text{hardness})]-1.465)}$)**	**0.960**
Lead	**WER[2]($e^{(1.273\ [\ln(\text{hardness})]-1.460)}$)**	**1.46203-[(ln hardness)(0.145712)]**	**WER[2]($e^{(1.273\ [\ln(\text{hardness})]-4.705)}$)**	**1.46203-[(ln hardness)(0.145712)]**
Nickel	**WER[2]($e^{(0.8460\ [\ln(\text{hardness})]+3.3612)}$)**	**0.998**	**WER[2]($e^{(0.8460\ [\ln(\text{hardness})]+1.1645)}$)**	**0.997**
Silver	**WER[2]($e^{(1.72\ [\ln(\text{hardness})]-6.52)}/2$[3])**	**0.85**		
Zinc	**WER[2]($e^{(0.8473\ [\ln(\text{hardness})]+0.8604)}$)**	**0.978**	**WER[2]($e^{(0.8473\ [\ln(\text{hardness})]+0.7614)}$)**	**0.986**

[1] The AAC and CAC columns of this table contain total recoverable metals criteria (numeric and hardness-based). The criterion for the dissolved metal is calculated by multiplying the appropriate conversion factor by the AAC or CAC. This dissolved AAC or CAC shall be rounded to two (2) significant digits, except when the criteria are used as intermediate values in a calculation, such as in the calculation of water quality-based effluent limitations (WQBELs).

[2] A value of one (1) shall be used for the water-effect ratio (WER) unless an alternate value is established under section 8.9 of this rule.

[3] One-half (½) of the final acute value (FAV) as calculated by procedures developed by U.S. EPA in 1980. This value would correspond to acute aquatic values calculated using IDEM procedures or U.S. EPA procedures developed in 1985 in which the calculated FAV is divided by two (2) to reduce acute toxicity.

(4) The following establishes dissolved acute aquatic criteria(AAC) and chronic aquatic criteria (CAC) for certain metals at selected hardness values calculated from the equations and conversion factors in subdivision (3), Table 6-2 and using a value of one (1) for the WER:

Table ~~2~~ **6-3**

~~Acute (AAC) and chronic (CAC) aquatic criteria for certain metals at selected hardness values as calculated from equations in Table 1~~ Metals Concentrations in Micrograms Per Liter; Hardness in Milligrams Per Liter $CaCO_3$[1]

	Arsenic (III)		Cadmium		Chromium (III)		**Chromium (VI)**		Copper		Lead		Nickel		Silver		Zinc	
Hardness	**AAC**	**CAC**	AAC	CAC	AAC	CAC	**AAC**	**CAC**	AAC	CAC	AAC	CAC	AAC	CAC	AAC	CAC	AAC	CAC
50	**360**	**190**	~~2~~	~~0.7~~	~~984~~	~~117~~	**16**	**11**	~~9~~	~~6~~	~~34~~	~~1~~	~~789~~	~~88~~	~~0.6~~	–	~~65~~	~~59~~
			1.7	**0.62**	**310**	**100**			**8.9**	**6.3**	**30**	**1.2**	**790**	**87**	**0.52**		**64**	**58**
100	**360**	**190**	~~4~~	~~1.1~~	~~1737~~	~~207~~	**16**	**11**	~~18~~	~~12~~	~~82~~	~~3~~	~~1418~~	~~158~~	~~2.~~	–	~~117~~	~~106~~
			3.7	**1.0**	**550**	**180**			**17**	**11**	**65**	**2.5**	**1400**	**160**	**1.7**		**110**	**100**
150	**360**	**190**	~~6~~	~~1.6~~	~~2420~~	~~289~~	**16**	**11**	~~26~~	~~17~~	~~137~~	~~5~~	~~1999~~	~~222~~	~~4~~	–	~~165~~	~~149~~
			5.7	**1.4**	**760**	**250**			**25**	**16**	**100**	**3.9**	**2000**	**220**	**3.5**		**160**	**150**
200	**360**	**190**	~~9~~	~~2.0~~	~~3064~~	~~365~~	**16**	**11**	~~34~~	21	~~197~~	~~8~~	~~2549~~	~~283~~	~~7~~	–	210	~~191~~
			7.8	**1.7**	**970**	**310**			**33**		**140**	**5.3**	**2500**	**280**	**5.7**			**190**
250	**360**	**190**	~~11~~	~~2.3~~	~~3679~~	~~438~~	**16**	**11**	~~42~~	~~26~~	~~262~~	~~10~~	~~3079~~	~~342~~	~~10~~	–	~~254~~	230
			10	**2.0**	**1200**	**380**			**40**	**25**	**170**	**6.7**	**3100**	**340**	**8.3**		**250**	
300	**360**	**190**	~~14~~	~~2.7~~	~~4270~~	~~509~~	**16**	**11**	~~50~~	~~30~~	~~331~~	~~13~~	~~3592~~	400	~~13~~	–	~~297~~	~~269~~
			12	**2.3**	**1300**	**440**			**48**	**29**	**210**	**8.1**	**3600**		**11**		**290**	**270**

350	**360**	**190**	~~16~~	~~3.0~~	~~4845~~	~~577~~	**16**	**11**	~~58~~	~~34~~	~~402~~	~~16~~	~~4093~~	~~455~~	~~18~~	–	~~338~~	~~306~~
			14	**2.6**	**1500**	**500**			**55**	**33**	**240**	**9.5**	**4100**	**450**	**15**		**330**	**300**
400	**360**	**190**	~~19~~	~~3.4~~	~~5405~~	~~644~~	**16**	**11**	~~65~~	~~39~~	~~477~~	~~19~~	~~4582~~	~~509~~	~~22~~	–	~~379~~	~~343~~
			17	**2.9**	**1700**	**550**			**63**	**37**	**280**	**11**	**4600**	**510**	**19**		**370**	**340**
450	**360**	**190**	~~21~~	~~3.7~~	~~5952~~	~~709~~	**16**	**11**	~~73~~	~~43~~	~~554~~	~~22~~	~~5063~~	~~563~~	~~27~~	–	~~419~~	~~379~~
			19	**3.1**	**1900**	**610**			**70**	**41**	**320**	**12**	**5100**	**560**	**23**		**410**	**370**
500	**360**	**190**	~~24~~	~~4.0~~	~~6488~~	~~773~~	**16**	**11**	~~81~~	~~47~~	~~634~~	~~25~~	~~5535~~	~~615~~	~~32~~	–	~~458~~	~~415~~
			21	**3.4**	**2100**	**670**			**78**	**45**	**350**	**14**	**5500**	**610**	**27**		**450**	**410**

[1] The dissolved metals criteria in this table have been rounded to two (2) significant digits in accordance with subdivision (3), Table 6-2. The equations and conversion factors in subdivision (3), Table 6-2 shall be used instead of the criteria in this table when dissolved metals criteria are used as intermediate values in a calculation, such as in the calculation of water quality-based effluent limitations (WQBELs).

(b) This subsection establishes minimum **surface** water quality for aquatic life. In addition to subsection (a), subdivisions (1) through (5) are established to ensure conditions necessary for the maintenance of a well-balanced aquatic community. ~~Subdivisions (1) through (5)~~ **The following** are applicable at any point in the waters outside of the mixing zone:

(1) There shall be no substances ~~which~~ **that** impart unpalatable flavor to food fish or result in ~~noticeably~~ offensive odors in the vicinity of the water.

(2) No pH values below six (6.0) ~~nor~~ **or** above nine (9.0), except daily fluctuations ~~which~~ **that** exceed pH nine (9.0) and are correlated with photosynthetic activity, shall be permitted.

(3) Concentrations of dissolved oxygen shall average at least five (5.0) milligrams per liter per calendar day and shall not be less than four (4.0) milligrams per liter at any time.

(4) The following **are** conditions for temperature:

(A) There shall be no abnormal temperature changes that may adversely affect aquatic life unless caused by natural conditions.

(B) The normal daily and seasonal temperature fluctuations that existed before the addition of heat due to other than natural causes shall be maintained.

(C) The maximum temperature rise at any time or place above natural temperatures shall not exceed five **(5)** degrees Fahrenheit ~~(5°F)~~ (two and eight-tenths **(2.8)** degrees Celsius) ~~(2.8°C))~~ in streams and three **(3)** degrees Fahrenheit ~~(3°F)~~ (one and seven-tenths **(1.7)** degrees Celsius) ~~(1.7°C))~~ in lakes and reservoirs.

(D) Water temperatures shall not exceed the maximum limits in the following table during more than one percent (1%) of the hours in the twelve (12) month period ending with any month. At no time shall the water temperature at such locations exceed the maximum limits in **the following** table ~~3~~ by more than three **(3)** degrees Fahrenheit ~~(3°F)~~ (one and seven-tenths **(1.7)** degrees Celsius): ~~(1.7°C)).~~

Table ~~3~~ **6-4**

	Ohio River Main Stem °F(°C)	Other Indiana Streams °F(°C)
January	50 (10.0)	50 (10.0)
February	50 (10.0)	50 (10.0)
March	60 (15.6)	60 (15.6)
April	70 (21.1)	70 (21.1)
May	80 (26.7)	80 (26.7)
June	87 (30.6)	90 (32.2)
July	89 (31.7)	90 (32.2)
August	89 (31.7)	90 (32.2)
September	87 (30.7)	90 (32.2)
October	78 (25.6)	78 (25.5)
November	70 (21.1)	70 (21.1)
December	57 (14.0)	57 (14.0)

(5) The following criteria will be used to regulate ammonia:

(A) Except for waters covered in clause (B), at all times, all **surface** waters outside of mixing zones shall be free of substances in concentrations ~~which,~~ **that,** on the basis of available scientific data, are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants.

(B) For those waters listed in subsection (c), the following ammonia criteria will apply outside the mixing zone:

Maximum Ammonia Concentrations
(Unionized Ammonia as N)***
(mg/l)
Temperature (°C)

pH	0	5	10	15	20	25	30
6.5	0.0075	0.0106	0.0150	0.0211	0.0299	0.0299	0.0299
6.6	0.0092	0.0130	0.0183	0.0259	0.0365	0.0365	0.0365
6.7	0.0112	0.0158	0.0223	0.0315	0.0444	0.0444	0.0444
6.8	0.0135	0.0190	0.0269	0.0380	0.0536	0.0536	0.0536
6.9	0.0161	0.0228	0.0322	0.0454	0.0642	0.0642	0.0642

7.0	0.0191	0.0270	0.0381	0.0539	0.0761	0.0761	0.0761
7.1	0.0244	0.0316	0.0447	0.0631	0.0892	0.0892	0.0892
7.2	0.0260	0.0367	0.0518	0.0732	0.1034	0.1034	0.1034
7.3	0.0297	0.0420	0.0593	0.0837	0.1183	0.1183	0.1183
7.4	0.0336	0.0474	0.0669	0.0946	0.1336	0.1336	0.1336
7.5	0.0374	0.0528	0.0746	0.1054	0.1489	0.1489	0.1489
7.6	0.0411	0.0581	0.0821	0.1160	0.1638	0.1638	0.1638
7.7	0.0447	0.0631	0.0892	0.1260	0.1780	0.1780	0.1780
7.8	0.0480	0.0678	0.0958	0.1353	0.1911	0.1911	0.1911
7.9	0.0510	0.0720	0.1017	0.1437	0.2030	0.2030	0.2030
8.0	0.0536	0.0758	0.1070	0.1512	0.2135	0.2135	0.2135
8.1	0.0537	0.0758	0.1071	0.1513	0.2137	0.2137	0.2137
8.2	0.0537	0.0758	0.1071	0.1513	0.2137	0.2137	0.2137
8.3	0.0537	0.0758	0.1071	0.1513	0.2137	0.2137	0.2137
8.4	0.0537	0.0758	0.1071	0.1513	0.2137	0.2137	0.2137
8.5	0.0537	0.0758	0.1071	0.1513	0.2137	0.2137	0.2137
8.6	0.0537	0.0758	0.1071	0.1513	0.2137	0.2137	0.2137
8.7	0.0537	0.0758	0.1071	0.1513	0.2137	0.2137	0.2137
8.8	0.0537	0.0758	0.1071	0.1513	0.2137	0.2137	0.2137
8.9	0.0537	0.0758	0.1071	0.1513	0.2137	0.2137	0.2137
9.0	0.0537	0.0758	0.1071	0.1513	0.2137	0.2137	0.2137

***To calculate total ammonia, divide the number in the table by the value determined by: $1/(10^{pKa-pH} + 1)$.

Where: pKa = 0.09018 + (2729.92/(T + 273.2))
pH = pH of water
T = °C

24-Hour Average Ammonia Concentrations
(Unionized Ammonia as N)***
(mg/l)

	Temperature (°C)						
pH	0	5	10	15	20	25	30
6.5	0.0005	0.0008	0.0011	0.0015	0.0015	0.0015	0.0015
6.6	0.0007	0.0010	0.0014	0.0019	0.0019	0.0019	0.0019
6.7	0.0009	0.0012	0.0017	0.0024	0.0024	0.0024	0.0024
6.8	0.0011	0.0015	0.0022	0.0031	0.0031	0.0031	0.0031
6.9	0.0014	0.0019	0.0027	0.0038	0.0038	0.0038	0.0038
7.0	0.0017	0.0024	0.0034	0.0048	0.0048	0.0048	0.0048
7.1	0.0022	0.0031	0.0043	0.0061	0.0061	0.0061	0.0061
7.2	0.0027	0.0038	0.0054	0.0077	0.0077	0.0077	0.0077
7.3	0.0034	0.0048	0.0068	0.0097	0.0097	0.0097	0.0097
7.4	0.0043	0.0061	0.0086	0.0122	0.0122	0.0122	0.0122
7.5	0.0054	0.0077	0.0108	0.0153	0.0153	0.0153	0.0153
7.6	0.0068	0.0097	0.0136	0.0193	0.0193	0.0193	0.0193
7.7	0.0086	0.0122	0.0172	0.0242	0.0242	0.0242	0.0242
7.8	0.0092	0.0130	0.0184	0.0260	0.0260	0.0260	0.0260
7.9	0.0098	0.0138	0.0196	0.0276	0.0276	0.0276	0.0276
8.0	0.0103	0.0146	0.0206	0.0294	0.0294	0.0294	0.0294
8.1	0.0103	0.0146	0.0206	0.0294	0.0294	0.0294	0.0294
8.2	0.0103	0.0146	0.0206	0.0294	0.0294	0.0294	0.0294

8.3	0.0103	0.0146	0.0206	0.0294	0.0294	0.0294	0.0294
8.4	0.0103	0.0146	0.0206	0.0294	0.0294	0.0294	0.0294
8.5	0.0103	0.0146	0.0206	0.0294	0.0294	0.0294	0.0294
8.6	0.0103	0.0146	0.0206	0.0294	0.0294	0.0294	0.0294
8.7	0.0103	0.0146	0.0206	0.0294	0.0294	0.0294	0.0294
8.8	0.0103	0.0146	0.0206	0.0294	0.0294	0.0294	0.0294
8.9	0.0103	0.0146	0.0206	0.0294	0.0294	0.0294	0.0294
9.0	0.0103	0.0146	0.0206	0.0294	0.0294	0.0294	0.0294

***To calculate total ammonia, divide the number in the table by the value determined by: $1/(10^{pKa-pH} + 1)$.

Where: pKa = $0.09018 + (2729.92/(T + 273.2))$
pH = pH of water
T = °C

(c) This subsection establishes **surface** water quality for coldwater fish. In addition to subsections (a) through (b), the following ~~standards~~ **criteria** are established to ensure conditions necessary for the maintenance of a well-balanced, cold water fish community and are applicable at any point in the waters outside of the mixing zone:

(1) Waters designated as salmonid waters and that shall be protected for cold water fish are those waters designated by the Indiana department of natural resources for put-and-take trout fishing.

(2) In the waters listed in subdivision (1), dissolved oxygen concentrations shall not be less than six (6.0) milligrams per liter at any time and shall not be less than seven (7.0) milligrams per liter in areas where spawning occurs during the spawning season and in areas used for imprinting during the time salmonids are being imprinted.

(3) In those waters listed in subdivision (1), the maximum temperature rise above natural shall not exceed two **(2)** degrees Fahrenheit ~~(2°F)~~ (one and one-tenth ~~degree~~ **(1.1) degrees** Celsius) ~~(1.1°C))~~ at any time or place ~~nor,~~ **and,** unless due to natural causes, ~~shall~~ the temperature **shall not** exceed the following:

(A) Seventy **(70)** degrees Fahrenheit ~~(70°F)~~ (twenty-one and one-tenth **(21.1)** degrees Celsius) ~~(21.1°C))~~ at any time.

(B) Sixty-five **(65)** degrees Fahrenheit ~~(65°F)~~ (eighteen and three-tenths **(18.3)** degrees Celsius) ~~(18.3°C))~~ during spawning and imprinting periods.

(d) This subsection establishes bacteriological quality for recreational uses. In addition to subsection (a), the criteria in this subsection are to be used to evaluate waters for full body contact recreational uses, to establish wastewater treatment requirements, and to establish effluent limits during the recreational season, which is defined as the months of April through October, inclusive. E. coli bacteria, using membrane filter (MF) count, shall not exceed:

(1) one hundred twenty-five (125) per one hundred (100) milliliters as a geometric mean based on not less than five (5) samples equally spaced over a thirty (30) day period; ~~nor exceed~~ **and**

(2) two hundred thirty-five (235) per one hundred (100) milliliters in any one (1) sample in a thirty (30) day period.

If a geometric mean cannot be calculated because five (5) equally spaced samples are not available, then the criteria stated in subdivision (2) must be met.

(e) This subsection establishes surface water quality for public water supply. In addition to subsections (a) and (d), the following ~~standards~~ **criteria** are established to protect the surface water quality at the point at which water is withdrawn for treatment for public supply:

(1) The coliform bacteria group shall not exceed **the following:**

(A) Five thousand (5,000) per one hundred (100) milliliters **as** a monthly average value (either MPN or MF count). ~~nor exceed this number~~

(B) Five thousand (5,000) per one hundred (100) milliliters in more than twenty percent (20%) of the samples examined during any month. ~~nor exceed~~

(C) Twenty thousand (20,000) per one hundred (100) ~~milliliter~~ **milliliters** in more than five percent (5%) of ~~such~~ **the** samples **examined during any month.**

(2) Taste and odor producing substances, other than naturally occurring, shall not interfere with the production of a finished water by conventional treatment consisting of coagulation, sedimentation, filtration, and disinfection.

(3) The concentrations of either chlorides or sulfates shall not exceed two hundred fifty (250) milligrams per liter ~~other than~~ **unless** due to naturally occurring sources.

(4) The concentration of dissolved solids shall not exceed seven hundred fifty (750) milligrams per liter unless due to naturally occurring sources. A specific conductance of one thousand two hundred (1,200) micromhos per centimeter (at twenty-five (25) degrees Celsius) may be considered equivalent to a dissolved solids concentration of seven hundred fifty (750) milligrams per liter.

~~(4)~~ **(5)** Surface waters shall be considered acceptable for

public ~~supplies~~ **water supply** if radium-226 and strontium-90 are present in amounts not exceeding three (3) and ten (10) picocuries per liter, respectively. In the known absence of strontium-90 and alpha emitters, the water supply is acceptable when the gross beta concentrations do not exceed one thousand (1,000) picocuries per liter.

~~(5)~~ **(6)** Chemical constituents in the waters shall not be present in such levels as to prevent, after conventional treatment, meeting the drinking water standards contained in 327 IAC 8-2, due to other than natural causes.

(f) This subsection establishes **surface** water quality for industrial water supply. In addition to subsection (a), the ~~standard~~ **criterion** to ensure protection of water quality at the point at which water is withdrawn for use (either with or without treatment) for industrial cooling and processing is that, other than from naturally occurring sources, the dissolved solids shall not exceed seven hundred fifty (750) milligrams per liter at any time. A specific conductance of one thousand two hundred (1,200) micromhos per ~~centimeters~~ **centimeter** (at twenty-five **(25)** degrees Celsius) ~~(25°C))~~ may be considered equivalent to a dissolved solids concentration of seven hundred fifty (750) milligrams per liter.

(g) This subsection establishes **surface** water quality for agricultural uses. The ~~standards~~ **criteria** to ensure water quality conditions necessary for agricultural use are the same as those in subsection (a).

(h) This subsection establishes **surface** water quality for limited uses. The quality of waters classified for limited uses ~~pursuant to~~ **under** section 3(a)(5) of this rule shall, at a minimum, meet the following ~~standards:~~ **criteria:**

(1) The ~~standards~~ **criteria** contained in subsection (a).

(2) The ~~standards~~ **criteria** contained in subsection (d).

(3) The ~~standards~~ **criteria** contained in subsection (f), where applicable.

(4) The waters must be aerobic at all times.

(5) Notwithstanding ~~the preceding~~ subdivisions **(1) through (4),** the quality of a limited use stream at the point where it becomes physically or chemically capable of supporting a higher use or at its interface with a higher use water segment shall meet the ~~standards which~~ **criteria that** are applicable to the higher use water.

(i) This subsection establishes **surface** water quality for exceptional uses. Waters classified for exceptional uses warrant extraordinary protection. Unless ~~standards~~ **criteria** are otherwise specified on a case-by-case basis, the quality of all waters designated for exceptional use shall be maintained without degradation.

~~(j) Notwithstanding section 7 of this rule, the acute aquatic and chronic aquatic criteria (AAC and CAC) established in subsection (a) shall apply to the underground portion of the Lost River system and other underground streams and their tributaries that support fish or other higher aquatic life forms.~~ *(Water Pollution Control Board; 327 IAC 2-1-6; filed Sep 24, 1987, 3:00 p.m.: 11 IR 581; filed Feb 1, 1990, 4:30 p.m.: 13 IR 1020; errata, 13 IR 1861; errata filed Jul 6, 1990, 5:00 p.m.: 13 IR 2003; filed Feb 26, 1993, 5:00 p.m.: 16 IR 1725; errata filed May 7, 1993, 4:00 p.m.: 16 IR 2189; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1348; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3376)*

SECTION 6. 327 IAC 2-1-8 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1-8 Methods of analysis

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18-4

Sec. 8. The analytical procedures used as methods of analysis to determine the chemical, bacteriological, biological, and radiological quality of waters sampled shall be in accordance with 40 CFR 136 ~~the sixteenth edition of Standard Methods for the Examination of Water and Wastewater,~~ or methods approved by the commissioner. ~~and the Environmental Protection Agency.~~ *(Water Pollution Control Board; 327 IAC 2-1-8; filed Sep 24, 1987, 3:00 p.m.: 11 IR 583; filed Feb 1, 1990, 4:30 p.m.: 13 IR 1033)*

SECTION 7. 327 IAC 2-1-8.1 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1-8.1 Calculation of criteria for toxic substances; general

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18-4

Sec. 8.1. **(a)** Water quality standards for the state of Indiana indicate that all **surface** waters at all times and at all places, including the mixing zone, shall be free of substances or combinations of substances ~~which~~ **that** are in amounts sufficient to be acutely toxic to humans, other animals, plants, or aquatic life. Toxic substances include, but are not limited to, those substances identified under Section 307(a) of the Clean Water Act. The allowable concentration of a toxic substance in surface water shall be determined for that substance by the procedures in sections 8.2 through ~~8.8~~ **8.9** of this rule.

(b) The use of dissolved metal to set and measure compliance with water quality standards for aquatic life is the recommended approach because dissolved metal more closely approximates the bioavailable fraction of metal in the water column than does total recoverable metal. Reasons for the consideration of total recoverable metals criteria include risk management considerations not covered by evaluation of water column toxicity. The commissioner may, after considering sediment and food chain effects for a particular metal, decide to take a more

conservative approach for the metal. This approach could include the expression of aquatic life criteria for the metal in the form of total recoverable metal. If the commissioner determines that it is appropriate to express aquatic life criteria for a particular metal in the form of dissolved metal, the criteria shall be determined as follows:

(1) If sufficient toxicological data in the form of dissolved metal are available, these data shall be used in sections 8.2, 8.3, and 8.9 of this rule to derive aquatic life criteria directly in the form of dissolved metal.

(2) If sufficient toxicological data in the form of dissolved metal are not available, aquatic life criteria shall be derived in the form of total recoverable metal using the procedures in sections 8.2, 8.3, and 8.9 of this rule and then multiplied by criteria conversion factors approved by the commissioner to express the criteria in the form of dissolved metal.

(3) If sufficient toxicological data in the form of dissolved metal are not available and criteria conversion factors for the particular metal have not been approved by the commissioner, aquatic life criteria shall be derived in the form of total recoverable metal using the procedures in sections 8.2, 8.3, and 8.9 of this rule and expressed in the form of total recoverable metal.

(Water Pollution Control Board; 327 IAC 2-1-8.1; filed Feb 1, 1990, 4:30 p.m.: 13 IR 1033; errata filed Jul 6, 1990, 5:00 p.m.: 13 IR 2003)

SECTION 8. 327 IAC 2-1-8.2 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1-8.2 Determination of acute aquatic criteria (AAC)

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18-4

Sec. 8.2. In order to ensure that the concentration of a substance or combination of substances does not become acutely toxic to aquatic organisms, an acute aquatic criterion (AAC) will be determined by one (1) of the following methods:

(1) The following for Method 1:

(A) If no AAC is available in section ~~6(a)(2)~~ **6(a)(3),** Table ~~1~~ **6-1** of this rule **or section 6(a)(3), Table 6-2 of this rule** for the substance, ~~or if a different AAC can be scientifically justified based on new toxicological data, or site-specific conditions concerning water quality characteristics, or species present,~~ an AAC can be calculated using the procedures in **this** subdivision. ~~(2).~~

~~(B) Alternatively, or in addition to those criteria in section 6(a)(1)(D) of this rule, a site-specific acute aquatic criterion based on whole effluent toxicity can be utilized. This criterion shall not exceed ten percent (10%) mortality above control mortality, as measured by the most sensitive species tested, in one hundred percent (100%) effluent. The toxicity of the whole effluent shall be determined as follows:~~

~~(i) Three (3) species will be tested initially, and these will represent species from ecologically diverse taxa to the extent possible. The exact species to be tested will be determined by the commissioner on a case-by-case basis with the objective of using resident or representative species. Once the toxicity of the effluent has been characterized, only the most sensitive of the species tested need to be used in such further testing as may be required.~~

~~(ii) Whole effluent toxicity testing will be required on up to three (3) sets of composite effluent samples to determine the variability of the effluent.~~

~~(2) The following for Method 2:~~

~~(A)~~ **(B)** An acute criterion can be calculated using modified U.S. EPA procedures when acute toxicity data are available for at least five (5) North American genera of freshwater organisms, including representatives of the following families:

(i) The family Salmonidae.

(ii) The family Cyprinidae or Centrarchidae.

(iii) Another family, not represented in item (i) or (ii), in the Class Osteichthyes.

(iv) The family Daphnidae.

(v) Another aquatic macroinvertebrate family.

~~(B)~~ **(C)** Resident species data are preferred for the above required data set. If one (1) or more of the required families are not a site resident, the requirement may be waived and appropriate substitution will be made. If data are not available for resident species, data for nonresident species may be substituted and will be assumed to be representative of resident species. ~~In addition, site-specific modifications to acute aquatic life criteria developed in accordance with this clause may be developed when the local water characteristics such as pH, hardness, temperature, or color alter the biological availability or toxicity of a pollutant.~~ The AAC is calculated using the following procedures:

(i) If the acute toxicity of the chemical has not been adequately shown to be related to a water quality characteristic, such as hardness, pH, or temperature, the AAC is calculated using the following procedures:

(AA) For each species for which at least one (1) acute value is available, the species mean acute value (SMAV) is calculated as the geometric mean of the results of all tests in which the concentrations of test material were stable as shown by measured values. For a species for which no such result is available, the SMAV should be calculated as the geometric mean of all available acute values, ~~i.e.,~~ **for example,** results of flow-through tests in which the concentrations were not measured and results of static and renewal tests based on initial concentrations of test material.

(BB) For each genus for which one (1) or more

SMAVs are available, the genus mean acute value (GMAV) is calculated as the geometric mean of the SMAVs available for the genus.

(CC) The GMAVs are ordered from high to low.

(DD) Ranks (R) are assigned to the GMAVs from "1" for the lowest to "N" for the highest. If two (2) or more GMAVs are identical, successive ranks are arbitrarily assigned.

(EE) The cumulative probability, P, is calculated for each GMAV as R/(N + 1).

(FF) The (T) GMAVs (T = 2 for N = 5; T = 3 for N = 6 or 7; T = 4 for N = 8 or greater) are selected ~~which~~ **that** have cumulative probabilities closest to five-hundredths (0.05). If there are less than fifty-nine (59) GMAVs, these will always be the two (2) (for N = 5), three (3) (for N = 6 or 7), or four (4) (for N = 8 or greater) lowest GMAVs.

(GG) Using the selected GMAVs and Ps, the final acute value (FAV) is calculated as:

$$S^2 = \frac{E^*((\ln GMAV)^2) - ((E(\ln GMAV))^2/T)}{E(P) - ((E(\sqrt{P}))^2/T)}$$

$$L = (E(\ln GMAV) - S(E(\sqrt{P})))/T$$

$$A = S(\sqrt{0.05}) + L$$

$$FAV = e^A$$

$$AAC = FAV/2$$

$$^*E = \text{Summation}$$

(HH) If, for a commercially, recreationally, or ecologically important species, the geometric mean of the acute values from flow-through tests in which the concentrations of test material were measured is lower than the calculated FAV, then that geometric mean is used as the FAV instead of the calculated FAV.

(ii) If data are available to show that acute toxicity to two (2) or more species is similarly related to a water quality characteristic, the AAC is calculated using the procedures as follows:

(AA) For each species for which comparable acute toxicity values are available at two (2) or more different values of the water quality characteristic, a least squares regression of the acute toxicity values on the corresponding values of the water quality characteristic is performed to obtain the slope of the curve that describes the relationship. Because the best documented relationship is that between hardness and acute toxicity of metals and a log-log relationship fits these data, geometric means and natural logarithms of both toxicity and water quality are used in the rest of this procedure to illustrate the method. For relationships based on other water quality characteristics, such as pH or temperature, no transformation or a different transformation might fit the data better, and appropriate changes will be made as necessary throughout this method.

(BB) Each acute slope is evaluated as to whether or not it is meaningful, taking into account the range and number of tested values of the water quality characteristic and the degree of agreement within and between species. If meaningful slopes are not available for at least one (1) fish and one (1) invertebrate, or if the available slopes are too dissimilar, or if too few data are available to adequately define the relationship between acute toxicity and the water quality characteristic, the AAC is calculated using the procedures in item (i).

(CC) Individually, for each species, the geometric mean of the available acute values is calculated and then each of the acute values for a species is divided by the mean for the species. This normalizes the acute values so that the geometric mean of the normalized values for each species individually and for any combination of species is one (1.0).

(DD) The values of the water quality characteristic are similarly normalized for each species individually.

(EE) All the normalized data are treated as if they were for the same species and a least squares regression of all the normalized acute values on the corresponding normalized values of the water quality characteristic is performed to obtain the pooled acute slope, V.

(FF) For each species the geometric mean, W, of the acute toxicity values and the geometric mean, X, of the water quality characteristic are calculated. (These were calculated in subitems (CC) through (DD).)

(GG) For each species the logarithmic intercept, Y, is calculated using the equation:

$$Y = \ln W - V(\ln X - \ln Z)$$

(HH) For each species calculate the SMAV at Z using the equation:

$$SMAV = e^Y$$

(II) Obtain the FAV at Z by using the procedures described in subitems (BB) through (HH), replacing "value" with "intercept".

(JJ) The final acute equation is written as:

$$\text{final acute value (FAV)} = e^{(V(\ln(\text{water quality characteristic})) + \ln A - V(\ln Z))}$$

Where: V = pooled acute slope (from subitem (EE))

A = FAV at Z (from subitem (II))

Since V, A, and Z are known, the FAV can be calculated for any selected value of the water quality characteristic.

(KK) The AAC is equal to the FAV/2.

~~(C)~~ **(D)** If data are not available for at least five (5) North

American freshwater genera meeting the requirements in clause ~~(A),~~ **(B),** go to subdivision ~~(3).~~ **(2).**

~~(3)~~ **(2)** The following for Method ~~3.~~ **2:**

(A) If the required data to derive the AAC in subdivision ~~(2)(B)~~ **(1)(C)** are not present in the acute toxicity data base and at least one (1) LC_{50} value is available for a daphnid species and either fathead minnow, bluegill, or rainbow trout, ~~a~~ **an** FAV is calculated by dividing the lowest SMAV for the daphnid species, fathead minnow, bluegill, and rainbow trout by five (5) if rainbow trout are represented or ten (10) if rainbow trout are not represented. The AAC equals the FAV divided by two (2). If appropriate, the AAC will be made a function of a water quality characteristic in a manner similar to that described in subdivision ~~(2)(B)(ii).~~ **(1)(C)(ii).**

(B) If the data required in clause (A) are not available, no AAC can be calculated and the discharger will be required to develop the minimum data base (ninety-six (96) hour LC_{50} for rainbow trout, fathead minnow, or bluegill and a forty-eight (48) hour LC_{50} for a daphnid) needed to calculate the AAC.

(Water Pollution Control Board; 327 IAC 2-1-8.2; filed Feb 1, 1990, 4:30 p.m.: 13 IR 1033; errata filed Jul 6, 1990, 5:00 p.m.: 13 IR 2004; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1357; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3376)

SECTION 9. 327 IAC 2-1-8.3 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1-8.3 Determination of chronic aquatic criterion (CAC)

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18-4

Sec. 8.3. In order to ensure that the concentration of a substance or combination of substances does not produce chronic effects on aquatic organisms, a chronic aquatic criterion (CAC) will be determined by one (1) of the following methods:

(1) The following for Method 1:

(A) If no CAC is given for the substance in section ~~6(a)(2)~~ **6(a)(3),** Table ~~1~~ **6-1** of this rule, ~~or if different CAC can be scientifically justified based on new toxicological data, or site-specific conditions concerning water quality characteristics or species present,~~ **or section 6(a)(3), Table 6-2 of this rule,** a CAC can be calculated using the procedures in **this** subdivision. ~~(2).~~

~~(B) Alternatively, or in addition to the CAC in section 6(a)(2) of this rule, a site-specific CAC based on whole effluent toxicity can be utilized. This criterion shall not exceed the no observable effect level (NOEL) based on an appropriate chronic toxicity test, as measured by the most sensitive species tested, at an effluent dilution equal to that provided by no more than one-fourth (¼) of the $Q_{7,10}$ flow of the receiving stream. The toxicity of the whole effluent shall be determined as follows:~~

~~(i) Three (3) species will be tested initially, and these will represent species from ecologically diverse taxa to the extent possible. The exact species to be tested will be determined by the commissioner on a case-by-case basis with the objective of using resident or representative species. Once the toxicity of the effluent has been characterized, only the most sensitive of the species tested need be used in such further testing as may be required.~~

~~(ii) Whole effluent toxicity testing will be required on up to three (3) sets of composite effluent samples to determine the variability of the effluent.~~

~~(2) The following for Method 2:~~

~~(A)~~ **(B)** The CAC is derived in the same manner as the FAV in section ~~8.2(2)~~ **8.2(1)** of this rule by substituting CAC for FAV, chronic for acute, MATC (maximum acceptable toxicant concentration) for LC_{50}, SMCV (species mean chronic value) for SMAV, and GMCV (genus mean chronic value) for GMAV.

~~(B)~~ **(C)** If chronic toxicity data are not available for at least five (5) North American freshwater genera meeting the requirements in section ~~8.2(2)(A)~~ **8.2(1)(B)** of this rule, go to subdivision ~~(3).~~ **(2).**

~~(C) Site-specific modifications to chronic aquatic life criteria developed in accordance with this section may be developed when the local water characteristics, such as pH, hardness, temperature, or color, alter the biological availability or toxicity of a pollutant.~~

~~(3)~~ **(2)** The following for Method ~~3.~~ **2:**

(A) The CAC can be calculated by dividing the FAV by an acute-chronic ratio (or geometric mean of the acute-chronic ratios if more than one (1) is available) for at least one (1) North American freshwater species.

(B) If no acute-chronic ratio is available for at least one (1) North American freshwater species, go to subdivision ~~(4).~~ **(3).**

~~(4)~~ **(3)** The following for Method ~~4.~~ **3:**

(A) The CAC can be calculated by dividing the FAV by a factor of forty-five (45). If, for a commercially, recreationally, or ecologically important species, the geometric mean of the chronic values is lower than the calculated CAC, then that geometric mean is used as the CAC instead of the calculated CAC.

(B) If the data needed in clause (A) are not available, no CAC can be calculated and the discharger will be required to develop the minimum data base necessary to calculate the CAC (ninety-six (96) hour LC_{50} for rainbow trout, fathead minnow, or bluegill and a forty-eight (48) hour LC_{50} for a daphnid).

(Water Pollution Control Board; 327 IAC 2-1-8.3; filed Feb 1, 1990, 4:30 p.m.: 13 IR 1035; errata, 13 IR 1861; errata filed

Jul 6, 1990, 5:00 p.m.: 13 IR 2004; errata filed Jul 24, 1990, 4:55 p.m.: 13 IR 2138; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1359)

SECTION 10. 327 IAC 2-1-8.9 IS ADDED TO READ AS FOLLOWS:

327 IAC 2-1-8.9 Site-specific modifications to criteria

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-15-4-1; IC 13-18-4

Sec. 8.9. (a) Site-specific modifications to criteria must be protective of designated uses and aquatic life or human health. In addition, any site-specific modifications that result in less stringent criteria must be based on a sound scientific rationale and shall not be likely to jeopardize the continued existence of endangered or threatened species listed or proposed under Section 4 of the Endangered Species Act (ESA) or result in the destruction or adverse modification of such species' critical habitat. More stringent modifications shall be developed to protect endangered or threatened species listed or proposed under Section 4 of the ESA, where such modifications are necessary to ensure that water quality is not likely to jeopardize the continued existence of such species or result in the destruction or adverse modification of such species' critical habitat. More stringent modifications may also be developed to protect candidate (C1) species being considered by the U.S. Fish and Wildlife Service (FWS) for listing under Section 4 of the ESA, where such modifications are necessary to protect such species. Criteria may be modified on a site-specific basis to reflect local environmental conditions as restricted by the following provisions:

(1) Aquatic life criteria may be modified on a site-specific basis as follows:

(A) Aquatic life criteria may be modified on a site-specific basis to provide an additional level of protection.

(B) Less stringent site-specific modifications to chronic or acute aquatic life criteria may be developed when either of the following conditions applies:

(i) The local water quality characteristics, such as pH, hardness, temperature, or color, alter the biological availability or toxicity of a pollutant.

(ii) The sensitivity of the aquatic organisms species that occur at the site differs from the species actually tested in developing the criteria.

(C) Less stringent modifications may also be developed to acute and chronic aquatic life criteria to reflect local physical and hydrological conditions.

(D) Any modifications to protect threatened or endangered aquatic species required by this subsection may be accomplished using either of the following procedures:

(i) If the species mean acute value (SMAV) for a listed or proposed species or for a surrogate of such species is lower than the calculated final acute value (FAV), such lower SMAV may be used instead of the calculated FAV in developing site-specific modified criteria.

(ii) The site-specific criteria may be calculated using the recalculation procedure for site-specific modifications under section 13 of this rule.

(2) Human health criteria may be modified on a site-specific basis as follows:

(A) Human health criteria may be modified on a site-specific basis to provide an additional level of protection in accordance with the following:

(i) Human health criteria shall be modified on a site-specific basis to provide additional protection appropriate for highly exposed subpopulations.

(ii) Any person may request the commissioner to develop a site-specific modification of a human health criterion to make it more stringent.

(iii) The commissioner shall develop the site-specific modification of the human health criterion to make it more stringent when local fish consumption rates are higher than the rate used to derive human health criteria under sections 8.5 and 8.6 of this rule.

(B) Less stringent site-specific modifications to human health criteria may be developed when local fish consumption rates are lower than the rate used to derive human health criteria under sections 8.5 and 8.6 of this rule.

(C) Local fish consumption rates referenced in clauses (A) and (B) shall be determined by a fish consumption survey applicable to the site.

(b) The following public participation requirements must be met for a site-specific modification to a water quality criterion developed using the recalculation procedure as specified in section 13 of this rule or using a water-effect ratio (WER) determined for the site, or both:

(1) Upon receipt of an application for a site-specific modification to a water quality criterion under this section, the commissioner shall:

(A) provide notice, request comment, and, if requested, schedule and hold a public meeting on the application in accordance with 327 IAC 5-2-11.2(b); and

(B) publish all pertinent information about the proposed site-specific modification on the department's Web site.

(2) Upon approval of a site-specific modification to a water quality criterion under this section, the commissioner shall:

(A) publish a notice in the Indiana Register; and

(B) place all pertinent information about the approved site-specific modification on the department's Web site.

(c) All site-specific modifications to water quality criteria shall be incorporated into these water quality standards rules during the next revision of the water quality standards.

(d) The following site-specific modifications to water quality criteria have been granted:

Table 8.9-1

Site-Specific Surface Water Quality Criteria[1]

Waterbody	Starting Location	Ending Location	Substances	AAC (Maximum) (µg/l)	AAC Conversion Factors	CAC (4-Day Average) (µg/l)	CAC Conversion Factors
Richland Creek	The outfall of the Princeton POTW	The confluence of Richland Creek with McCarty Ditch	Copper (Dissolved)	$WER^{[2]}(e^{(0.9422[\ln(\text{hardness})]-1.4076)})$	0.960	$WER^{[2]}(e^{(0.8545[\ln(\text{hardness})]-1.4097)})$	0.960
			Cyanide (Free)	45.8		10.7	
			Lead (Dissolved)	$WER^{[2]}(e^{(1.273[\ln(\text{hardness})]-1.2554)})$	1.46203-[(ln hardness) (0.145712)]	$WER^{[2]}(e^{(1.273[\ln(\text{hardness})]-3.7561)})$	1.46203-[(ln hardness) (0.145712)]
Wabash River	The outfall of the Smurfit-Stone Corporation (river mile 387)	A point two (2) miles downstream	Cyanide (Free)	45.8		10.7	
Wabash River	The outfall of Eli-Lilly and Company (river mile 309)	A point two (2) miles downstream	Copper (Dissolved)	$WER^{[2]}(e^{(0.9422[\ln(\text{hardness})]-1.4076)})$	0.960	$WER^{[2]}(e^{(0.8545[\ln(\text{hardness})]-1.4097)})$	0.960
Wabash River	The outfall of Eli-Lilly and Company (river mile 236)	A point two (2) miles downstream	Lead (Dissolved)	$WER^{[2]}(e^{(1.273[\ln(\text{hardness})]-1.2554)})$	1.46203-[(ln hardness) (0.145712)]	$WER^{[2]}(e^{(1.273[\ln(\text{hardness})]-3.7561)})$	1.46203-[(ln hardness) (0.145712)]
West Fork White River	The outfall of the Belmont POTW (river mile 227)	The Marion-Johnson County line (river mile 220)	Cadmium (Dissolved)	$WER^{[2]}(e^{(1.128[\ln(\text{hardness})]-1.708)})$	1.136672-[(ln hardness) (0.041838)]	$WER^{[2]}(e^{(0.7852[\ln(\text{hardness})]-2.9232)})$	1.101672-[(ln hardness) (0.041838)]
			Copper (Dissolved)	$WER^{[2]}(e^{(0.9422[\ln(\text{hardness})]-1.4076)})$	0.960	$WER^{[2]}(e^{(0.8545[\ln(\text{hardness})]-1.4097)})$	0.960
			Cyanide (Free)	45.8		10.7	
			Lead (Dissolved)	$WER^{[2]}(e^{(1.273[\ln(\text{hardness})]-1.2554)})$	1.46203-[(ln hardness) (0.145712)]	$WER^{[2]}(e^{(1.273[\ln(\text{hardness})]-3.7561)})$	1.46203-[(ln hardness) (0.145712)]

[1] The AAC and CAC columns of this table contain hardness-based total recoverable metals criteria for cadmium, copper, and lead. The criterion for the dissolved metal is calculated by multiplying the appropriate conversion factor by the AAC or CAC. This dissolved AAC or CAC shall be rounded to two (2) significant digits, except when the criteria are used as intermediate values in a calculation, such as in the calculation of water quality-based effluent limitations (WQBELs).

[2] A value of one (1) shall be used for the water-effect ratio (WER) unless an alternate value is established under this section.

(Water Pollution Control Board; 327 IAC 2-1-8.9)

SECTION 11. 327 IAC 2-1-9 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1-9 Definitions

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3

Affected: IC 13-11-2-265; IC 13-18-3-2; IC 13-18-4

Sec. 9. In addition to the definitions contained in IC 13-11-2 and 327 IAC 1, the following definitions apply throughout this title:

(1) "Acceptable daily intake" or "ADI" represents the maximum amount of a substance ~~which~~ **that** if ingested daily for a lifetime results in no adverse effects to humans.

(2) "Acute aquatic criterion" or "AAC" means the highest concentration of chemical that if met instream will protect the aquatic life present from mortality or other irreversible effects due to short term exposure. The AAC is equal to one-half (½) the final acute value (FAV).

(3) "Acute toxicity" means ~~the ability of a chemical to cause a debilitating or injurious change in an organism which results from a single or short term~~ **concurrent and delayed adverse effects that result from an acute** exposure ~~to the chemical.~~ **and occur within any short observation period, which begins when the exposure begins, may extend beyond the exposure period, and usually does not constitute a substantial portion of the life span of the organism.**

(4) "Adverse effect" means any deleterious effect to organisms due to exposure to a substance. The term includes effects that are or may become debilitating, harmful, or toxic to the normal functions of the organism, but does not include nonharmful effects, such as tissue discoloration alone or the induction of enzymes involved in the metabolism of the substance.

~~(4)~~ **(5)** "Bioaccumulative chemical of concern" or "BCC" ~~means any chemical which, upon entering the surface waters, by itself or as its transformation product, bioaccumulates in aquatic organisms by a factor greater than one thousand (1,000) at six percent (6%) lipids.~~ **refers to the following substances:**

Table 9-1

Bioaccumulative Chemicals of Concern

CAS Number	Substance
309002	**Aldrin**
57749	**Chlordane**
72548	**4,4'-DDD; p,p'-DDD; 4,4'-TDE; p,p'-TDE**
72559	**4,4'-DDE; p,p'-DDE**
50293	**4,4'-DDT; p,p'-DDT**
60571	**Dieldrin**
72208	**Endrin**
76448	**Heptachlor**
118741	**Hexachlorobenzene**
87683	**Hexachlorobutadiene; hexachloro-1,3-butadiene**
608731	**Hexachlorocyclohexanes; BHCs**
319846	**alpha-Hexachlorocyclohexane; alpha-BHC**
319857	**beta-Hexachlorocyclohexane; beta-BHC**
319868	**delta-Hexachlorocyclohexane; delta-BHC**
58899	**Lindane; gamma-Hexachlorocyclohexane; gamma-BHC**
7439976	**Mercury**
2385855	**Mirex**
29082744	**Octachlorostyrene**
1336363	**PCBs; polychlorinated biphenyls**
608935	**Pentachlorobenzene**
39801144	**Photomirex**
1746016	**2,3,7,8-TCDD; dioxin**
634662	**1,2,3,4-Tetrachlorobenzene**
95943	**1,2,4,5-Tetrachlorobenzene**
8001352	**Toxaphene**

~~(5)~~ **(6)** "Bioconcentration" ~~is the increase in concentration of the chemical of concern and its metabolites in or on the target organisms (or specified tissues thereof) relative to the concentration of the chemical of concern in~~ **means the net accumulation of a substance by an aquatic organism as a result of uptake directly from** the ambient water **through gill membranes or other external body surfaces.**

~~(6)~~ **(7)** "Bioconcentration factor" or "BCF" ~~is the number used to relate substance residue~~ **means the ratio (in liters per kilogram) of a substance's concentration** in **tissue of an** aquatic ~~organisms~~ **organism** to ~~the~~ **its** concentration ~~of the substance~~ in the ~~waters~~ **ambient water,** in ~~which the organisms reside.~~ **situations where the organism is exposed through the water only and the ratio does not change substantially over time.**

~~(7)~~ **(8)** "Carcinogen" means a chemical ~~which~~ **that** causes an increased incidence of benign or malignant neoplasms, or a substantial decrease in the latency period between exposure and onset of neoplasms through oral or dermal exposure, or through inhalation exposure when the cancer occurs at nonrespiratory sites in at least one (1) mammalian species or man through epidemiological ~~and/or~~ **studies or** clinical studies, **or both.**

~~(8)~~ **(9)** "Chronic aquatic criterion" or "CAC" means the highest concentration of chemical that if met instream will protect the aquatic life present from toxic effects due to long term exposure, ~~e.g.,~~ **for example,** adverse effects on growth and reproduction.

~~(9)~~ **(10)** "Chronic toxicity" means ~~the ability of a chemical to cause an injurious or debilitating effect in an organism which results from repeated~~ **concurrent and delayed adverse effects that occur only as a result of a chronic** exposure. ~~to a chemical for a time period representing a substantial portion of the natural life expectancy of that organism.~~

~~(10)~~ **(11)** "Coliform bacteria" means all the aerobic and facultatively anaerobic, gram-negative, nonsporeforming bacilli that produce acid and gas from the fermentation of

lactose.

~~(11)~~ **(12)** "Community" means a general collective term to describe the varieties of aquatic species and associated organisms living together in a waterbody.

(13) "Criteria conversion factors" refers to the conversion factors that are multiplied by acute and chronic aquatic criteria developed using toxicological data in the form of total recoverable metal to express the criteria in the form of dissolved metal. The conversion factor for a particular metal and criterion is the fraction of the metal corresponding to an estimate of the percent of the total recoverable metal that was dissolved in the aquatic toxicity tests that were most important in the derivation of the criterion for the metal.

(14) "Criterion" means a definite numerical value or narrative statement promulgated by the board to maintain or enhance water quality to provide for and fully protect designated uses of the waters of the state.

~~(12)~~ **(15)** "Discharge-induced mixing" or "DIM" means mixing initiated by the use of submerged, high rate diffuser outfall structures ~~which~~ **(or the functional equivalent) that** provide turbulent initial mixing and will minimize organism exposure time.

~~(13)~~ **(16)** "Effluent" means a wastewater discharge from a point source to the waters of the state.

(17) "Endangered or threatened species" includes those species that are listed as endangered or threatened under Section 4 of the Endangered Species Act (ESA).

(18) "ESA" means the Endangered Species Act (ESA), 16 U.S.C. 1531 et seq.

(19) "Exceptional use water" means any water designated as an exceptional use water by the water pollution control board, regardless of when the designation occurred.

~~(14)~~ **(20)** "Final acute value" or "FAV" means:

(A) a calculated estimate of the concentration of a ~~substance~~ **test material such** that ~~is lower than all but five~~ **ninety-five** percent ~~(5%)~~ **(95%)** of the ~~mean acute values (MAVs) that cause a specific level of~~ **genera (with which acceptable** acute toxicity ~~to an aquatic taxon in laboratory test.~~ **tests have been conducted on the material) have higher genus mean acute values (GMAVs); or**

(B) the species mean acute value (SMAV) of an important or critical species, if the SMAV is lower than the calculated estimate.

~~(15)~~ **(21)** "Full body contact" means direct contact with the water to the point of complete submergence.

(22) "Genus mean acute value" or "GMAV" means the geometric mean of the SMAVs for the genus.

(23) "Genus mean chronic value" or "GMCV" means the geometric mean of the SMCVs for the genus.

~~(16)~~ **(24)** "Geometric mean" means the Nth root of the product of N quantities. Alternatively, the geometric mean can be calculated by adding the logarithms of the N numbers, dividing the sum by N, and taking the antilog of the quotient.

~~(17)~~ **(25)** "Great Lakes system" has the ~~same definition in this rule as contained under 327 IAC 2-1.5-2(42).~~ **meaning set forth in 327 IAC 2-1.5-2(44).**

~~(18)~~ **(26)** "Ground water" means ~~such accumulations of underground water, natural and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this state, but excluding manmade underground storage or conveyance structures.~~ **water located below the ground surface in interconnected voids and pore spaces in the zone of saturation.**

~~(19)~~ **(27)** "Human life cycle safe concentration" or "HLSC" is the highest concentration of a chemical to which a human is exposed continuously for a lifetime and ~~which~~ **that** results in no observable adverse effects to **a** human and its progeny.

~~(20)~~ **(28)** "Indigenous" means, generally, an organism native to and growing and reproducing in a particular region. For purposes of this rule, ~~this~~ **the** term also includes historically nonnative species introduced by the Indiana department of natural resources as part of a program of wildlife management whether such species reproduce or not.

~~(21)~~ **(29)** "LC_{50}" ~~means the median lethal~~ **refers to a statistically or graphically estimated** concentration ~~which~~ **that** is ~~the concentration of a test material in a suitable diluent at which~~ **expected to be lethal to** fifty percent (50%) of ~~the exposed organisms die during~~ a **group of organisms under** specified ~~time period.~~ **conditions.**

~~(22)~~ **(30)** "LD_{50}" means the median lethal dose of a chemical, which is the amount of a test material per body weight ~~which,~~ **that,** when administered, results in fifty percent (50%) mortality to the organisms during a specified time period.

~~(23)~~ **(31)** "Life cycle safe concentration" means the highest concentration of a chemical to which an organism is exposed continuously for a lifetime and ~~which~~ **that** results in no observable adverse effects to the organism and its progeny.

~~(24) "Limit of quantification" means a concentration of an analyte at which one can state with a degree of confidence, using the most sensitive analytical test method approved by EPA, for that sample matrix that an analyte is present at a specific concentration in the sample tested.~~

~~(25) "Log K_{ow}" means the log (base 10) of the n-octanol/water partition coefficient.~~

~~(26)~~ **(32)** "Lowest observable adverse effect level" or "LOAEL" means the lowest tested **dose or** concentration ~~causing the occurrence of an injurious or debilitating~~ **of a substance that resulted in an observed adverse** effect **in exposed test organisms when all higher doses or concentrations resulted in the same or more severe effects.**

~~(27)~~ **(33)** "MATC" means the maximum acceptable toxicant concentration obtained by calculating the geometric mean of the lower and upper chronic limits from a chronic test. A

lower chronic limit is the highest tested concentration ~~which~~ **that** did not cause the occurrence of a specified adverse effect. An upper chronic limit is the lowest tested concentration ~~which~~ **that** did cause the occurrence of a specified adverse effect and above which all tested concentrations caused such an occurrence.

~~(28)~~ **(34)** "Maximum contaminant level" or "MCL" means the maximum permissible level of a contaminant in water ~~which~~ **that** is delivered to the free-flowing outlet of the ultimate user of a public water ~~supply~~ system.

~~(29) "Mean acute value" or "MAV" means the concentration of a substance that causes a specific level of acute toxicity to aquatic organisms in some taxonomic group.~~

~~(30)~~ **(35)** "Mixing zone" means an area contiguous to a discharge where the discharged wastewater mixes with the receiving ~~waters.~~ **water.** Where the quality of the effluent is lower than that of the receiving ~~waters,~~ **water,** it may not be possible to attain within the mixing zone all beneficial uses ~~which are~~ attained outside the zone. The mixing zone should not be considered a place where effluents are treated.

~~(31) "NOAEL" means the highest level of toxicant which results in no observable adverse effects to exposed test organisms.~~

~~(32) "n-octanol/water partition coefficient (K_{ow})" means the ratio of the octanol to water equilibrium concentrations of a compound.~~

~~(33)~~ **(36)** "Nonthreshold mechanism" means a process ~~which~~ **that** results in some possible effect no matter what level is present. There is no level ~~which~~ **that** may not produce an effect.

(37) "No observed adverse effect level" or "NOAEL" is the highest tested dose or concentration of a substance that resulted in no observed adverse effect in exposed test organisms where higher doses or concentrations resulted in an adverse effect.

(38) "Occur at the site" includes the species, genera, families, orders, classes, and phyla that:

(A) are usually present at the site;

(B) are present at the site only seasonally due to migration;

(C) are present intermittently because they periodically return to or extend their ranges into the site;

(D) were present at the site in the past, are not currently present at the site due to degraded conditions, and are expected to return to the site when conditions improve; or

(E) are present in nearby bodies of water, are not currently present at the site due to degraded conditions, and are expected to be present at the site when conditions improve.

The taxa that occur at the site cannot be determined merely by sampling downstream and upstream of the site at one (1) point in time. The term does not include taxa that were once present at the site but cannot exist at the site now due to permanent physical alteration of the habitat at the site, for example, alterations resulting from dams.

(39) "Octanol-water partition coefficient" or "K_{OW}" means the ratio of the concentration of a substance in the n-octanol phase to its concentration in the aqueous phase in an equilibrated two-phase octanol-water system. For log K_{OW}, the log of the octanol-water partition coefficient is a base ten (10) logarithm.

(40) "Outstanding national resource water" means a water designated as such by the general assembly after recommendations by the water pollution control board and the environmental quality service council under IC 13-18-3-2(o) and IC 13-18-3-2(p). The designation must describe the quality of the outstanding national resource water to serve as the benchmark of the water quality that shall be maintained and protected. Waters that may be considered for designation as outstanding national resource waters include waterbodies that are recognized as:

(A) important because of protection through official action, such as:

(i) federal or state law;

(ii) presidential or secretarial action;

(iii) international treaty; or

(iv) interstate compact;

(B) having exceptional recreational significance;

(C) having exceptional ecological significance;

(D) having other special environmental, recreational, or ecological attributes; or

(E) waters with respect to which designation as an outstanding national resource water is reasonably necessary for protection of other waterbodies designated as outstanding national resource waters.

(41) "Outstanding state resource water" means any water designated as such by the water pollution control board regardless of when the designation occurred or occurs. Waters that may be considered for designation as outstanding state resource waters include waterbodies that have unique or special ecological, recreational, or aesthetic significance.

~~(34)~~ **(42)** "Persistent substance" means a chemical that is long-lived in soil, aquatic environments, and animal and plant tissues and is not readily broken down by biological or physiochemical processes.

~~(35)~~ **(43)** "Point source" means ~~a~~ **the following:**

(A) Any discernible, confined, and discrete conveyance, **including, but not limited to, any of the following** from which ~~wastewater is~~ **pollutants are** or may be discharged: ~~to the waters of the state.~~

(i) Pipe.

(ii) Ditch.

(iii) Channel.

(iv) Tunnel.

(v) Conduit.

(vi) Well.

(vii) Discrete fissure.

(viii) Container.

(ix) Rolling stock.

(x) Concentrated animal feeding operation.

(xi) Landfill leachate collection system.

(xii) Vessel.

(xiii) Other floating craft.

(B) The term does not include return flows from irrigated agriculture or agricultural storm run-off. See 327 IAC 5-2-4(a)(4) for other exclusions.

~~(36)~~ **(44)** "Policy" ~~as employed herein,~~ means a statement of administrative practice or decision making guidelines to be followed or implemented to the maximum extent feasible with respect to an identified problematic situation but to be less than strictly enforceable in contrast to a standard or rule of law.

~~(37)~~ **(45)** "Public water supply" means ~~any wells, reservoirs, lakes, rivers, sources of supply, pumps, mains, pipes, facilities, and structures through which water is obtained, treated as may be required, and supplied through a water distribution system for sale to or consumption by the public for drinking, domestic, or other purposes, including state-owned facilities even though the~~ **a source of** water ~~may not be sold to the~~ **for a** public **water system.**

(46) "Public water system" has the meaning set forth in 42 U.S.C. 300f.

~~(38)~~ **(47)** "Risk" means the probability that a substance, when released to the environment, will cause an adverse effect in exposed humans or other living organisms.

~~(39)~~ **(48)** "Risk assessment" means the analytical process used to determine the level of risk.

(49) "Species mean acute value" or "SMAV" means the geometric mean of the results of all acceptable flow-through acute toxicity tests (for which the concentrations of the test material were measured) with the most sensitive tested life stage of the species. For a species for which no such result is available for the most sensitive tested life stage, the SMAV is the geometric mean of the results of all acceptable acute toxicity tests with the most sensitive tested life stage.

(50) "Species mean chronic value" or "SMCV" means the geometric mean of the results of all acceptable life-cycle and partial life-cycle toxicity tests with the species; for a species of fish for which no such result is available, the SMCV is the geometric mean of all acceptable early life-stage tests.

~~(40) "Standard" means a definite numerical value or narrative statement promulgated by the board to maintain or enhance water quality to provide for and fully protect designated use of the waters of the state.~~

~~(41)~~ **(51)** "Steady-state" means an equilibrium condition has been achieved in the body burden of a substance in an organism. ~~This~~ **Steady-state** is assumed when the rate of loss of a substance matches its rate of uptake.

~~(42)~~ **(52)** "Surface waters of the state" or "surface water" ~~means such accumulations of water on the land surface, natural and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this state, but the term does not include any private pond or any pond, reservoir, or facility built for reduction or control of pollution or cooling water prior to discharge unless the discharge therefrom causes or threatens to cause water pollution.~~ **has the meaning set forth in IC 13-11-2-265, except that the term does not include underground waters with the exception of the following:**

(A) The underground portion of the Lost River and its underground tributaries.

(B) Any other underground stream that supports fish or other higher aquatic life forms and its underground tributaries.

~~(43)~~ **(53)** "Terrestrial life cycle safe concentration" or "TLSC" is the highest concentration of chemical to which wildlife is exposed continuously for a lifetime and which results in no observable adverse effects to wildlife and its progeny.

~~(44)~~ **(54)** "Threshold mechanism" means a process ~~which~~ **that** results in some effect if a certain level is exceeded, but ~~which~~ **that** produces no effect below that level.

~~(45)~~ **(55)** "Toxic substances" means substances ~~which~~ **that** are or may become harmful to: ~~plant or animal~~

(A) aquatic life;

(B) humans;

(C) other animals;

(D) plants; or ~~to~~

(E) food chains;

when present in sufficient concentrations or combinations. Toxic substances include, but are not limited to, those pollutants identified as toxic under Section 307(a)(1) of the Clean Water Act.

~~(46)~~ **(56)** "Variance" means a deviation from a water quality standard.

~~(47) "Waters of the state" means such accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this state, but the term does not include any private pond, or any pond, reservoir, or~~

~~facility built for reduction or control of pollution or cooling of water prior to discharge unless the discharge therefrom causes or threatens to cause water pollution.~~

(57) "Water-effect ratio" or "WER" means the ratio that is computed as a specific pollutant's acute or chronic toxicity endpoint measured in water from the site covered by the criterion, divided by the respective acute or chronic toxicity endpoint in laboratory dilution water.

(58) "Waters of the state" has the meaning set forth in IC 13-11-2-265.

~~(48)~~ **(59)** "Water use designations" means a use of the waters of the state as established by this rule, including, but not limited to, **the following:**

(A) Industrial water supply.

(B) Agricultural use.

(C) Public water supply.

(D) Full body contact.

(E) Aquatic life.

(F) Limited use. ~~and~~

(G) Exceptional use.

~~(49)~~ **(60)** "Well-balanced aquatic community" means an aquatic community ~~which~~ **that:**

(A) is diverse in species composition;

(B) contains several different trophic levels; and

(C) is not composed mainly of ~~strictly~~ pollution tolerant species.

~~(50)~~ **(61)** "Zone of initial dilution" or "ZID" means ~~that~~ **the** area of the receiving ~~stream~~ **water directly** after the end of the pipe where an instantaneous volume of water gives **up to** a one-to-one **(1:1)** dilution of the discharge.

(Water Pollution Control Board; 327 IAC 2-1-9; filed Sep 24, 1987, 3:00 p.m.: 11 IR 584; filed Feb 1, 1990, 4:30 p.m.: 13 IR 1041; errata filed Jul 6, 1990, 5:00 p.m.: 13 IR 2004; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1360; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3376)

SECTION 12. 327 IAC 2-1-12 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1-12 Incorporation by reference

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18-4

Sec. 12. The following materials have been incorporated by reference into this rule. Each of the following items, in addition to its title, will list the name and address of where it may be located for inspection and copying:

(1) Clean Water Act (CWA) 33 U.S.C. 1251 et seq. in effect ~~December 16, 1996,~~ **July 1, 2004,** available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, or from the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

(2) Code of Federal Regulations (40 CFR 136) in effect ~~December 16, 1996,~~ **July 1, 2004,** available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, or the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

(Water Pollution Control Board; 327 IAC 2-1-12; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1363; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3376)

SECTION 13. 327 IAC 2-1-13 IS ADDED TO READ AS FOLLOWS:

327 IAC 2-1-13 Development of site-specific aquatic life criteria using the recalculation procedure

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3-1; IC 13-18-3-2; IC 13-18-3-3
Affected: IC 13-18-4

Sec. 13. (a) The definitions in section 9 of this rule and 327 IAC 2-1.5-2 and the following apply throughout this section:

(1) "Critical species" means a species:

(A) that is commercially or recreationally important at the site;

(B) that occurs at the site and is listed as threatened or endangered under Section 4 of the Endangered Species Act; or

(C) for which there is evidence that the loss of the species from the site is likely to cause an unacceptable impact on:

(i) a commercially or recreationally important species;

(ii) a threatened or endangered species;

(iii) the abundance of a variety of other species; or

(iv) the structure or function of the aquatic community.

(2) "Minimum data requirements" or "MDRs" means the minimum amount of toxicity data required under subsection (c) to develop a valid site-specific aquatic life criterion using the recalculation procedure. The initial MDRs for the recalculation procedure are listed in subsection (c).

(b) The recalculation procedure is intended to allow site-specific criteria to differ from the aquatic life criteria in this rule and 327 IAC 2-1.5. The site-specific criteria may be allowed if justified by demonstrated pertinent toxicological differences between the aquatic species that occur at the site

and those that were used in the derivation of the criteria in this rule or 327 IAC 2-1.5. The recalculation procedure involves the recalculation of water quality criteria for a given site through the modification of the toxicity data set used to originally calculate the criteria. The process of modifying a toxicity data set for this procedure involves one (1) or more of the following steps:

(1) Correction of toxicity data in a criterion's data set.

(2) Addition of toxicity data to the criterion's data set.

(3) Deletion of toxicity data in the criterion's data set.

(c) Except as provided in subsection (g), the following MDRs must be available to calculate site-specific aquatic life criteria using the recalculation procedure:

(1) Results of acceptable acute or chronic tests with at least one (1) species of freshwater animal in at least eight (8) different families such that all of the following are included:

(A) The family Salmonidae in the class Osteichthyes.

(B) One (1) other family, preferably a commercially or recreationally important, warmwater species, in the class Osteichthyes, for example:

(i) bluegill; or

(ii) channel catfish.

(C) A third family in the phylum Chordata, for example:

(i) fish; or

(ii) amphibian.

(D) A planktonic crustacean, for example, a:

(i) cladoceran; or

(ii) copepod.

(E) A benthic crustacean, for example:

(i) ostracod;

(ii) isopod;

(iii) amphipod; or

(iv) crayfish.

(F) An insect, for example:

(i) mayfly;

(ii) dragonfly;

(iii) damselfly;

(iv) stonefly;

(v) caddisfly;

(vi) mosquito; or

(vii) midge.

(G) A family in a phylum other than Arthropoda or Chordata, for example:

(i) Rotifera;

(ii) Annelida; or

(iii) Mollusca.

(H) A family in any order of insect or any phylum not already represented.

(2) Acute-chronic ratios (ACRs) with at least one (1) species of aquatic animal in at least three (3) different families provided that of the three (3) species at least one (1) is:

(A) a fish;

(B) an invertebrate; and

(C) an acutely sensitive freshwater species.

(3) Results of at least one (1) acceptable test with a freshwater algae or vascular plant is desirable but not required for criterion derivation. If plants are among the aquatic organisms most sensitive to the material, results of a test with a plant in another phylum (division) should also be available.

(d) If a specific requirement in subsection (c) cannot be satisfied, after deletion of toxicity data described in subsection (e), because that kind of species does not occur at the site, toxicity data from a taxonomically similar species must be substituted in order to meet the MDRs. The following procedures, listed in order of preference, shall be used to substitute a taxonomically similar species in order to meet the MDRs under subsection (c):

(1) If no species of the kind required occurs at the site, but a species in the same order does, the MDR can only be satisfied by toxicity data for a species that occurs at the site and is in that order.

(2) If no species in the order occurs at the site, but a species in the class does, the MDR can only be satisfied by toxicity data for a species that occurs at the site and is in that class.

(3) If no species in the same class occurs at the site, but a species in the phylum does, the MDR can only be satisfied by toxicity data for a species in that phylum.

(4) If no species in the same phylum occurs at the site, any species that occurs at the site and is not used to satisfy a different MDR can be used to satisfy the MDR.

(e) The following procedures in this subsection shall be used to develop the toxicity data set that must be used to recalculate a site-specific water quality criterion:

(1) For each criterion to be recalculated that meets the MDRs in subsection (c), the original data set that was used to develop the criterion must first be corrected for any errors. Corrections to the data set involve modifying or removing toxicity data, SMAVs, GMAVs, or ACRs that have been found to be incorrect or in some way inappropriate for inclusion in the criterion's data set. Only corrections approved by the commissioner may be used.

(2) After corrections to the original data set have been made, additions to the data set must be made according

to the following:

(A) Additions to the data set include adding new toxicity data:

(i) for species that have been determined by the commissioner to occur at the site but are not represented by the original data set; and

(ii) developed to meet the MDRs.

(B) Toxicity data added to a criterion's data set must meet the minimum data quality requirements in 327 IAC 2-1.5-11(c), 327 IAC 2-1.5-11(e)(3) through 2-1.5-11(e)(5), and 327 IAC 2-1.5-11(g) and be approved by the commissioner.

(C) Selective additions to the toxicity data set may not be made. All pertinent toxicity data approved by the commissioner must be included in the calculation of the site-specific criterion.

(3) After corrections and additions to the data set have been made, deletions of toxicity data for species that have been determined by the commissioner not to occur at the site may be made subject to the following:

(A) Comprehensive information on which species occur at the site must be available before deletions from the data set will be permitted.

(B) A species may not be deleted from the data set based on incomplete information on that species.

(C) Acceptable pertinent toxicological data must be available for at least one (1) species in each class of aquatic plants, invertebrates, amphibians, and fish that contains a species that is a critical species at the site.

(D) For each aquatic plant, invertebrate, amphibian, and fish species that occurs at the site and is listed as threatened or endangered under Section 4 of the Endangered Species Act, data must be available or generated for an acceptable surrogate species. Data for each surrogate species must be used as if they are data for species that occur at the site.

(4) To generate the site-specific data set, species shall be deleted from the original data set using the following procedures:

(A) Once corrections and additions have been made to the original data set, species in the data set are grouped taxonomically by:

(i) phylum;

(ii) class;

(iii) order;

(iv) family;

(v) genus; and

(vi) species.

(B) All species that satisfy the definition of occur at the site, including any toxicity data for species that are surrogates of threatened or endangered species that occur at the site, must be included in the final site-specific data set.

(C) Circle each species that satisfies the definition of occur at the site including any surrogates of threatened or endangered species.

(D) The following procedures must be used to determine which of the remaining species from the original toxicity data set must be kept and which must be deleted:

(i) Use the following STEPS to determine which of the remaining species must be deleted and which must not be deleted:

STEP 1. Does the genus occur at the site?

If "No", go to STEP 2.

If "Yes", is there one (1) or more species in the genus that occurs at the site but is not in the data set?

If "No", go to STEP 2.

If "Yes", retain the uncircled species*.

STEP 2. Does the family occur at the site?

If "No", go to STEP 3.

If "Yes", is there one (1) or more genera in the family that occurs at the site but is not in the data set?

If "No", go to STEP 3.

If "Yes", retain the uncircled species*.

STEP 3. Does the order occur at the site?

If "No", go to STEP 4.

If "Yes", does the data set contain a circled species that is in the same order?

If "No", retain the uncircled species*.

If "Yes", delete the uncircled species*.

STEP 4. Does the class occur at the site?

If "No", go to STEP 5.

If "Yes", does the data set contain a circled species that is in the same class?

If "No", retain the uncircled species*.

If "Yes", delete the uncircled species*.

STEP 5. Does the phylum occur at the site?

If "No", delete the uncircled species*.

If "Yes", does the data set contain a circled species that is in the same phylum?

If "No", retain the uncircled species*.

If "Yes", delete the species*.

*** = Continue the deletion process by starting at STEP 1 for any remaining species unless all species in the data set have been considered. The species that are circled and those that are retained constitute the site-specific data set.**

(ii) This deletion process must be interpreted to ensure the following:

(AA) Each species that occurs both in the original data set and at the site also occurs in the site-specific data set.

(BB) Each species that occurs at the site but does not occur in the original data set is represented in the site-specific data set by all species in the original data set that are in the same genus.

(CC) Each genus that occurs at the site but does not occur in the original data set is represented in the site-specific data set by all genera in the original data set that are in the same family.

(DD) Each order, class, and phylum that occurs both in the original data set and at the site is represented in the site-specific data set by the one (1) or more species in the original data set that is most closely related to a species that occurs at the site.

(E) After deletion of species that do not occur at the site, if the data remaining in the site-specific data set do not meet the MDRs, additional toxicity testing shall be performed using acceptable procedures.

(F) Chronic tests do not have to be conducted because the original final acute-chronic ratio (FACR) may be used in the derivation of the site-specific final chronic value (FCV). If ACRs are available or are generated so that the chronic MDRs are satisfied using only one (1) species that occurs at the site, a site-specific FACR may be derived and used in place of the original FACR.

(f) The following procedures in this subsection must be used to calculate the site-specific final acute value (FAV), the acute aquatic criterion (AAC) or criterion maximum concentration (CMC), and the chronic aquatic criterion (CAC) or criterion continuous concentration (CCC) using the site-specific data set developed using the procedures in subsection (e):

(1) The FAV and AAC or CMC must be calculated using the procedures in this subdivision. If the minimum toxicity data set requirements in subsection (c) are met following addition or deletion of one (1) or more sensitive species representative at the site, the site-specific FAV must be recalculated using all the available representative resident species toxicity data and the following procedures:

(A) For each genus for which one (1) or more species mean acute value (SMAV) is available, calculate a genus mean acute value (GMAV) first.

(B) Arrange in order all GMAVs from high to low.

(C) Assign a rank (R) to the GMAV from "1" for the lowest to "n" for the highest.

(D) Calculate the cumulative probability (P) for each GMAV rank ((R) / (n +1)).

(E) Select the four (4) lowest GMAVs that have cumulative probability closest to five-hundredths (0.05).

(F) Using the selected GMAVs and the cumulative probabilities, calculate the following:

(i) $FAV = e^{A}$

(ii) $A = S(\sqrt{0.05}) + L$

(iii) $$L = \frac{\sum(\ln GMAV) - S(\sum(\sqrt{P}))}{4}$$

(iv) $$S^2 = \frac{\sum((\ln GMAV)^2) - \frac{(\sum(\ln GMAV))^2}{4}}{\sum(P) - \frac{(\sum(\sqrt{P}))^2}{4}}$$

Where: e^A = natural logarithm (ln) of A

GMAV = genus mean acute value

S^2 = variance (S = standard deviation)

P = cumulative probability for each GMAV at rank (R)/(n + 1)

$\sum$ = summation

(G) If the toxicity data show that acute toxicity for a substance is related to a water characteristic such as hardness, then a final acute equation must be calculated using the procedures in 327 IAC 2-1.5-11(f).

(H) To derive the site-specific AAC or CMC, the site-specific FAV is divided by two (2).

(2) The CAC or CCC shall be calculated using one (1) of the following procedures:

(A) The site-specific FAV will be divided by the FACR calculated as the geometric mean of the ACRs for a toxicant available in the original toxicity data set as well as new ACRs derived from acceptable aquatic toxicity tests. The geometric mean of the ACRs will be calculated from ACRs that do not differ by a factor of ten (10) from all the freshwater aquatic animal species. This will also include the ACRs from coldwater aquatic organisms even if they were deleted from the original data set as being not representative of the site. The site-specific CAC or CCC shall be calculated as follows:

$$\text{Site-specific CAC or CCC} = \frac{\text{Site-specific FAV}}{\text{FACR}}$$

(B) If chronic toxicity data are available for at least eight (8) families as defined in subsection (c), a CAC or CCC can be derived in the same manner as the FAV by substituting:

(i) CAC for FAV;

(ii) chronic for acute;

(iii) maximum acceptable toxicant concentration for LC_{50};

(iv) species mean chronic value for SMAV; and

(v) genus mean chronic value for GMAV.

(C) If the toxicity data show that chronic toxicity for a substance is related to a water characteristic such as hardness, then a final chronic equation must be calculated using the procedures in 327 IAC 2-1.5-11(h).

(3) The site-specific FAV must be divided by the geometric mean of the ACRs for a toxicant. The geometric mean of the ACRs will be calculated from ACRs that do not differ by a factor of ten (10) from all the freshwater aquatic animal species. A minimum of three (3) ACRs must be available from three (3) species in three (3) different families, including a fish, an invertebrate, and an acutely sensitive aquatic animal species. This will also include the ACRs from coldwater aquatic organisms even if they were deleted from the original toxicity database in the recalculation of a site-specific criterion as not occurring at the site.

(4) The calculated FAV, AAC, and CAC must be lowered, if necessary, to:

(A) protect an aquatic plant, invertebrate, amphibian, or fish species that is a critical species at the site; and

(B) ensure that the criterion is not likely to jeopardize the continued existence of any endangered or threatened species listed under Section 4 of the Endangered Species Act or result in the destruction or adverse modification of such species' critical habitat.

(g) If the variety of aquatic invertebrates, amphibians, and fish is so limited that species in fewer than eight (8) families occur at the site, the following procedures must be used:

(1) For site-specific criteria that will be applicable outside the Great Lakes System, the following procedures must be used:

(A) Data must be available for at least one (1) species in each of the families that occurs at the site.

(B) The lowest SMAV for the most sensitive aquatic animal species that occurs at the site must be equal to the site-specific FAV.

(C) To derive the site-specific AAC, the site-specific FAV is divided by two (2).

(D) The site-specific CAC will be obtained as provided by subsection (f)(2) by dividing the site-specific FAV by the geometric mean ACR from all freshwater aquatic animal species or by a factor of forty-five (45) if no ACR is available from at least one (1) freshwater animal species.

(2) For site-specific criteria that will be applicable inside the Great Lakes System, Tier II values can be calculated using the site-specific data set developed in subsection (e) and the procedures in 327 IAC 2-1.5-12.

(Water Pollution Control Board; 327 IAC 2-1-13)

SECTION 14. 327 IAC 2-1.5-2 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1.5-2 Definitions

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-11-2-265; IC 13-18-3-2; IC 13-18-4

Sec. 2. In addition to the definitions contained in IC 13-11-2 and 327 IAC 1, the following definitions apply throughout this article, 327 IAC 5, and 327 IAC 15:

(1) "Acceptable daily exposure" or "ADE" means an estimate of the maximum daily dose of a substance ~~which~~ **that** is not expected to result in adverse noncancer effects to the general human population, including sensitive subgroups.

(2) "Acceptable endpoints" (subchronic and chronic), for the purpose of wildlife criteria derivation, means those endpoints that affect reproductive or developmental success, organismal viability or growth, or any other endpoint that is, or is directly related to, a parameter that influences population dynamics.

(3) "Acute-chronic ratio" or "ACR" means a standard measure of the acute toxicity of a material divided by an appropriate measure of the chronic toxicity of the same material under comparable conditions.

~~(4) "Acute toxic unit" or "TU_a" means $100/LC_{50}$ where the LC_{50} is expressed as a percent effluent in the test medium of an acute whole effluent toxicity (WET) test that is statistically or graphically estimated to be lethal to fifty percent (50%) of the test organisms.~~

~~(5)~~ **(4)** "Acute toxicity" means concurrent and delayed adverse effects that result from an acute exposure and occur within any short observation period, which begins when the exposure begins, may extend beyond the exposure period, and usually does not constitute a substantial portion of the life span of the organism.

(5) "Acute toxic unit" or "TU_a" means $100/LC_{50}$ where the LC_{50} is expressed as a percent effluent in the test medium of an acute whole effluent toxicity (WET) test that is statistically or graphically estimated to be lethal to fifty percent (50%) of the test organisms.

(6) "Adverse effect" means any deleterious effect to organisms due to exposure to a substance. The term includes effects that are or may become debilitating, harmful, or toxic to the normal functions of the organism, but does not include nonharmful effects, such as tissue discoloration alone or the induction of enzymes involved in the metabolism of the substance.

(7) "Alternate mixing zone" means a mixing zone granted by the commissioner under 327 IAC 5-2-11.4(b)(4) for a particular pollutant and a particular criterion or value that is larger than that specified in 327 IAC 5-2-11.4(b)(2) or 327 IAC 5-2-11.4(b)(3).

~~(7)~~ **(8)** "Baseline BAF" means the following:

(A) For organic chemicals, a BAF that is based on the

concentration of freely dissolved chemical in the ambient water and takes into account the partitioning of the chemical within the organism.

(B) For inorganic chemicals, a BAF that is based on the wet weight of the tissue.

~~(8)~~ **(9)** "Baseline BCF" means the following:

(A) For organic chemicals, a BCF that is based on the concentration of freely dissolved chemical in the ambient water and takes into account the partitioning of the chemical within the organism.

(B) For inorganic chemicals, a BCF that is based on the wet weight of the tissue.

~~(9)~~ **(10)** "Bioaccumulation" means the net accumulation of a substance by an organism as a result of uptake from all environmental sources.

~~(10)~~ **(11)** "Bioaccumulation factor" or "BAF" means the ratio (in L/kg) of a substance's concentration in tissue of an aquatic organism to its concentration in the ambient water, in situations where both the organism and its food are exposed and the ratio does not change substantially over time.

~~(11)~~ **(12)** "Bioaccumulative chemical of concern" or "BCC" has the meaning set forth in section 6 of this rule.

~~(12)~~ **(13)** "Bioconcentration" means the net accumulation of a substance by an aquatic organism as a result of uptake directly from the ambient water through gill membranes or other external body surfaces.

~~(13)~~ **(14)** "Bioconcentration factor" or "BCF" means the ratio (in liters per kilogram) of a substance's concentration in tissue of an aquatic organism to its concentration in the ambient water, in situations where the organism is exposed through the water only and the ratio does not change substantially over time.

~~(14)~~ **(15)** "Biota-sediment accumulation factor" or "BSAF" means the ratio (in kilograms of organic carbon per kilogram of lipid) of a substance's lipid-normalized concentration in tissue of an aquatic organism to its organic carbon-normalized concentration in surface sediment, in situations where:

(A) the ratio does not change substantially over time;

(B) both the organism and its food are exposed; and

(C) the surface sediment is representative of average surface sediment in the vicinity of the organism.

~~(15)~~ **(16)** "Carcinogen" means a substance that causes an increased incidence of benign or malignant neoplasms, or substantially decreases the time to develop neoplasms, in animals or humans. The classification of carcinogens is discussed in section ~~13(b)(1)~~ **14(b)(1)** of this rule.

~~(16)~~ **(17)** "Chronic effect", for purposes of wildlife criteria derivation, means:

(A) an adverse effect that is measured by assessing an acceptable endpoint; and

(B) results from continual exposure over several generations, or at least over a significant part of the test species' projected life span or life stage.

~~(17) "Chronic toxic unit" or "TU_c" means 100/NOEC or 100/IC_{25}, where the NOEC and IC_{25} are expressed as a percent effluent in the test medium.~~

(18) "Chronic toxicity" means concurrent and delayed adverse effects that occur only as a result of a chronic exposure.

(19) "Chronic toxic unit" or "TU_c" means 100/NOEC or 100/IC_{25}, where the NOEC and IC_{25} are expressed as a percent effluent in the test medium.

~~(19)~~ **(20)** "Clean Water Act" or "CWA" means the federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.).

~~(20)~~ **(21)** "Coliform bacteria" means all the aerobic and facultatively anaerobic, gram-negative, nonsporeforming bacilli that produce acid and gas from the fermentation of lactose.

~~(21)~~ **(22)** "Community" means a general collective term to describe the varieties of aquatic species and associated organisms living together in a waterbody.

(23) "Criteria conversion factors" refers to the conversion factors that are multiplied by acute and chronic aquatic criteria developed using toxicological data in the form of total recoverable metal to express the criteria in the form of dissolved metal. The conversion factor for a particular metal and criterion is the fraction of the metal corresponding to an estimate of the percent of the total recoverable metal that was dissolved in the aquatic toxicity tests that were most important in the derivation of the criterion for the metal.

~~(22) "Criteria"~~ **(24) "Criterion"** means a definite numerical value or narrative statement promulgated by the board to maintain or enhance water quality to provide for and fully protect designated uses of the waters of the state.

~~(23)~~ **(25)** "Criterion continuous concentration" or "CCC" means an estimate of the highest concentration of a material in the water column to which an aquatic community can be exposed indefinitely without resulting in an unacceptable effect.

~~(24)~~ **(26)** "Criterion maximum concentration" or "CMC" means an estimate of the highest concentration of a material in the water column to which an aquatic community can be exposed briefly without resulting in an unacceptable effect.

~~(25)~~ **(27)** "Depuration" means the loss of a substance from an organism as a result of any active or passive process.

~~(26)~~ **(28)** "Designated uses" has the meaning set forth in section 5 of this rule, whether or not they are being attained.

~~(27)~~ **(29)** "EC_{50}" refers to a statistically or graphically estimated concentration that is expected to cause one (1) or more specified effects in fifty percent (50%) of a group of organisms under specified conditions.

~~(28)~~ **(30)** "Effluent" means a wastewater discharge from a point source to the waters of the state.

~~(29)~~ **(31)** "Endangered or threatened species" includes those species that are listed as endangered or threatened under Section 4 of the Endangered Species Act (ESA).

~~(30)~~ **(32)** "ESA" means the Endangered Species Act (ESA), 16 U.S.C. 1531 ~~through 16 U.S.C. 1544.~~ **et seq.**

~~(31)~~ **(33)** "Existing uses" includes those uses actually attained in the waterbody on or after November 28, 1975, whether or not they are included under section 5 of this rule.

~~(32)~~ **(34)** "Final acute value" or "FAV" means:

(A) a calculated estimate of the concentration of a test material such that ninety-five percent (95%) of the genera (with which acceptable acute toxicity tests have been conducted on the material) have higher GMAVs; or

(B) the SMAV of an important or critical species, if the SMAV is lower than the calculated estimate.

~~(33)~~ **(35)** "Final chronic value" or "FCV" means:

(A) a calculated estimate of the concentration of a test material such that ninety-five percent (95%) of the genera (with which acceptable chronic toxicity tests have been conducted on the material) have higher GMCVs;

(B) the quotient of an FAV divided by an appropriate acute-chronic ratio; or

(C) the SMCV of an important or critical species, if the SMCV is lower than the calculated estimate or the quotient, whichever is applicable.

~~(34)~~ **(36)** "Final plant value" or "FPV" means the lowest plant value that was obtained with an important aquatic plant species in an acceptable toxicity test for which the concentrations of the test material were measured and the adverse effect was biologically important.

~~(35)~~ **(37)** "Food-chain multiplier" or "FCM" means the ratio of a BAF to an appropriate BCF.

~~(36)~~ **(38)** "Full body contact" means direct contact with the water to the point of complete submergence.

~~(37)~~ **(39)** "Genus mean acute value" or "GMAV" means the geometric mean of the SMAVs for the genus.

~~(38)~~ **(40)** "Genus mean chronic value" or "GMCV" means the geometric mean of the SMCVs for the genus.

~~(39)~~ **(41)** "Geometric mean" means the Nth root of the product of N quantities. Alternatively, the geometric mean can be calculated by adding the logarithms of the N numbers, dividing the sum by N, and taking the antilog of the quotient.

~~(40)~~ **(42)** "Great Lakes" means Lake Erie and Lake Michigan.

~~(41)~~ **(43)** "Great Lakes states" means:

(A) Illinois;

(B) Indiana;

(C) Michigan;

(D) Minnesota;

(E) New York;

(F) Ohio;

(G) Pennsylvania; and

(H) Wisconsin.

~~(42)~~ **(44)** "Great Lakes system" means all the streams, rivers, lakes, and other waters of the state within the drainage basin of the Great Lakes within Indiana.

~~(43)~~ **(45)** "Great Lakes water quality wildlife criterion" or "GLWC" means the concentration of a substance that is likely to, if not exceeded, protect avian and mammalian wildlife populations inhabiting the Great Lakes basin from adverse effects resulting from the ingestion of water and aquatic prey taken from surface waters of the Great Lakes system. These criteria are based on existing toxicological studies of the substance of concern and quantitative information about the exposure of wildlife species to the substance, that is, food and water consumption rates. Since toxicological and exposure data for individual wildlife species are limited, a GLWC is derived using a methodology similar to that used to derive noncancer human health criteria. Separate avian and mammalian values are developed using taxonomic class-specific toxicity data and exposure data for five (5) representative Great Lakes basin wildlife species. The following wildlife species selected are representative of avian and mammalian species resident in the Great Lakes basin that are likely to experience the highest exposures to bioaccumulative contaminants through the aquatic food web:

(A) Bald eagle.

(B) Herring gull.

(C) Belted kingfisher.

(D) Mink.

(E) River otter.

~~(44)~~ **(46)** "Ground water" means ~~such accumulations of underground water, natural and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this state, but excluding manmade underground storage or conveyance structures.~~ **water located below the ground surface in interconnected voids and pore spaces in the zone of saturation.**

~~(45)~~ **(47)** "High quality waters" means waterbodies in which, on a parameter by parameter basis, the quality of the waters exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water. The term includes any waterbody for which the pollutant has not been detected in:

(A) the water column; and

(B) nontransient aquatic organisms at levels that would indicate that a water quality criterion is not being met.

~~(46)~~ **(48)** "Human cancer criterion" or "HCC" refers to a human cancer value (HCV) for a pollutant that meets the minimum data requirements for Tier I specified in section 14 of this rule.

~~(47)~~ **(49)** "Human cancer value" or "HCV" means the maximum ambient water concentration of a substance at which a lifetime of exposure will represent a plausible upper-bound risk of contracting cancer of one (1) in one hundred thousand (100,000) using the exposure assumptions specified in section 14 of this rule from either:

(A) drinking the water, consuming fish from the water, and water-related recreational activities; or

(B) consuming fish from the water and water-related recreational activities.

~~(48)~~ **(50)** "Human noncancer criterion" or "HNC" refers to a human noncancer value (HNV) for a pollutant that meets the minimum data requirements for Tier I specified in section 14 of this rule.

~~(49)~~ **(51)** "Human noncancer value" or "HNV" means the maximum ambient water concentration of a substance at which adverse noncancer effects are not likely to occur in the human population from lifetime exposure using section 14 of this rule from either:

(A) drinking the water, consuming fish from the water, and water-related recreational activities; or

(B) consuming fish from the water and water-related recreation activities.

~~(50)~~ **(52)** "Inhibition concentration 25" or "IC_{25}" means the toxicant concentration that would cause a twenty-five percent (25%) reduction in a nonquantal biological measurement for the test population. For example, the IC_{25} is the concentration of toxicant that would cause a twenty-five percent (25%) reduction in mean young per female or in growth for the test population.

~~(51)~~ **(53)** "LC_{50}" refers to a statistically or graphically estimated concentration that is expected to be lethal to fifty percent (50%) of a group of organisms under specified conditions.

~~(52)~~ **(54)** "Linearized multistage model" means a conservative mathematical model for cancer risk assessment. This model fits linear dose-response curves to low doses. It is consistent with a no-threshold model of carcinogenesis, that is, exposure to even a very small amount of the substance is assumed to produce a finite increased risk of cancer.

~~(53)~~ **(55)** "Lowest observed adverse effect level" or "LOAEL" means the lowest tested dose or concentration of a substance that resulted in an observed adverse effect in exposed test organisms when all higher doses or concentrations resulted in the same or more severe effects.

~~(54)~~ **(56)** "Maximum contaminant level" or "MCL" means the maximum permissible level of a contaminant in water that is delivered to the free-flowing outlet of the ultimate user of a public water ~~supply~~ system.

~~(55)~~ **(57)** "Mixing zone" means an area contiguous to a discharge where the discharged wastewater mixes with the receiving water. Where the quality of the effluent is lower than that of the receiving water, it may not be possible to attain within the mixing zone all beneficial uses attained outside the zone. The mixing zone should not be considered a place where effluents are treated.

~~(56)~~ **(58)** "New Great Lakes discharger" has the meaning set forth in 327 IAC 5-1.5-36.

(59) "Nonthreshold mechanism" means a process that results in some possible effect no matter what level is present. There is no level that may not produce an effect.

~~(57)~~ **(60)** "No observed adverse effect level" or "NOAEL" is the highest tested dose or concentration of a substance that resulted in no observed adverse effect in exposed test organisms where higher doses or concentrations resulted in an adverse effect.

~~(58)~~ **(61)** "No observed effect concentration" or "NOEC" is the highest concentration of toxicant to which organisms are exposed in a full life cycle or partial life cycle (short term) test, that causes no observable adverse effects on the test organisms, that is, the highest concentration of toxicant in which the values for the observed responses are not statistically significantly different from the controls.

~~(59) "Nonthreshold mechanism" means a process that results in some possible effect no matter what level is present. There is no level that may not produce an effect.~~

~~(60)~~ **(62)** "Occur at the site" includes the species, genera, families, orders, classes, and phyla that:

(A) are usually present at the site;

(B) are present at the site only seasonally due to migration;

(C) are present intermittently because they periodically return to or extend their ranges into the site;

(D) were present at the site in the past, are not currently present at the site due to degraded conditions, and are expected to return to the site when conditions improve; or

(E) are present in nearby bodies of water, are not currently present at the site due to degraded conditions, and are expected to be present at the site when conditions improve.

The taxa that occur at the site cannot be determined merely by sampling downstream and upstream of the site at one (1) point in time. The term does not include taxa that were once present at the site but cannot exist at the site now due to permanent physical alteration of the habitat at the site, for example, alterations resulting from dams.

~~(61)~~ **(63)** "Octanol-water partition coefficient" or "K_{OW}" means the ratio of the concentration of a substance in the n-octanol phase to its concentration in the aqueous phase in an equilibrated two-phase octanol-water system. For log K_{OW}, the log of the octanol-water partition coefficient is a base ten (10) logarithm.

~~(62)~~ **(64)** "Open waters of Lake Michigan" means all of the waters within Lake Michigan lakeward from a line drawn across the mouth of tributaries to the lake, including all waters enclosed by constructed breakwaters. For the Indiana

Harbor Ship Canal, the boundary of the open waters of Lake Michigan is delineated by a line drawn across the mouth of the harbor from the East Breakwater Light (1995 United States Coast Guard Light List No. 19675) to the northernmost point of the LTV Steel property along the west side of the harbor.

~~(63)~~ **(65)** "Outstanding national resource ~~waters~~" **water"** means ~~those waters~~ **a water** designated as such by ~~Indiana~~ **the general assembly after recommendations by the water pollution control board and the environmental quality service council under IC 13-18-3-2(o) and IC 13-18-3-2(p).** The designation ~~shall~~ **must** describe the quality of ~~such waters~~ **the outstanding national resource water** to serve as the benchmark of the water quality that shall be maintained and protected. Waters that may be considered for designation as outstanding national resource waters include ~~but are not limited to,~~ waterbodies that are recognized as:

(A) important because of protection through official action, such as:

(i) federal or state law;

(ii) presidential or secretarial action;

(iii) international treaty; or

(iv) interstate compact;

(B) having exceptional recreational significance;

(C) having exceptional ecological significance;

(D) having other special environmental, recreational, or ecological attributes; or

(E) waters ~~whose~~ **with respect to which** designation as **an** outstanding national resource ~~waters~~ **water** is reasonably necessary for ~~the~~ protection of other ~~waters so~~ **waterbodies** designated **as outstanding national resource waters.**

~~(64)~~ **(66)** "Outstanding state resource ~~waters~~" **water"** means ~~those waters~~ **any water** designated as such by ~~Indiana.~~ **the water pollution control board regardless of when the designation occurred or occurs. Waters that may be considered for designation as outstanding state resource waters include waterbodies that have unique or special ecological, recreational, or aesthetic significance.**

~~(65)~~ **(67)** "Point source" has the meaning set forth in 327 IAC 5-1.5-40.

~~(66)~~ **(68)** "Policy" means a statement of administrative practice or decision making guidelines to be followed or implemented to the maximum extent feasible with respect to an identified problematic situation but to be less than strictly enforceable in contrast to a standard or rule of law.

~~(67)~~ **(69)** "Public water supply" means ~~any wells, reservoirs, lakes, rivers, sources of supply, pumps, mains, pipes, facilities, and structures through which water is obtained, treated as may be required, and supplied through a water distribution system for sale to or consumption by the public for drinking, domestic, or other purposes, including state-owned facilities even though the water may not be sold to the~~ **a source of water for a** public **water system.**

(70) "Public water system" has the meaning set forth in 42 U.S.C. 300f.

~~(68)~~ **(71)** "Quantitative structure activity relationship" or "QSAR" or "structure activity relationship" or "SAR" refers to a mathematical relationship between a property (activity) of a chemical and a number of descriptors of the chemical. These descriptors are chemical or physical characteristics obtained experimentally or predicted from the structure of the chemical.

~~(69)~~ **(72)** "Relative source contribution" or "RSC" means the factor (percentage) used in calculating ~~a~~ **an** HNV or HNC to account for all sources of exposure to a contaminant. The RSC reflects the percent of total exposure that may be attributed to surface water through water intake and fish consumption.

~~(70)~~ **(73)** "Risk" means the probability that a substance, when released to the environment, will cause an adverse effect in exposed humans or other living organisms.

~~(71)~~ **(74)** "Risk assessment" means the analytical process used to determine the level of risk.

~~(72)~~ **(75)** "Risk associated dose" or "RAD" refers to a dose of a known or presumed carcinogenic substance in milligrams per kilogram per day, which, over a lifetime of exposure, is estimated to be associated with a plausible upper bound incremental cancer risk equal to one (1) in one hundred thousand (100,000).

(76) "Secondary continuous concentration" or "SCC" means an estimate of the highest concentration of a material in the water column to which an aquatic community can be exposed indefinitely without resulting in an unacceptable effect. The SCC differs from the CCC in that fewer data are required to calculate the SCC than the CCC.

(77) "Secondary maximum concentration" or "SMC" means an estimate of the highest concentration of a material in the water column to which an aquatic community can be exposed briefly without resulting in an unacceptable effect. The SMC differs from the CMC in that fewer data are required to calculate the SMC than the CMC.

~~(73)~~ **(78)** "Slope factor", also known as "q_1*", means the incremental rate of cancer development calculated through use of a linearized multistage model or other appropriate model. ~~It~~ **Slope factor** is expressed in milligrams per kilogram per day of exposure to the chemical in question.

~~(74)~~ **(79)** "Species mean acute value" or "SMAV" means the geometric mean of the results of all acceptable flow-through acute toxicity tests (for which the concentrations of the test material were measured) with the most sensitive tested life stage of the species. For a species for which no such result is available for the most sensitive tested life stage, the SMAV

is the geometric mean of the results of all acceptable acute toxicity tests with the most sensitive tested life stage.

~~(75)~~ **(80)** "Species mean chronic value" or "SMCV" means the geometric mean of the results of all acceptable life-cycle and partial life-cycle toxicity tests with the species; for a species of fish for which no such result is available, the SMCV is the geometric mean of all acceptable early life-stage tests.

~~(76)~~ **(81)** "Steady-state" means an equilibrium condition has been achieved in the body burden of a substance in an organism. Steady-state is assumed when the rate of loss of a substance matches its rate of uptake.

~~(77)~~ **(82)** "Stream design flow" means the stream flow that represents critical conditions, upstream from the source, for protection of aquatic life, human health, or wildlife.

~~(78)~~ **(83)** "Subchronic effect" means an adverse effect, measured by assessing an acceptable endpoint, resulting from continual exposure for a period of time less than that deemed necessary for a chronic test.

~~(79)~~ **(84)** "Surface waters of the state" or "surface water" ~~means:~~

~~(A) either:~~

~~(i) the accumulations of water, surface and underground, natural and artificial, public and private; or~~

~~(ii) a part of the accumulations of water;~~

~~that are wholly or partially within, flow through, or border upon Indiana; and~~

~~(B)~~ **has the meaning set forth in IC 13-11-2-265 except that** the term does not include

~~(i) a private pond; or~~

~~(ii) an off-stream pond, reservoir, or facility built for reduction or control of pollution or cooling of water before discharge;~~

~~unless the discharge from the pond, reservoir, or facility causes or threatens to cause water pollution.~~ **underground waters with the exception of the following:**

(A) The underground portion of the Lost River and its underground tributaries.

(B) Any other underground stream that supports fish or other higher aquatic life forms and its underground tributaries.

~~(80)~~ **(85)** "Threshold effect" means an effect of a substance for which there is a theoretical or empirically established dose or concentration below which the effect does not occur.

~~(81)~~ **(86)** "Tier I criteria" means numeric values derived by use of the Tier I procedures in sections 11 and 13 through 16 of this rule that either have been adopted as numeric criteria into a water quality standard or are used to implement narrative water quality criteria.

~~(82)~~ **(87)** "Tier I wildlife criterion" means **the** criterion used to denote the number derived from data meeting the Tier I minimum database requirements and will be protective of the two (2) classes of wildlife. The term is synonymous with GLWC, and the two (2) are used interchangeably.

~~(83)~~ **(88)** "Tier II values" means numeric values derived by use of the Tier II procedures in sections 12 through 16 of this rule that are used to implement narrative water quality criteria.

~~(84)~~ **(89)** "Toxic substances" means substances that are or may become harmful to:

(A) aquatic life;

(B) humans;

(C) other animals;

(D) plants; or

(E) food chains;

when present in sufficient concentrations or combinations. Toxic substances include, but are not limited to, those pollutants identified as toxic under Section 307(a)(1) of the Clean Water Act.

~~(85)~~ **(90)** "Tributaries of the Great Lakes system" means all waters of the Great Lakes system that are not open waters of Lake Michigan. ~~or connecting channels.~~

~~(86)~~ **(91)** "Trophic level" means a functional classification of taxa within a community that is based on feeding relationships, for example, aquatic green plants comprise the first trophic level and herbivores comprise the second.

~~(87)~~ **(92)** "Uncertainty factor" or "UF" means one (1) of several numeric factors used in operationally deriving criteria from experimental data to account for the quality or quantity of the available data.

~~(88)~~ **(93)** "Uptake" means acquisition of a substance from the environment by an organism as a result of any active or passive process.

~~(89)~~ **(94)** "Variance" means a deviation from a water quality standard.

(95) "Water-effect ratio" or "WER" means the ratio that is computed as a specific pollutant's acute or chronic toxicity endpoint measured in water from the site covered by the criterion, divided by the respective acute or chronic toxicity endpoint in laboratory dilution water.

(96) "Waters of the state" has the meaning set forth in IC 13-11-2-265.

~~(90)~~ **(97)** "Water use designations" means a use of the waters of the state as established by this rule, including, but not limited to, the following:

(A) Industrial water supply.

(B) Agricultural use.

(C) Public water supply.

(D) Full body contact.

(E) Aquatic life.

(F) Limited use.

~~(91) "Waters of the state" means:~~

~~(A) either:~~

~~(i) the accumulations of water, surface and underground, natural and artificial, or public and private; or~~

~~(ii) a part of the accumulations of water;~~

~~that are wholly or partially within, flow through, or border upon Indiana; and~~

~~(B) the term does not include:~~

~~(i) a private pond; or~~

~~(ii) an off-stream pond, reservoir, or facility built for reduction or control of pollution or cooling of water before discharge;~~

~~unless the discharge from the pond, reservoir, or facility causes or threatens to cause water pollution.~~

~~(92)~~ **(98)** "Well-balanced aquatic community" means an aquatic community that: ~~is:~~

(A) **is** diverse in species composition;

(B) contains several different trophic levels; and

(C) is not composed mainly of pollution tolerant species.

~~(93)~~ **(99)** "Wildlife value" or "WV" means:

(A) a value used to denote each representative species that results from using the equation presented in section 15 of this rule;

(B) the value obtained from averaging species values within a class; or

(C) any value derived from application of the site-specific procedure provided in section 16 of this rule.

The WVs calculated for the representative species are used to calculate taxonomic class-specific WVs. The WV is the concentration of a substance ~~which,~~ **that,** if not exceeded, should better protect the taxon in question.

~~(94)~~ **(100)** "Zone of initial dilution" or "ZID" means the area of the receiving water directly after the end of the pipe where an instantaneous volume of water gives up to a one-to-one (1:1) dilution of the discharge.

(Water Pollution Control Board; 327 IAC 2-1.5-2; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1363; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3376)

SECTION 15. 327 IAC 2-1.5-6 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1.5-6 Bioaccumulative chemicals of concern

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18-4; IC 13-30-2-1

Sec. 6. (a) A bioaccumulative chemical of concern (BCC) is any chemical that meets the following requirements:

(1) Has the potential to cause adverse effects.

(2) Has a half-life of at least eight (8) weeks in the water column, sediment, and biota.

(3) Upon entering the surface waters, by itself or as its toxic transformation product, accumulates in aquatic organisms by a human health bioaccumulation factor (BAF) greater than one thousand (1,000) after considering metabolism and other physicochemical properties that might enhance or inhibit bioaccumulation, in accordance with the procedure in section 13 of this rule. The minimum BAF information needed to define a chemical as a BCC is either of the following:

(A) For an organic chemical, either a field-measured BAF or a BAF derived using the BSAF methodology.

(B) For an inorganic chemical, including an organometal, either a field-measured BAF or a laboratory-measured BCF.

(b) Pollutants that are BCCs include, but are not limited to, the following:

Table 6-1

Bioaccumulative Chemicals of Concern

CAS Number	Substance
57749	Chlordane
72548	4,4'-DDD; p,p'-DDD; 4,4'-TDE; p,p'-TDE
72559	4,4'-DDE; p,p'-DDE
50293	4,4'-DDT; p,p'-DDT
60571	Dieldrin
118741	Hexachlorobenzene
87683	Hexachlorobutadiene; hexachloro-1,3-butadiene
608731	Hexachlorocyclohexanes; BHCs
319846	alpha-Hexachlorocyclohexane; alpha-BHC
319857	beta-Hexachlorocyclohexane; beta-BHC
319868	delta-Hexachlorocyclohexane; delta-BHC
58899	Lindane; gamma-Hexachlorocyclohexane; gamma-BHC
7439976	Mercury
2385855	Mirex
29082744	Octachlorostyrene
1336363	PCBs; polychlorinated biphenyls
608935	Pentachlorobenzene
39801144	Photomirex
1746016	2,3,7,8-TCDD; dioxin
634662	1,2,3,4-Tetrachlorobenzene
95943	1,2,4,5-Tetrachlorobenzene
8001352	Toxaphene

(c) The substances established in this subsection shall be treated as BCCs under this rule and under 327 IAC 5-2-11.3

through 327 IAC 5-2-11.6. If additional data becomes available (such as a field-measured BAF) for a substance established in this subsection that conclusively demonstrates that the substance should not be treated as a BCC, the commissioner may determine that it is not necessary to treat the substance as a BCC. Substances treated as BCCs include the following:

Table 6-2

Substances Treated as Bioaccumulative Chemicals of Concern

CAS Number	Substance
309002	Aldrin
~~84742~~	~~Dibutyl phthalate~~
72208	Endrin
76448	Heptachlor

(Water Pollution Control Board; 327 IAC 2-1.5-6; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1370; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3376)

SECTION 16. 327 IAC 2-1.5-8 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1.5-8 Minimum surface water quality criteria

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18-4; IC 13-30-2-1; IC 14-22-9

Sec. 8. (a) All surface water quality criteria in this section, except those provided in subsection (b)(1), will cease to be applicable when the stream flows are less than the applicable stream design flow for the particular criterion as determined under 327 IAC 5-2-11.4.

(b) The following are minimum **surface** water quality conditions:

(1) All **surface** waters within the Great Lakes system at all times and at all places, including waters within the mixing zone, shall meet the minimum conditions of being free from substances, materials, floating debris, oil, or scum attributable to municipal, industrial, agricultural, and other land use practices, or other discharges that do any of the following:

(A) Will settle to form putrescent or otherwise objectionable deposits.

(B) Are in amounts sufficient to be unsightly or deleterious.

(C) Produce color, visible oil sheen, odor, or other conditions in such degree as to create a nuisance.

(D) Are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.

(E) Are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill, aquatic life, other animals, plants, or humans. To assure protection of aquatic life, the waters shall meet the following requirements:

(i) Concentrations of toxic substances shall not exceed the CMC **or SMC** outside the zone of initial dilution or the final acute value (FAV = 2 (CMC) **or 2 (SMC))** in the undiluted discharge unless, for a discharge to a receiving stream or Lake Michigan, an alternate mixing zone demonstration is conducted and approved in accordance with 327 IAC 5-2-11.4(b)(4), in which case, the CMC **or SMC** shall be met outside the ~~discharge-induced~~ **applicable alternate** mixing zone:

(AA) for certain substances, a CMC is established and set forth in subdivision (3), Table 8-1 (which table incorporates subdivision (4), Table 8-2);

(BB) for substances for which a CMC is not specified in subdivision (3), Table 8-1, a CMC shall be calculated by the commissioner using the procedures in section 11 of this rule, or if the minimum data requirements to calculate a CMC are not met, ~~a secondary maximum concentration~~ **an** SMC shall be calculated using the procedures in section 12 of this rule; and

(CC) the CMC or SMC determined under subitem (AA) or (BB) may be modified on a site-specific basis to reflect local conditions in accordance with section 16 of this rule.

(ii) A discharge shall not cause acute toxicity, as measured by whole effluent toxicity tests, at any point in the waterbody. Compliance with this criterion shall be demonstrated if a discharge does not exceed 1.0 TU_a in the undiluted discharge. For a discharge into a receiving stream or Lake Michigan, for which an alternate mixing zone demonstration is conducted and approved in accordance with 327 IAC 5-2-11.4(b)(4), compliance with this criterion shall be demonstrated if 0.3 TU_a is not exceeded outside the ~~discharge-induced~~ **applicable alternate** mixing zone.

This clause shall not apply to the chemical control of plants and animals when that control is performed in compliance with approval conditions specified by the Indiana department of natural resources as provided by IC 14-22-9.

(2) At all times, all **surface** waters outside of the applicable mixing zones determined in accordance with ~~327 IAC 5-2-11.4(c) through 327 IAC 5-2-11.4(f)~~ **section 7 of this rule** shall be free of substances in concentrations that, on the basis of available scientific data, are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants. To assure protection against the adverse effects identified in this subdivision, a toxic substance or pollutant shall not be present in such waters in concentrations that exceed the most stringent of the following:

(A) A ~~criterion continuous concentration~~ CCC or ~~a secondary continuous concentration~~ **an** SCC to protect aquatic life from chronic toxic effects as follows:

(i) For certain substances, a CCC is established and set forth in subdivision (3), Table 8-1 (which table incorporates subdivision (4), Table 8-2).

(ii) For substances for which a CCC is not specified in subdivision (3), Table 8-1, a CCC shall be calculated by the commissioner using the procedures in section 11 of this rule, or if the minimum data requirements to calculate a CCC are not met, ~~a~~ **an** SCC shall be calculated using the procedures in section 12 of this rule.

(iii) The CCC or SCC determined under item (i) or (ii) may be modified on a site-specific basis to reflect local conditions in accordance with section 16 of this rule.

(iv) To assure protection of aquatic life, a discharge shall not cause chronic toxicity, as measured by whole effluent toxicity tests, outside of the applicable mixing zone. Compliance with this criterion shall be demonstrated if the waterbody does not exceed 1.0 TU_c at the edge of the mixing zone.

(B) ~~A human noncancer criterion or value~~ **An** HNC or HNV to protect human health from adverse noncancer effects that may result from the consumption of aquatic organisms or drinking water from the waterbody determined as follows:

(i) For certain substances, an HNC is established and set forth in subdivision (5), Table 8-3.

(ii) For substances for which an HNC is not specified in subdivision (5), Table 8-3, an HNC shall be calculated by the commissioner using the procedures in section 14 of this rule, or if the minimum data requirements to calculate ~~a~~ **an** HNC are not met, an HNV shall be calculated using the procedures in section 14 of this rule.

(iii) The HNC or HNV determined under item (i) or (ii) may be modified on a site-specific basis to reflect local conditions in accordance with section 16 of this rule.

(iv) The HNC-nondrinking or HNV-nondrinking for a substance shall apply to all **surface** waters outside the applicable mixing zone for a discharge of that substance. The HNC-drinking or HNV-drinking shall apply at the point of the public ~~drinking~~ water **system** intake.

(C) For carcinogenic substances, ~~a human cancer criterion or value~~ **an** HCC or HCV to protect human health from unacceptable cancer risk of greater than one (1) additional occurrence of cancer per one hundred thousand (100,000) population as follows:

(i) For certain substances, an HCC is established and set forth in subdivision (5), Table 8-3.

(ii) For substances for which an HCC is not specified in subdivision (5), Table 8-3, an HCC shall be calculated by the commissioner using the procedures in section 14 of this rule or if the minimum data requirements to calculate ~~a~~ **an** HCC are not met, an HCV shall be calculated using the procedures in section 14 of this rule.

(iii) The HCC or HCV determined under item (i) or (ii) may be modified on a site-specific basis to reflect local conditions in accordance with section 16 of this rule.

(iv) The HCC-nondrinking or HCV-nondrinking for a substance shall apply to all **surface** waters outside the applicable mixing zone for a discharge of that substance. The HCC-drinking or HCV-drinking shall apply at the point of the public ~~drinking~~ water **system** intake.

(D) A wildlife criterion (WC) to protect avian and mammalian wildlife populations from adverse effects ~~which~~ **that** may result from the consumption of aquatic organisms or water from the waterbody as follows:

(i) For certain substances, a WC is established and set forth in **subdivision (6),** Table 8-4.

(ii) For substances for which a WC is not specified in subdivision (6), Table 8-4, a WC shall be calculated by the commissioner using the procedures in section 15 of this rule or if the minimum data requirements to calculate a WC are not met, a ~~wildlife value~~ WV may be calculated using the procedures in section 15 of this rule.

(iii) The WC or WV determined under item (i) or (ii) may be modified on a site-specific basis to reflect local conditions in accordance with section 16 of this rule.

(3) The following establishes **surface** water quality criteria for protection of aquatic life:

Table 8-1

Surface Water Quality Criteria for Protection of Aquatic Life[1]

CAS Number	Substances	CMC (Maximum) (µg/l)	CMC Conversion Factors	CCC (4-Day Average) (µg/l)	CCC Conversion Factors
	Metals (dissolved)[2]				
7440382	Arsenic (III)	**WER**[3](339.8)	1.000	**WER**[3](147.9)	1.000
7440439	Cadmium	**WER**[3]($e^{(1.128\ [\ln(\text{hardness})]-3.6867)}$)	~~0.944~~ **1.136672-[(ln hardness)(0.041838)]**	**WER**[3]($e^{(0.7852\ [\ln(\text{hardness})]-2.715)}$)	~~0.909~~ **1.101672-[(ln hardness)(0.041838)]**
7440473	Chromium (III)	**WER**[3]($e^{(0.819\ [\ln(\text{hardness})]+3.7256)}$)	0.316	**WER**[3]($e^{(0.819\ [\ln(\text{hardness})]+0.6848)}$)	0.860
7440473	Chromium (VI)	**WER**[3](16.02)	0.982	**WER**[3](10.98)	0.962
7440508	Copper	**WER**[3]($e^{(0.9422\ [\ln(\text{hardness})]-1.700)}$)	0.960	**WER**[3]($e^{(0.8545\ [\ln(\text{hardness})]-1.702)}$)	0.960

7439976	Mercury	**WER[3]**(1.694)	~~0.850~~ **0.85**	**WER[3]**(0.9081)	~~0.850~~ **0.85**
7440020	Nickel	**WER[3]**($e^{(0.846\ [ln(hardness)]+2.255)}$)	0.998	**WER[3]**($e^{(0.846\ [ln(hardness)]+0.0584)}$)	0.997
7782492	Selenium			5	0.922
7440666	Zinc	**WER[3]**($e^{(0.8473\ [ln(hardness)]+0.884)}$)	0.978	**WER[3]**($e^{(0.8473\ [ln(hardness)]+0.884)}$)	0.986
	Organics (total)				
60571	Dieldrin	0.24	NA	0.056	NA
72208	Endrin	0.086	NA	0.036	NA
56382	Parathion	0.065	NA	0.013	NA
87865	Pentachlorophenol~~[3]~~ **[4]**	$e^{(1.005[pH]-4.869)}$	NA	$e^{(1.005[pH]-5.134)}$	NA
	Other Substances				
	Chlorides (total)	860000	NA	230000	NA
	Chlorine (total residual)	19	NA	11	NA
	Chlorine (intermittent, total residual)~~[4]~~ **[5]**	200	NA		NA
57125	Cyanide (free)	22	NA	5.2	NA

[1] Aquatic organisms should not be affected unacceptably if the four (4) day average concentration of any substance in this table does not exceed the CCC more than once every three (3) years on the average and if the one (1) hour average concentration does not exceed the CMC more than once every three (3) years on the average, except possibly where a commercially or recreationally important species is very sensitive.

[2] The CMC and CCC columns of this table contain total recoverable metals criteria (numeric and hardness-based). The criterion for the dissolved metal is calculated by multiplying the appropriate conversion factor by the CMC or CCC. This dissolved CMC or CCC shall be rounded to two (2) significant digits, except when the criteria are used as intermediate values in a calculation, such as in the calculation of water quality-based effluent ~~limits~~ **limitations** (WQBELs).

[3] A value of one (1) shall be used for the WER unless an alternate value is established under section 16 of this rule.

~~[3]~~ **[4]** A CMC and CCC calculated for pentachlorophenol using the equation in this table shall be rounded to two (2) significant digits, except when the criteria are used as intermediate values in a calculation, such as in the calculation of ~~water quality-based effluent limits~~ WQBELs.

~~[4]~~ **[5]** To be considered an intermittent discharge, total residual chlorine shall not be detected in the discharge for a period of more than forty (40) minutes in duration, and such periods shall be separated by at least five (5) hours.

(4) The following establishes dissolved ~~criterion maximum concentrations~~ CMCs and ~~criterion continuous concentrations~~ CCCs for certain metals at selected hardness values calculated from the equations and ~~conversions~~ **conversion** factors in subdivision (3), Table 8-1 **and using a value of one (1) for the WER, where applicable:**

Table 8-2

Metals Concentrations in Micrograms Per Liter; Hardness in Milligrams Per Liter $CaCO_3$**[1]**

	Arsenic (III)		Cadmium		Chromium (III)		**Chromium (VI)**		Copper		**Mercury**		Nickel		**Selenium**		Zinc	
Hardness	**CMC**	**CCC**	CMC	CCC	CMC	CCC	**CMC**	**CCC**	CMC	CCC	**CMC**	**CCC**	CMC	CCC	**CMC**	**CCC**	CMC	CCC
50	**340**	**150**	2.0	1.3	320	42	**16**	**11**	7.0	5.0	**1.4**	**0.77**	260	29	**–**	**4.6**	65	66
100	**340**	**150**	4.3	2.2	570	74	**16**	**11**	13	9.0	**1.4**	**0.77**	470	52	**–**	**4.6**	120	120
150	**340**	**150**	~~6.7~~ **6.6**	~~3.1~~ **3.0**	790	100	**16**	**11**	20	13	**1.4**	**0.77**	660	73	**–**	**4.6**	170	170
200	**340**	**150**	~~9.3~~ **9.0**	~~3.9~~ **3.7**	1,000	130	**16**	**11**	26	16	**1.4**	**0.77**	840	93	**–**	**4.6**	210	210
250	**340**	**150**	12	~~4.6~~ **4.4**	1,200	160	**16**	**11**	32	20	**1.4**	**0.77**	1,000	110	**–**	**4.6**	250	260
300	**340**	**150**	~~15~~ **14**	~~5.3~~ **5.0**	1,400	180	**16**	**11**	38	23	**1.4**	**0.77**	1,200	130	**–**	**4.6**	300	300
350	**340**	**150**	~~18~~ **17**	~~6.0~~ **5.6**	1,600	210	**16**	**11**	44	26	**1.4**	**0.77**	1,400	150	**–**	**4.6**	340	340

400	**340**	**150**	~~20~~ **19**	~~6.6~~ **6.2**	1,800	230	**16**	**11**	50	29	**1.4**	**0.77**	1,500	170	**–**	**4.6**	380	380
450	**340**	**150**	~~23~~ **22**	~~7.3~~ **6.8**	2,000	250	**16**	**11**	55	32	**1.4**	**0.77**	1,700	190	**–**	**4.6**	420	420
500	**340**	**150**	~~26~~ **24**	~~7.9~~ **7.3**	2,100	280	**16**	**11**	61	35	**1.4**	**0.77**	1,800	200	**–**	**4.6**	460	460

[1] The dissolved metals criteria in this table have been rounded to two (2) significant digits in accordance with subdivision (3), Table 8-1. The equations and conversion factors in subdivision (3), Table 8-1 shall be used instead of the criteria in this table when dissolved metals criteria are used as intermediate values in a calculation, such as in the calculation of WQBELs.

(5) The following establishes **surface** water quality criteria for protection of human health:

Table 8-3

Surface Water Quality Criteria for Protection of Human Health[1]

		Human Noncancer Criteria (HNC)		Human Cancer Criteria (HCC)	
CAS Number	Substances	Drinking (µg/l)	Nondrinking (µg/l)	Drinking (µg/l)	Nondrinking (µg/l)
	Metals (total recoverable)				
7439976	Mercury (including methyl mercury)	0.0018	0.0018		
	Organics (total)				
71432	Benzene	19	510	12	310
57749	Chlordane	0.0014	0.0014	0.00025	0.00025
108907	Chlorobenzene	470	3,200		
50293	DDT	0.002	0.002	0.00015	0.00015
60571	Dieldrin	0.00041	0.00041	6.5×10^{-6}	6.5×10^{-6}
105679	2,4-dimethylphenol	450	8,700		
51285	2,4-dinitrophenol	55	2,800		
118741	Hexachlorobenzene	0.046	0.046	0.00045	0.00045
67721	Hexachloroethane	6	7.6	5.3	6.7
58899	Lindane	0.47	0.5		
75092	Methylene chloride	1,600	90,000	47	2600
1336363	PCBs (class)			6.8×10^{-6}	6.8×10^{-6}
1746016	2,3,7,8-TCDD (dioxin)	6.7×10^{-8}	6.7×10^{-8}	8.6×10^{-9}	8.6×10^{-9}
108883	Toluene	5,600	51,000		
8001352	Toxaphene			6.8×10^{-5}	6.8×10^{-5}
79016	Trichloroethylene			29	370
	Other Substances				
57125	Cyanide (total)	600	48,000		

[1]The HNC and HCC are thirty (30) day average criteria.

(6) The following establishes **surface** water quality criteria for protection of wildlife:

Table 8-4

Surface Water Quality Criteria for Protection of Wildlife[1]

CAS Number	Substances	Wildlife Criteria (µg/l)
	Metals (total recoverable)	
7439976	Mercury (including methylmercury)	0.0013
	Organics (total)	
50293	DDT and metabolites	1.1×10^{-5}
1336363	PCBs (class)	1.2×10^{-4}
1746016	2, 3, 7, 8-TCDD (dioxin)	3.1×10^{-9}

[1]The WC are thirty (30) day average criteria.

(c) This subsection establishes minimum **surface** water quality criteria for aquatic life. In addition to the criteria in subsection (b), this subsection ensures conditions necessary for the maintenance of a well-balanced aquatic community. The following conditions are applicable at any point in the waters outside of the applicable mixing zone, as determined in accordance with section 7 of this rule: ~~and 327 IAC 5-2-11.4(b).~~

(1) There shall be no substances ~~which~~ **that** impart unpalatable flavor to food fish or result in offensive odors in the vicinity of the water.

(2) No pH values below six (6.0) ~~nor~~ **or** above nine (9.0), except daily fluctuations that exceed pH **nine** (9.0) and are correlated with photosynthetic activity, shall be permitted.

(3) Concentrations of dissolved oxygen shall average at least five (5.0) milligrams per liter per calendar day and shall not be less than four (4.0) milligrams per liter at any time.

(4) The following are conditions for temperature:

(A) **There shall be** no abnormal temperature changes that may adversely affect aquatic life unless caused by natural conditions.

(B) The normal daily and seasonal temperature fluctuations that existed before the addition of heat due to other than natural causes shall be maintained.

(C) Water temperatures shall not exceed the maximum limits ~~as established~~ in ~~this clause~~ **the following table** during more than one percent (1%) of the hours in the twelve (12) month period ending with any month. At no time shall the water temperature at such locations exceed the maximum limits in the following table by more than three **(3)** degrees Fahrenheit ~~(3°F)~~ (one and seven-tenths **(1.7)** degrees Celsius): ~~(1.7°C)).~~

Table 8-5

Maximum Instream Water Temperatures

Month	St. Joseph River Tributary to Lake Michigan Upstream of the Twin Branch Dam °F(°C)	All Other Indiana Streams in the Great Lakes System °F(°C)
January	50 (10)	50 (10)
February	50 (10)	50 (10)
March	55 (12.8)	60 (15.6)
April	65 (18.3)	70 (21.1)
May	75 (23.9)	80 (26.7)
June	85 (29.4)	90 (32.2)
July	85 (29.4)	90 (32.2)
August	85 (29.4)	90 (32.2)
September	84 (29.4)	90 (32.2)
October	70 (21.1)	78 (25.5)
November	60 (15.6)	70 (21.1)
December	50 (10)	57 (14.0)

(D) The following temperature criteria shall apply to Lake Michigan:

(i) In all receiving waters, the points of measurement normally shall be in the first meter below the surface at such depths necessary to avoid thin layer surface warming due to extreme ambient air temperatures, but, where required to determine the true distribution of heated wastes and natural variations in water temperatures, measurements shall be at a greater depth and at several depths as a thermal profile.

(ii) There shall be no abnormal temperature changes so as to be injurious to fish, wildlife, or other aquatic life, or the growth or propagation thereof. In addition, plume interaction with the bottom shall be minimized and shall not injuriously affect fish, shellfish, and wildlife spawning or nursery areas.

(iii) The normal daily and seasonal temperature fluctuations that existed before the addition of heat shall be maintained.

(iv) At any time and at a maximum distance of a one thousand (1,000) foot arc inscribed from a fixed point adjacent to the discharge or as agreed upon by the commissioner and federal regulatory agencies:

(AA) the receiving water temperature shall not be more than three **(3)** degrees Fahrenheit ~~(3°F)~~ (one and seven-tenths **(1.7)** degrees Celsius) ~~(1.7°C))~~ above the existing natural water temperature; and

(BB) thermal discharges to Lake Michigan shall

comply with the following maximum temperature requirements:

(aa) Thermal discharges to Lake Michigan shall not raise the maximum temperature in the receiving water above those listed in the following table, except to the extent the permittee adequately demonstrates that the exceedance is caused by the water temperature of the intake water:

Table 8-6

Maximum Water Temperatures

Month	°F(°C)
January	45 (7)
February	45 (7)
March	45 (7)
April	55 (13)
May	60 (16)
June	70 (21)
July	80 (27)
August	80 (27)
September	80 (27)
October	65 (18)
November	60 (16)
December	50 (10)

(bb) If the permittee demonstrates that the intake water temperature is within three **(3)** degrees Fahrenheit ~~(3°F)~~ below an applicable maximum temperature under subitem (aa), Table 8-6, then no more than a three **(3)** degree Fahrenheit ~~(3°F)~~ exceedance of the maximum water temperature shall be permitted.

(v) The facilities described as follows that discharge into the open waters of Lake Michigan shall be limited to the amount essential for blowdown in the operation of a closed cycle cooling facility:

(AA) All facilities that have new waste heat discharges exceeding a daily average of five-tenths (0.5) billion British thermal units per hour. As used in this item, "new waste heat discharge" means a discharge that had not begun operations as of February 11, 1972.

(BB) All facilities with existing waste heat discharges that increase the quantity of waste heat discharged by more than a daily average of five-tenths (0.5) billion British thermal units per hour.

(vi) Water intakes shall be designed and located to minimize entrainment and damage to desirable organisms. Requirements may vary depending upon local conditions, but, in general, intakes shall have minimum water velocity and shall not be located in spawning or nursery areas of important fishes. Water velocity at screens and other exclusion devices shall also be at a minimum.

(vii) Discharges other than those now in existence shall be such that the thermal plumes do not overlap or intersect.

(viii) Facilities discharging more than a daily average of five-tenths (0.5) billion British thermal units of waste heat shall continuously record intake and discharge temperature and flow and make those records available to the public or regulatory agencies upon request.

(5) The following criteria shall be used to regulate ammonia:

(A) Concentrations of total ammonia (as N) shall not exceed the CMC outside the zone of initial dilution or the final acute value (FAV = 2 (CMC)) in the undiluted discharge unless, for a discharge to a receiving stream or Lake Michigan, an alternate mixing zone demonstration is conducted and approved in accordance with 327 IAC 5-2-11.4(b)(4), in which case, the CMC shall be met outside the ~~discharge-induced~~ **applicable alternate** mixing zone. The CMC of total ammonia (as N) is determined using the following equation:

$$CMC = \frac{(0.822)(0.52)(10^{(pKa - pH)} + 1)}{(FT)(FPH)(2)}$$

Where: $FT = 10^{0.03(20-T)}$

$FPH = 1$; when: $8 \le pH \le 9$; or

$$\frac{1 + 10^{(7.4 - pH)}}{1.25}$$; when: $6.5 \le pH \le 8$

$$pKa = 0.09018 + \frac{2729}{T + 273.2}$$

T = Temperature in °C

(B) The ~~criterion continuous concentration~~ CCC of total ammonia (as N) is determined using the following equation:

$$CCC = \frac{(0.822)(0.80)(10^{(pKa - pH)} + 1)}{(FT)(FPH)(RATIO)}$$

Where: $FT = 10^{0.03(20-T)}$

$FPH = 1$; when: $8 \le pH \le 9$; or

$$\frac{1 + 10^{(7.4 - pH)}}{1.25}$$; when: $6.5 \le pH \le 8$

$RATIO = 13.5$; when: $7.7 \le pH \le 9$; or

$$\frac{(20)(10^{(7.7 - pH)})}{1 + 10^{(7.4 - pH)}}$$; when: $6.5 \le pH \le 7.7$

$$pKa = 0.09018 + \frac{2729}{T + 273.2}$$

T = Temperature in °C

(C) The use of the equations in clause (A) results in the following CMCs for total ammonia (as N) at different temperatures and pHs:

Table 8-7

Criterion Maximum Concentrations for

Total Ammonia (as N)

	Temperature (°C)						
pH	0	5	10	15	20	25	30
6.5	28.48	26.61	25.23	24.26	23.64	23.32	23.29
6.6	27.68	25.87	24.53	23.59	22.98	22.68	22.65
6.7	26.74	24.99	23.69	22.78	22.20	21.92	21.90
6.8	25.64	23.96	22.72	21.85	21.30	21.03	21.01
6.9	24.37	22.78	21.60	20.78	20.26	20.01	20.00
7.0	22.95	21.45	20.35	19.58	19.09	18.86	18.86
7.1	21.38	19.98	18.96	18.24	17.80	17.59	17.60
7.2	19.68	18.40	17.46	16.81	16.40	16.22	16.24
7.3	17.90	16.73	15.88	15.29	14.93	14.78	14.81
7.4	16.06	15.02	14.26	13.74	13.42	13.30	13.35
7.5	14.23	13.31	12.64	12.19	11.92	11.81	11.88
7.6	12.44	11.65	11.07	10.67	10.45	10.37	10.45
7.7	10.75	10.06	9.569	9.238	9.052	9.003	9.088
7.8	9.177	8.597	8.181	7.907	7.760	7.734	7.830
7.9	7.753	7.268	6.924	6.701	6.589	6.584	6.689
8.0	6.496	6.095	5.813	5.636	5.555	5.569	5.683
8.1	5.171	4.857	4.639	4.508	4.457	4.486	4.602
8.2	4.119	3.873	3.707	3.612	3.584	3.625	3.743
8.3	3.283	3.092	2.967	2.900	2.891	2.942	3.061
8.4	2.618	2.472	2.379	2.335	2.340	2.399	2.519
8.5	2.091	1.979	1.911	1.886	1.903	1.968	2.089
8.6	1.672	1.588	1.540	1.529	1.555	1.625	1.747
8.7	1.339	1.277	1.246	1.246	1.279	1.353	1.475
8.8	1.075	1.030	1.011	1.021	1.060	1.137	1.260
8.9	0.8647	0.8336	0.8254	0.8418	0.8862	0.9650	1.088
9.0	0.6979	0.6777	0.6777	0.6998	0.7479	0.8286	0.9521

(D) The use of the equations in clause (B) results in the following CCCs for total ammonia (as N) at different temperatures and pHs:

Table 8-8
Criterion Continuous Concentrations for
Total Ammonia (as N)
Temperature (°C)

pH	0	5	10	15	20	25	30
6.5	2.473	2.310	2.191	2.106	2.052	2.025	2.022
6.6	2.473	2.311	2.191	2.107	2.053	2.026	2.023
6.7	2.473	2.311	2.191	2.107	2.054	2.027	2.025
6.8	2.473	2.311	2.192	2.108	2.055	2.028	2.027
6.9	2.474	2.312	2.193	2.109	2.056	2.030	2.030
7.0	2.474	2.312	2.193	2.110	2.058	2.033	2.033
7.1	2.475	2.313	2.195	2.112	2.060	2.036	2.037
7.2	2.475	2.314	2.196	2.114	2.063	2.040	2.043
7.3	2.476	2.315	2.198	2.116	2.066	2.044	2.050
7.4	2.477	2.317	2.200	2.119	2.070	2.050	2.058
7.5	2.478	2.319	2.202	2.123	2.075	2.058	2.069
7.6	2.480	2.321	2.206	2.128	2.082	2.067	2.082
7.7	2.450	2.294	2.181	2.106	2.063	2.052	2.071
7.8	2.092	1.959	1.865	1.802	1.769	1.763	1.785
7.9	1.767	1.657	1.578	1.527	1.502	1.501	1.525
8.0	1.481	1.389	1.325	1.285	1.266	1.269	1.295
8.1	1.179	1.107	1.057	1.027	1.016	1.022	1.049
8.2	0.9387	0.8828	0.8450	0.8232	0.8169	0.8263	0.8531
8.3	0.7481	0.7048	0.6762	0.6610	0.6589	0.6705	0.6976
8.4	0.5968	0.5634	0.5421	0.5321	0.5334	0.5468	0.5741
8.5	0.4766	0.4511	0.4357	0.4298	0.4337	0.4485	0.4760
8.6	0.3811	0.3619	0.3511	0.3485	0.3545	0.3704	0.3981
8.7	0.3052	0.2910	0.2839	0.2839	0.2916	0.3083	0.3362
8.8	0.2450	0.2347	0.2305	0.2326	0.2417	0.2591	0.2871
8.9	0.1971	0.1900	0.1881	0.1919	0.2020	0.2199	0.2480
9.0	0.1591	0.1545	0.1545	0.1595	0.1705	0.1889	0.2170

(d) This subsection establishes **surface** water quality for coldwater fish. The waters listed in section ~~5(a)(2)~~ **5(a)(3)** of this rule are designated as salmonid waters and shall be protected for coldwater fish. In addition to subsections (b) and (c), the following criteria are established to ensure conditions necessary for the maintenance of a well-balanced, coldwater fish community and are applicable at any point in the waters outside of the applicable mixing zone:

(1) Dissolved oxygen concentrations shall not be less than six (6.0) milligrams per liter at any time and shall not be less than seven (7.0) milligrams per liter in areas where spawning occurs during the spawning season and in areas used for imprinting during the time salmonids are being imprinted. Dissolved oxygen concentrations in the open waters of Lake Michigan shall not be less than seven (7.0) milligrams per liter at any time.

(2) The maximum temperature rise above natural shall not exceed two **(2)** degrees Fahrenheit ~~(2°F)~~ (one and one-tenth ~~degree~~ **(1.1) degrees** Celsius) ~~(1.1°C))~~ at any time or place ~~nor,~~ **and,** unless due to natural causes, ~~shall~~ the temperature **shall not** exceed the following:

(A) Seventy **(70)** degrees Fahrenheit ~~(70°F)~~ (twenty-one

and one-tenth **(21.1)** degrees Celsius) ~~(21.1°C))~~ at any time.

(B) Sixty-five **(65)** degrees Fahrenheit ~~(65°F)~~ (eighteen and three-tenths **(18.3)** degrees Celsius) ~~(18.3°C))~~ during spawning or imprinting periods.

(e) This subsection establishes bacteriological quality for recreational uses as follows:

(1) In addition to subsection (b), the criteria in this subsection shall be used **to**:

(A) ~~to~~ evaluate waters for full body contact recreational uses;

(B) ~~to~~ establish wastewater treatment requirements; and

(C) ~~to~~ establish effluent limits during the recreational season, which is defined as the months of April through October, inclusive.

(2) E. coli bacteria, using membrane filter (MF) count, shall not exceed:

(A) one hundred twenty-five (125) per one hundred (100) milliliters as a geometric mean based on not less than five (5) samples equally spaced over a thirty (30) day period; ~~nor exceed~~ **and**

(B) two hundred thirty-five (235) per one hundred (100) milliliters in any one (1) sample in a thirty (30) day period.

If a geometric mean cannot be calculated because five (5) equally spaced samples are not available, then the criteria stated in subdivision (2) must be met.

(f) This subsection establishes surface water quality for **a** public water ~~supplies.~~ **supply.** In addition to subsection (b), the following ~~standards~~ **criteria** are established to protect the surface water quality at the point at which water is withdrawn for treatment for public supply:

(1) The coliform bacteria group shall not exceed the following:

(A) Five thousand (5,000) per one hundred (100) milliliters as a monthly average value (either MPN or MF count).

(B) Five thousand (5,000) per one hundred (100) milliliters in more than twenty percent (20%) of the samples examined during any month.

(C) Twenty thousand (20,000) per one hundred (100) milliliters in more than five percent (5%) of the samples examined during any month.

(2) Taste and odor producing substances, other than those naturally occurring, shall not interfere with the production of a finished water by conventional treatment consisting of coagulation, sedimentation, filtration, and disinfection.

(3) The concentrations of either chlorides or sulfates shall not exceed two hundred fifty (250) milligrams per liter unless due to naturally occurring sources.

(4) The concentration of dissolved solids shall not exceed seven hundred fifty (750) milligrams per liter unless due to naturally occurring sources. A specific conductance of one thousand two hundred (1,200) micromhos per centimeter (at twenty-five (25) degrees Celsius) may be considered equivalent to a dissolved solids concentration of seven hundred fifty (750) milligrams per liter.

~~(4)~~ **(5)** Surface waters shall be considered acceptable for **a** public ~~supplies~~ **water supply** if radium-226 and strontium-90 are present in amounts not exceeding three (3) and ten (10) picocuries per liter, respectively. In the known absence of strontium-90 and alpha emitters, the water supply is acceptable when the gross beta concentrations do not exceed one thousand (1,000) picocuries per liter.

~~(5)~~ **(6)** The combined concentration of nitrate-N and nitrite-N shall not exceed ten (10) milligrams per liter, and the concentration of nitrite-N shall not exceed one (1) milligram per liter.

~~(6)~~ **(7)** Chemical constituents in the waters shall not be present in such levels as to prevent, after conventional treatment, meeting the drinking water standards contained in 327 IAC 8-2, due to other than natural causes.

(g) This subsection establishes **surface** water quality for **an** industrial water supply. In addition to subsection (b), the ~~standard~~ **criterion** to ensure protection of water quality at the point at which water is withdrawn for use (either with or without treatment) for industrial cooling and processing is that, other than from naturally occurring sources, the dissolved solids shall not exceed seven hundred fifty (750) milligrams per liter at any time. A specific conductance of one thousand two hundred (1,200) micromhos per ~~centimeters~~ **centimeter** (at twenty-five **(25)** degrees Celsius) ~~(25°C))~~ may be considered equivalent to a dissolved solids concentration of seven hundred fifty (750) milligrams per liter.

(h) This subsection establishes **surface** water quality for agricultural uses. The ~~standards~~ **criteria** to ensure water quality conditions necessary for agricultural use are the same as those in subsection (b).

(i) This subsection establishes **surface** water quality for limited uses. The quality of waters designated for limited uses under section 19(a) of this rule shall, at a minimum, meet the following criteria:

(1) The criteria contained in subsection (b).

(2) The criteria contained in subsection (e).

(3) The criteria contained in subsection (g).

(4) The waters must be aerobic at all times.

(5) Notwithstanding subdivisions (1) through (4), the quality of a limited use stream at the point where it becomes physically or chemically capable of supporting a higher use or at its interface with a higher use water segment shall meet the

criteria that are applicable to the higher use water.

(j) Additional requirements for the open waters of Lake Michigan are as follows:

(1) In addition to complying with all other applicable subsections, open waters in Lake Michigan shall meet the following criteria:

Table 8-9

Additional Criteria for Lake Michigan

Parameters	Criteria
Dissolved oxygen	Dissolved oxygen concentrations shall not be less than seven (7.0) milligrams per liter at any time at all places outside the applicable mixing zone.
pH	No pH values below six (6.0) ~~nor~~ **or** above nine (9.0), except daily fluctuations that exceed pH 9.0 and are correlated with photosynthetic activity, shall be permitted.
Chlorides	860 mg/l criterion maximum concentration
	230 mg/l criterion continuous concentration
Phenols	See subsection (c)(1)
Sulfates	250 mg/l[1]
Total phosphorus	See 327 IAC 5-10-2
Total dissolved solids	750 mg/l[1]
Fluorides	1.0 mg/l[1]
Dissolved iron	300 µg/l[1]

[1]The above-noted criteria are established to minimize or prevent increased levels of these substances in Lake Michigan. For the purposes of establishing water quality-based effluent limitations based on the above-noted criteria, they shall be treated as four (4) day average criteria.

(2) During each triennial review of the water quality standards, prior to preliminary adoption of revised rules, the department shall prepare a report for the board on the monitoring data for the constituents in the following table (Table 8-10), as measured at the drinking water intakes in Lake Michigan. If these data indicate that the levels of the constituents are either increasing or exceed the levels in the table, the report shall provide available information on the known and potential causes of the increased levels of these parameters, the known and potential impacts on aquatic life, wildlife, and human health, and any recommended revisions of the criteria.

Table 8-10

Parameters	Levels
pH	7.5-8.5 s.u.
Chlorides	
Monthly average	15 mg/l
Daily maximum	20 mg/l
Sulfates	
Monthly average	26 mg/l
Daily maximum	50 mg/l
Total phosphorus	
Monthly average	0.03 mg/l
Daily maximum	0.04 mg/l
Total dissolved solids	
Monthly average	172 mg/l
Daily maximum	200 mg/l

~~(k) The following table is for reference only to facilitate the comparison of the former water quality criteria with water quality criteria developed using the methodologies within this rule; these former water quality criteria shall not be used to establish water quality-based permit limits:~~

~~Table 8-11~~

~~Substances~~	~~Acute Aquatic Life~~	~~Chronic~~ ~~Outside of Mixing Zone~~ ~~Chronic Aquatic Life~~	~~Chronic~~ ~~Outside of Mixing Zone~~ ~~Human Health~~	~~Chronic~~ ~~Point of Water Intake~~ ~~Human Health~~
~~Metals (µg/l)~~				
~~(Acid soluble, except as indicated)~~				
~~Antimony~~			~~45,000 (T)~~	~~146 (T)~~
~~Arsenic (III)~~			~~0.175 (C)~~	~~0.022 (C)~~
~~Barium~~				~~1,000 (D)~~

Beryllium			1.17 (C)	0.068 (C)
Cadmium				10 (D)
Chromium (III)			3,433,000 (T)	170,000 (T)
Chromium (VI)				50 (D)
Lead	$e^{(1.273 [\ln Hard] - 1.460)}$	$e^{(1.273 [\ln Hard] - 4.705)}$		50 (D)
Nickel			100 (T)	13.4 (T)
Selenium				10 (D)
Silver	$e^{(1.72[\ln Hard] - 6.52)}/2$			50 (D)
Thallium			48 (T)	13 (T)
Organics (µg/l)				
Acrolein			780 (T)	320 (T)
Acrylonitrile			6.5 (C)	0.58 (C)
Aldrin	1.5		0.00079 (C)	0.00074 (C)
Benzidine			0.0053 (C)	0.0012 (C)
Carbon Tetrachloride			69.4 (C)	4.0 (C)
Chlordane	1.2	0.0043		
Chlorinated Benzenes				
1,2,4,5-Tetrachlorobenzene			48 (T)	38 (T)
Pentachlorobenzene			85 (T)	74 (T)
Hexachlorobenzene			0.0074 (C)	0.0072 (C)
Chlorinated Ethanes				
1,2-dichloroethane			2,430 (C)	9.4 (C)
1,1,1-trichloroethane			1,030,000 (T)	18,400 (T)
1,1,2-trichloroethane			418 (C)	6.0 (C)
1,1,2,2,-tetrachloroethane			107 (C)	1.7(C)
Chlorinated Phenols				
2,4,5-trichlorophenol				2,600 (T)
2,4,6-trichlorophenol			36 (C)	12 (C)
Chloroalkyl Ethers				
bis(2-chloroisopropyl) ether			4,360 (T)	34.7 (T)
bis(chloromethyl) ether			0.018 (C)	0.000038 (C)
bis(2-chloroethyl) ether			13.6 (C)	0.3 (C)
Chloroform			157 (C)	1.9 (C)
Chlorpyrifos	0.083	0.041		
DDT	0.55	0.001		
Dichlorobenzenes			2,600 (T)	400 (T)
Dichlorobenzidine			0.2 (C)	0.1 (C)
1,1-dichloroethylene			18.5 (C)	0.33 (C)
2,4-dichlorophenol				3,090 (T)
Dichloropropenes			14,100 (T)	87 (T)
2,4-dinitrotoluene			91 (C)	1.1 (C)

1,2-diphenylhydrazine			5.6 (C)	0.422 (C)
Endosulfan	0.11	0.056	159 (T)	74 (T)
Endrin				1.0 (D)
Ethylbenzene			3,280 (T)	1,400 (T)
Fluoranthene			54 (T)	42 (T)
Halomethanes			157 (C)	1.9 (C)
Heptachlor	0.26	0.0038	0.0028 (C)	0.0028 (C)
Hexachlorobutadiene			500 (C)	4.47 (C)
Hexachlorocyclohexane (HCH)				
alpha HCH			0.31 (C)	0.09 (C)
beta HCH			0.55 (C)	0.16 (C)
gamma HCH (Lindane)	1.0	0.08	0.63 (C)	0.19 (C)
Technical HCH			0.41 (C)	0.12 (C)
Hexachlorocyclopentadiene				206 (T)
Isophorone			520,000 (T)	5,200 (T)
Nitrobenzene				19,800 (T)
4,6-dinitro-o-cresol			765 (T)	13.4 (T)
Nitrosamines				
N-nitrosodiethylamine			12.4 (C)	0.008 (C)
N-nitrosodimethylamine			160 (C)	0.014 (C)
N-nitrosodibutylamine			5.9 (C)	0.064 (C)
N-nitrosodiphenylamine			161 (C)	49 (C)
N-nitrosopyrrolidine			919 (C)	0.16 (C)
Pentachlorophenol				1,000 (T)
Phenol				3,500 (T)
Phthalate Esters				
Dimethyl phthalate			2,900,000 (T)	313,000 (T)
Diethyl phthalate			1,800,000 (T)	350,000 (T)
Dibutyl phthalate			154,000 (T)	34,000 (T)
Di-2-ethylhexyl phthalate			50,000 (T)	15,000 (T)
Polychlorinated Biphenyls (PCBs)		0.014	0.00079 (C)	0.00079 (C)
Carcinogenic Polynuclear Aromatic Hydrocarbons (PAHs)			0.31 (C)	0.028 (C)
Tetrachloroethylene			88.5 (C)	8 (C)
Toxaphene	0.73	0.0002		
Vinyl Chloride			5,246 (C)	20 (C)
Other Substances				
Asbestos (fibers/liter)				300,000 (C)
Nitrate-N + Nitrite-N (mg/l)				10 (D)
Nitrite-N (mg/l)				1.0 (D)

Dissolved solids shall not exceed 750 mg/l in all waters.

Fluoride shall not exceed 2.0 mg/l in all waters.

Sulfates shall not exceed 250 mg/l in all waters.

NOTES:

(T) derived from threshold toxicity.

(C) derived from nonthreshold cancer risk.

(D) derived from drinking water standards, equal to or less than threshold toxicity.

(l) The department shall calculate additional criteria or values as follows:

(1) The department shall calculate Tier I criteria or Tier II values (Tier I criteria will be calculated whenever sufficient data are available) using the methodologies under sections 11 through 15 of this rule, and shall publish them in the Indiana Register by July 1, 1997, for the following parameters:

Table 8-12

Parameter	Criteria or Values to be Calculated
Acenaphthene	Aquatic life and human health
Acenaphthylene	Aquatic life[††] and human health[††]
Aldrin	Aquatic life, human health, and wildlife
Aluminum	Aquatic life and human health
Anthracene	Aquatic life and human health
Arsenic	Human health
Benzene	Aquatic life
Benzo(a)anthracene	Aquatic life and human health[††]
Benzo(a)Pyrene	Aquatic life and human health[††]
Benzo(b)fluoranthene	Aquatic life and human health[††]
bis(2-ethylhexyl) phthalate	Aquatic life and human health
Cadmium	Human health
Chloroform	Aquatic life and human health
Chromium, Trivalent	Human health
Chromium, Hexavalent	Human health
Chrysene	Aquatic life[††] and human health[††]
DDT	Aquatic life
Dibenzofuran	Aquatic life and human health
Ethylbenzene	Aquatic life and human health
Ethylene glycol	Aquatic life and human health
Fluoranthene	Aquatic life and human health
Fluorene	Aquatic life and human health
Fluoride	Aquatic life and human health[††]
Iron	Aquatic life
Lead	Aquatic life and human health
Manganese	Aquatic life and human health
2-Methylnaphthalene	Aquatic life[††] and human health
Methylene chloride	Aquatic life
Methyl tert-Butyl Ether	Aquatic life and human health
Naphthalene	Aquatic life and human health
Nickel	Human health
Phenanthrene	Aquatic life and human health
Pyrene	Aquatic life[††] and human health
Selenium	Acute aquatic life and human health
Silver	Aquatic life and human health
Tetrachloroethylene	Aquatic life and human health
Toluene	Aquatic life
1,1,1-Trichloroethane	Aquatic life and human health
1,3,5-Trimethylbenzene	Aquatic life[††] and human health
Xylene	Aquatic life[††] and human health

[††]For the above-noted criteria, insufficient data are available to calculate Tier I criteria and Tier II values at this time. Unless data become available by May 1, 1997, IDEM may not be able to develop the above-noted criteria by July 1, 1997.

(2) By July 1, 1997, the department shall develop a schedule for determining criteria or values for the parameters that have criteria under 327 IAC 2-1-6, Table 1 that do not have criteria in this rule and for which criteria or values have not been calculated under subdivision (1).

(Water Pollution Control Board; 327 IAC 2-1.5-8; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1370; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3376)

SECTION 17. 327 IAC 2-1.5-10 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1.5-10 Methods of analysis

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18-4

Sec. 10. The analytical procedures used as methods of analysis to determine the chemical, bacteriological, biological, and radiological quality of waters sampled shall be in accordance with 40 CFR 136 Standard Methods for the Examination

~~of Water and Wastewater,~~ or methods approved by the commissioner. *(Water Pollution Control Board; 327 IAC 2-1.5-10; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1381)*

SECTION 18. 327 IAC 2-1.5-11 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1.5-11 Determination of Tier I aquatic life criteria

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18

Sec. 11. (a) The procedures in this section shall be used to determine acute and chronic Tier I aquatic life criteria.

(b) The following considerations regarding the toxic substance shall be considered during the development of **Tier I** criteria or **Tier II** values:

(1) Each separate chemical that does not ionize substantially in most natural bodies of water should usually be considered a separate substance, except possibly for structurally similar organic compounds that only exist in large quantities as commercial mixtures of the various compounds and apparently have similar biological, chemical, physical, and toxicological properties.

(2) For chemicals that ionize substantially in most natural bodies of water, for example:

(A) some phenols and organic acids;

(B) some salts of phenols and organic acids; and

(C) most inorganic salts and coordination complexes of metals and metalloid;

all forms that would be in chemical equilibrium should usually be considered one (1) substance. Each different oxidation state of a metal and each different nonionizable covalently bonded organometallic compound should usually be considered a separate substance.

(3) The definition of the toxic substance should include an operational analytical component. Identification of a substance simply as sodium, for example, implies total sodium, but leaves room for doubt. If total is meant, it must be explicitly stated. Even total has different operational definitions, some of which do not necessarily measure all that is there in all samples. Thus, it is also necessary to reference or describe the analytical method that is intended. The selection of the operational analytical component should take into account the analytical and environmental chemistry of the material and various practical considerations, such as labor and equipment requirements, and whether the method would require measurement in the field or would allow measurement after samples are transported to a laboratory.

(A) The primary requirements of the operational analytical component shall be as follows:

(i) Appropriate for use on samples of receiving water.

(ii) Rarely result in underprotection or overprotection of aquatic organisms and their uses.

(iii) Compatible with the available toxicity and bioaccumulation data without making extrapolations that are too hypothetical. Toxicity is the property of a substance, or combination of substances, to adversely affect organisms.

(B) Because an ideal analytical measurement will rarely be available, an appropriate compromise measurement will usually have to be used. This compromise measurement must fit with the general approach that if an ambient concentration is lower than the criterion **or value,** unacceptable effects will probably not occur, that is, the compromise measure must not err on the side of underprotection when measurements are made on a surface water. What is an appropriate measurement in one (1) situation might not be appropriate for another. For example, because the chemical and physical properties of an effluent are usually quite different from those of the receiving water, an analytical method that is appropriate for analyzing an effluent might not be appropriate for expressing a criterion **or value,** and vice versa. A criterion **or value** should be based on an appropriate analytical measurement, but the criterion **or value** is not rendered useless if an ideal measurement either is not available or is not feasible. The analytical chemistry of the substance might have to be taken into account when defining the substance or when judging the acceptability of some toxicity tests, but a criterion **or value** must not be based on the sensitivity of an analytical method. When aquatic organisms are more sensitive than routine analytical methods, the proper solution is to develop better analytical methods.

(4) The use of dissolved metal to set and measure compliance with water quality standards for aquatic life is the recommended approach, because dissolved metal more closely approximates the bioavailable fraction of metal in the water column than does total recoverable metal. ~~One (1) reason is that a primary mechanism for water column toxicity is adsorption at the gill surface that requires metals to be in the dissolved form.~~ Reasons for the consideration of total recoverable metals criteria **or values** include risk management considerations not covered by evaluation of water column toxicity. The commissioner may, after considering sediment and food chain effects for a particular metal, decide to take a more conservative approach for the metal. ~~since metals are elements, hence persistent.~~ This approach could include the ~~use~~ **expression of aquatic life criteria or values for the metal in the form** of total recoverable metal. ~~in the development of a water quality criterion for a specific metal.~~ **If the commissioner determines that it is appropriate to express aquatic life criteria or values for a particular metal in the form of dissolved metal, the criteria or values shall be determined as follows:**

(A) If sufficient toxicological data in the form of dis-

solved metal are available, these data shall be used in this section and sections 12 and 16 of this rule to derive aquatic life criteria or values directly in the form of dissolved metal.

(B) If sufficient toxicological data in the form of dissolved metal are not available, aquatic life criteria or values shall be derived in the form of total recoverable metal using the procedures in this section and sections 12 and 16 of this rule and then multiplied by criteria conversion factors approved by the commissioner to express the criteria or values in the form of dissolved metal.

(C) If sufficient toxicological data in the form of dissolved metal are not available and criteria conversion factors for the particular metal have not been approved by the commissioner, aquatic life criteria or values shall be derived in the form of total recoverable metal using the procedures in this section and sections 12 and 16 of this rule and expressed in the form of total recoverable metal.

(c) The following data collection procedures shall be followed when developing Tier I aquatic life criteria:

(1) Collect all data available on the substance concerning toxicity to aquatic animals and plants.

(2) All data that are used should be available in typed, dated, and signed hard copy, for example:

(A) publication;

(B) manuscript;

(C) letter; or

(D) memorandum;

with enough supporting information to indicate that acceptable test procedures were used and that the results are reliable. In some cases, it may be appropriate to obtain written information from the investigator, if possible. Information that is not available for distribution shall not be used.

(3) Questionable data, whether published or unpublished, shall not be used. For example, data shall be rejected if they are from tests:

(A) that did not contain a control treatment;

(B) in which too many organisms in the control treatment died or showed signs of stress or disease; and

(C) in which distilled or deionized water was used as the dilution water without the addition of appropriate salts.

(4) Data on technical grade materials may be used if appropriate, but data on formulated mixtures and emulsifiable concentrates of the material shall not be used.

(5) For some highly volatile, hydrolyzable, or degradable materials, it may be appropriate to use only results of flow-through tests in which the concentrations of test material in test solutions were measured using acceptable analytical methods. A flow-through test is a test with aquatic organisms in which test solutions flow into constant-volume test chambers either intermittently, for example, every few minutes, or continuously, with the excess flowing out.

(6) Data shall be rejected if obtained using the following:

(A) Brine shrimp, because they usually only occur naturally in water with salinity greater than thirty-five (35) grams per kilogram.

(B) Species that do not have reproducing wild populations in North America.

(C) Organisms that were previously exposed to substantial concentrations of the test material or other contaminants.

(D) Saltwater species except for use in deriving ~~acute-chronic ratio~~ ACR.

(7) Questionable data, data on formulated mixtures and emulsifiable concentrates, and data obtained with species nonresident to North America or previously exposed organisms may be used to provide auxiliary information but shall not be used in the derivation of criteria.

(d) This subsection establishes the data requirements for the development of Tier I aquatic life criteria as follows:

(1) Certain data should be available to help ensure that each of the major kinds of possible adverse effects receives adequate consideration. An adverse effect is a change in an organism that is harmful to the organism. Exposure means contact with a chemical or physical agent. Results of acute and chronic toxicity tests with representative species of aquatic animals are necessary so that data available for tested species can be considered a useful indication of the sensitivities of appropriate untested species. Fewer data concerning toxicity to aquatic plants are usually available because procedures for conducting tests with plants and interpreting the results of such tests are not as well developed.

(2) To derive a ~~Great Lakes~~ Tier I criterion for aquatic organisms and their uses, the following must be available:

(A) Results of acceptable acute (or chronic) tests (see subsections (e) and (g)) with at least one (1) species of freshwater animal in at least eight (8) different families such that all of the following are included:

(i) The family Salmonidae in the class Osteichthyes.

(ii) One (1) other family (preferably a commercially or recreationally important, warmwater species) in the class Osteichthyes, for example:

(AA) bluegill; or

(BB) channel catfish.

(iii) A third family in the phylum Chordata, for example:

(AA) fish; or

(BB) amphibian.

(iv) A planktonic crustacean, for example:

(AA) a cladoceran; or

(BB) copepod.

(v) A benthic crustacean, for example:

(AA) ostracod;

(BB) isopod;

(CC) amphipod; or

(DD) crayfish.

(vi) An insect, for example:

(AA) mayfly;

(BB) dragonfly;

(CC) damselfly;

(DD) stonefly;

(EE) caddisfly;

(FF) mosquito; or

(GG) midge.

(vii) A family in a phylum other than Arthropoda or Chordata, for example:

(AA) Rotifera;

(BB) Annelida; or

(CC) Mollusca.

(viii) A family in any order of insect or any phylum not already represented.

(B) Acute-chronic ratios (see subsection (g)) with at least one (1) species of aquatic animal in at least three (3) different families provided that of the three (3) species **at least one (1) is:**

(i) ~~at least one (1) is~~ a fish;

(ii) ~~at least one (1) is~~ an invertebrate; and

(iii) ~~at least one (1) species is~~ an acutely sensitive freshwater species (the other two (2) may be saltwater species).

(C) Results of at least one (1) acceptable test with a freshwater algae or vascular plant is desirable but not required for criterion derivation (see subsection (i)). If plants are among the aquatic organisms most sensitive to the material, results of a test with a plant in another phylum (division) should also be available.

(3) If all required data are available, a numerical criterion can usually be derived except in special cases. For example, derivation of a chronic criterion might not be possible if the available ACRs vary by more than a factor of ten (10) with no apparent pattern. Also, if a criterion is to be related to a water quality characteristic (see subsections (f) and (h)), more data will be required.

(4) Confidence in a criterion usually increases as the amount of available pertinent information increases. Thus, additional data are usually desirable.

(e) The following procedures shall be used to calculate ~~a final acute value~~ **an** FAV:

(1) Appropriate measures of the acute (short term) toxicity of the material to a variety of species of aquatic animals are used to calculate the FAV. The calculated FAV is a calculated estimate of the concentration of a test material such that ninety-five percent (95%) of the genera (with which acceptable acute toxicity tests have been conducted on the material) have higher ~~genus mean acute values~~ GMAVs. An acute test is a comparative study in which organisms that are subjected to different treatments are observed for a short period usually not constituting a substantial portion of their life span. However, in some cases, the ~~species mean acute value~~ SMAV of a commercially or recreationally important species of the Great Lakes system is lower than the calculated FAV, then the SMAV replaces the calculated FAV in order to provide protection for that important species.

(2) Acute toxicity tests shall be conducted in accordance with this subsection.

(3) Except for results with saltwater annelids and mysids, results of acute tests during which the test organisms were fed should not be used, unless data indicate that the food did not affect the toxicity of the test material. (If the minimum acute-chronic ratio data requirements (as described in subsection (d)(2)(B)) are not met with freshwater data alone, saltwater data may be used.)

(4) Results of acute tests conducted in unusual dilution water, for example, dilution water in which total organic carbon or particulate matter exceeded five (5) milligrams per liter, shall not be used, unless a relationship is developed between acute toxicity and organic carbon or particulate matter or unless data show that the organic carbon or particulate matter do not affect toxicity.

(5) Acute values must be based upon endpoints ~~which~~ **that** reflect the total severe adverse impact of the test material on the organisms used in the test. Therefore, only the following kinds of data on acute toxicity to aquatic animals shall be used:

(A) Tests with daphnids and other cladocerans must be started with organisms less than twenty-four (24) hours old, and tests with midges must be started with second or third instar larvae. It is preferred that the results should be the forty-eight (48) hour EC_{50} based on the total percentage of organisms killed and immobilized. If such an EC_{50} is not available for a test, the forty-eight (48) hour LC_{50} should be used in place of the desired forty-eight (48) hour EC_{50}. An EC_{50} or LC_{50} of longer than forty-eight (48) hours can be used as long as the animals were not fed and the control animals were acceptable at the end of the test.

(B) It is preferred that the results of a test with embryos and larvae of barnacles, bivalve molluscs (clams, mussels, oysters, and scallops), sea urchins, lobsters, crabs, shrimp, and abalones be the ninety-six (96) hour EC_{50} based on the percentage of organisms with incompletely developed shells plus the percentage of organisms killed. If such an EC_{50} is not available from a test, of the values that are available from the test, the lowest of the following should

be used in place of the desired ninety-six (96) hour EC_{50}:

(i) Forty-eight (48) **hour** to ninety-six (96) hour EC_{50}s based on percentage of organisms with incompletely developed shells plus percentage of organisms killed.

(ii) Forty-eight (48) **hour** to ninety-six (96) hour EC_{50}s based upon percentage of organisms with incompletely developed shells.

(iii) Forty-eight (48) hour to ninety-six (96) hour LC_{50}s.

If the minimum acute-chronic ratio data requirements (as described in subsection (d)(2)(B)) are not met with freshwater data alone, saltwater data may be used.

(C) It is preferred that the result of tests with all other aquatic animal species and older life stages of barnacles, bivalve molluscs (clams, mussels, oysters, and scallops), sea urchins, lobsters, crabs, shrimp, and abalones be the ninety-six (96) hour EC_{50} based on percentage of organisms exhibiting loss of equilibrium plus percentage of organisms immobilized plus percentage of organisms killed. If such an EC_{50} is not available from a test, of the values that are available from a test, the lower of the following should be used in place of the desired ninety-six (96) hour EC_{50}:

(i) The ninety-six (96) hour EC_{50} based on percentage of organisms exhibiting loss of equilibrium plus percentage of organisms immobilized.

(ii) The ninety-six (96) hour LC_{50}.

(D) Tests results that take into account the number of young produced, such as most tests with protozoans, are not considered acute tests, even if the duration was ninety-six (96) hours or less.

(E) If the tests were conducted properly, acute values reported as greater than values and those that are above the solubility of the test material should be used, because rejection of such acute values would bias the final acute value by eliminating acute values for resistant species.

(6) If the acute toxicity of the material to aquatic animals has been shown to be related to a water quality characteristic, such as hardness or particulate matter for freshwater animals, refer to subsection (f).

(7) The agreement of the data within and between species must be considered. Acute values that appear to be questionable in comparison with other acute and chronic data for the same species and for other species in the same genus must not be used. For example, if the acute values available for a species or genus differ by more than a factor of ten (10), rejection of some or all of the values would be appropriate, absent countervailing circumstances.

(8) If the available data indicate that one (1) or more life stages are at least a factor of two (2) more resistant than one (1) or more other life stages of the same species, the data for the more resistant life stages shall not be used in the calculation of the SMAV because a species cannot be considered protected from acute toxicity if all of the life stages are not protected.

(9) For each species for which at least one (1) acute value is available, the SMAV shall be calculated as the geometric mean of the results of all acceptable flow-through acute toxicity tests in which the concentrations of test material were measured with the most sensitive tested life stage of the species. For a species for which no such result is available, the SMAV shall be calculated as the geometric mean of all acceptable acute toxicity tests with the most sensitive tested life stage, for example, results of flow-through tests in which the concentrations were not measured and results of static and renewal tests based on initial concentrations (nominal concentrations are acceptable for most test materials if measured concentrations are not available) of test material. A renewal test is a test with aquatic organisms in which either the test solution in a test chamber is removed and replaced at least once during the test or the test organisms are transferred into a new test solution of the same composition at least once during the test. A static test is a test with aquatic organisms in which the solution and organisms that are in a test chamber at the beginning of the test remain in the chamber until the end of the test, except for removal of dead test organisms. The following conditions are applicable to this calculation:

(A) Data reported by original investigators must not be rounded off. Results of all intermediate calculations must not be rounded off to fewer than four (4) significant digits.

(B) The geometric mean of N numbers is the Nth root of the product of the N numbers. Alternatively, the geometric mean can be calculated by adding the logarithms of the N numbers, dividing the sum by N, and taking the antilog of the quotient. The geometric mean of two (2) numbers is the square root of the product of the two (2) numbers, and the geometric mean of one (1) number is that number. Either natural (base e) or common (base 10) logarithms can be used to calculate geometric means as long as they are used consistently within each set of data, for example, the antilog used must match the logarithms used.

(C) Geometric means, rather than arithmetic means, are used here because the distributions of sensitivities of individual organisms in toxicity tests on most materials and the distributions of sensitivities of species within a genus are more likely to be lognormal than normal. Similarly, geometric means are used for ACRs because quotients are likely to be closer to lognormal than normal distributions. In addition, division of the geometric mean of a set of numerators by the geometric mean of the set of denominators will result in the geometric mean of the set of corresponding quotients.

(10) For each genus for which one (1) or more SMAVs are available, the GMAV shall be calculated as the geometric mean of the SMAVs available for the genus.

(11) Order the GMAVs from high to low.

(12) Assign ranks, R, to the GMAVs from "1" for the lowest

to "N" for the highest. If two (2) or more GMAVs are identical, assign them successive ranks.

(13) Calculate the cumulative probability, P, for each GMAV as R/(N + 1).

(14) Select the four (4) GMAVs ~~which~~ **that** have cumulative probabilities closest to five-hundredths (0.05) (if there are fewer than fifty-nine (59) GMAVs, these will always be the four (4) lowest GMAVs).

(15) Using the four (4) selected GMAVs and Ps, calculate:

(A) $FAV = e^{A}$

(B) $A = S(\sqrt{0.05}) + L$

(C) $L = \frac{\sum(\ln GMAV) - S(\sum(\sqrt{P}))}{4}$

(D) $S^2 = \frac{\sum((\ln GMAV)^2) - \frac{(\sum(\ln GMAV))^2}{4}}{\sum(P) - \frac{(\sum(\sqrt{P}))^2}{4}}$

(16) If, for a commercially or recreationally important species of the Great Lakes system, the geometric mean of the acute values from flow-through tests in which the concentrations of test material were measured is lower than the calculated FAV, then that geometric mean must be used as the FAV instead of the calculated FAV.

(f) When enough data are available to show that acute toxicity to two (2) or more species is similarly related to a water quality characteristic, the relationship shall be taken into account as described in subdivisions (1) through (6) or using analysis of covariance. The two (2) methods are equivalent and produce identical results. The manual method described in this subsection provides an understanding of this application of covariance analysis, but computerized versions of covariance analysis are much more convenient for analyzing large data sets. If two (2) or more factors affect toxicity, multiple regression analysis shall be used. An acute criterion based on a water quality characteristic shall be determined as follows:

(1) For each species for which comparable acute toxicity values are available at two (2) or more different values of the water quality characteristic, perform a least squares regression of the acute toxicity values on the corresponding values of the water quality characteristic to obtain the slope and its ninety-five percent (95%) confidence limits for each species. (Because the best documented relationship is that between hardness and acute toxicity of metals in fresh water and a log-log relationship fits these data, geometric means and natural logarithms of both toxicity and water quality are used in the rest of this section. For relationships based on other water quality characteristics, such as pH, temperature, no transformation or a different transformation might fit the data better, and appropriate changes will be necessary throughout this section.)

(2) Decide whether the data for each species are relevant, taking into account the range and number of the tested values of the water quality characteristic and the degree of agreement within and between species. For example, a slope based on six (6) data points might be of limited value if it is based only on data for a very narrow range of values of the water quality characteristic. A slope based on only two (2) data points, however, might be useful if it is consistent with other information and if the two (2) points cover a broad enough range of the water quality characteristic. In addition, acute values that appear to be questionable in comparison with other acute and chronic data available for the same species and for other species in the same genus should not be used. For example, if after adjustment for the water quality characteristic, the acute values available for a species or genus differ by more than a factor of ten (10), rejection of some or all of the values would be appropriate, absent countervailing justification. If useful slopes are not available for at least one (1) fish and one (1) invertebrate or if the available slopes are too dissimilar or if too few data are available to adequately define the relationship between acute toxicity and the water quality characteristic, return to subsection (e)(7), using the results of tests conducted under conditions and in waters similar to those commonly used for toxicity tests with the species.

(3) For each species, calculate the geometric mean of the available acute values and then divide each of the acute values for the species by the geometric mean for the species. This normalizes the acute values so that the geometric mean of the normalized values for each species individually and for any combination of species is one (1.0).

(4) Similarly normalize the values of the water quality characteristic for each species individually using the procedure in subdivisions (1) through (3).

(5) Individually for each species perform a least squares regression of the normalized acute values of the water quality characteristic. The resulting slopes and ninety-five percent (95%) confidence limits will be identical to those obtained in subdivision (1). If, however, the data are actually plotted, the line of best fit for each individual species will go through the point 1,1 in the center of the graph.

(6) Treat all of the normalized data as if they were all for the same species and perform a least squares regression of all of the normalized acute values on the corresponding normalized values of the water quality characteristic to obtain the pooled acute slope, V, and its ninety-five percent (95%) confidence limits. If all of the normalized data are actually plotted, the line of best fit will go through the point 1,1 in the center of the graph.

(7) For each species calculate the geometric mean, W, of the acute toxicity values and the geometric mean, X, of the values of the water quality characteristic. (These were calculated in subdivisions (3) and (4)).

(8) For each species, calculate the logarithm, Y, of the

SMAV at a selected value, Z, of the water quality characteristic using the equation:

$$Y = \ln W - V(\ln X - \ln Z)$$

(9) For each species calculate the SMAV at Z using the equation:

$$SMAV = e^{Y}$$

(10) Alternatively, the SMAVs at Z can be obtained by skipping the step in subdivision (7), using the equations in subdivisions (8) and (9) to adjust each acute value individually to Z, and then calculating the geometric mean of the adjusted values for each species individually. This alternative procedure allows an examination of the range of the adjusted acute values for each species.

(11) Obtain the FAV at Z by using the procedure described in subsection (e)(10) through (e)(15).

(12) If, for a commercially or recreationally important species of the Great Lakes system, the geometric mean of the acute values at Z from flow-through tests in which the concentrations of the test material were measured is lower than the FAV at Z, then the geometric mean must be used as the FAV instead of the FAV calculated in subdivision (11).

(13) The final acute equation is written as:

$$(FAV) = e^{(V[\ln(\text{water quality characteristic})] + A - V[\ln Z])}$$

Where: V = pooled acute slope.

A = ln(FAV at Z).

Because V, A, and Z are known, the FAV can be calculated for any selected value of the water quality characteristic.

(g) The following procedures shall be used to calculate ~~a final chronic value~~ **an** FCV:

(1) Depending on the data that are available concerning chronic toxicity to aquatic animals, the FCV can be calculated in the same manner as the FAV or by dividing the FAV by the final acute-chronic ratio (FACR). In some cases, it might not be possible to calculate ~~a~~ **an** FCV. The FCV is one (1) of the following as applicable:

(A) A calculated estimate of the concentration of a test material such that ninety-five percent (95%) of the genera (with which acceptable chronic toxicity tests have been conducted on the material) have higher GMCVs.

(B) The quotient of an FAV divided by an appropriate ACR (ACR is a way of relating acute and chronic toxicities).

(C) The SMCV of an important or critical species, if the SMCV is lower than the calculated estimate or the quotient.

(2) Chronic values shall be based on results of flow-through (except renewal is acceptable for daphnids) chronic tests in which the concentrations of test material in the test solutions were properly measured at appropriate times during the test. A chronic test is a comparative study in which organisms that are subjected to different treatments are observed for a long period or a substantial portion of their life span.

(3) Results of chronic tests in which survival, growth, or reproduction in the control treatment was unacceptably low shall not be used. The limits of acceptability will depend on the species.

(4) Results of chronic tests conducted in unusual dilution water, for example, dilution water in which total organic carbon or particulate matter exceeded five (5) milligrams per liter, should not be used unless:

(A) a relationship is developed between chronic toxicity and organic carbon or particulate matter; or ~~unless~~

(B) data show that the organic carbon or particulate matter do not affect toxicity.

(5) Chronic values must be based on endpoints and lengths of exposure appropriate to the species. Therefore, only results of the following kinds of chronic toxicity tests shall be used:

(A) Life-cycle toxicity tests consisting of exposures of each of two (2) or more groups of individuals of a species to a different concentration of the test material throughout a life cycle. To ensure that all life stages and life processes are exposed, the following procedures shall be followed:

(i) Tests with fish should:

(AA) begin with embryos or newly hatched young less than forty-eight (48) hours old;

(BB) continue through maturation and reproduction; and ~~should~~

(CC) end not less than twenty-four (24) days (ninety (90) days for salmonids) after the hatching of the next generation.

For fish, data should be obtained and analyzed on survival and growth of adults and young, maturation of males and females, eggs spawned per female, embryo viability (salmonids only), and hatchability.

(ii) Tests with daphnids should begin with young less than twenty-four (24) hours old and last for not less than twenty-one (21) days, and for ceriodaphnids not less than seven (7) days. For daphnids, data should be obtained and analyzed on survival and young per female.

(iii) Tests with mysids should begin with young less than twenty-four (24) hours old and continue until seven (7) days past the median time of first brood release in the controls. For mysids, data should be obtained and analyzed on survival, growth, and young per female.

(B) Partial life-cycle toxicity tests consist of exposures of each of two (2) or more groups of individuals of a species of fish to a different concentration of the test material through most portions of a life cycle. Partial life-cycle tests are allowed with fish species that require more than a year to reach sexual maturity, so that all major life stages can be exposed to the test material in less than fifteen (15) months. A life-cycle test is a comparative study in which organisms that are subjected to different treatments are observed at

least from a life stage in one (1) generation to the same life stage in the next generation. Exposure to the test material should:

(i) begin with immature juveniles at least two (2) months prior to active gonad development;

(ii) continue through maturation and reproduction; and

(iii) end not less than twenty-four (24) days (ninety (90) days for salmonids) after the hatching of the next generation.

Data should be obtained and analyzed on survival and growth of adults and young, maturation of males and females, eggs spawned per female, embryo viability (salmonids only), and hatchability.

(C) Early life-stage toxicity tests consisting of twenty-eight (28) to thirty-two (32) day (sixty (60) days post hatch for salmonids) exposures of the early life stages of a species of fish from shortly after fertilization through embryonic, larval, and early juvenile development. Data should be obtained and analyzed on survival and growth. (Note: Results of an early life-stage test are used as predictions of results of life-cycle and partial life-cycle tests with the same species. Therefore, when results of a life-cycle or partial life-cycle test are available, results of an early life-stage test with the same species should not be used. Also, results of early life-stage tests in which the incidence of mortalities or abnormalities increased substantially near the end of the test shall not be used because the results of such tests are possibly not good predictions of comparable life-cycle or partial life-cycle tests.)

(6) A chronic value may be obtained by analyzing chronic data using regression analysis or by calculating the geometric mean of the lower and upper chronic limits from a chronic test as follows:

(A) A lower chronic limit is the highest tested concentration:

(i) in an acceptable chronic test;

(ii) ~~which~~ **that** did not cause an unacceptable amount of adverse effect on any of the specified biological measurements; and

(iii) below which no tested concentration caused an unacceptable effect.

(B) An upper chronic limit is the lowest tested concentration:

(i) in an acceptable chronic test;

(ii) ~~which~~ **that** did cause an unacceptable amount of adverse effect on one (1) or more of the specified biological measurements; and

(iii) above which all tested concentrations also caused such an effect.

(C) Because various authors have used a variety of terms and definitions to interpret and report results of chronic tests, reported results should be reviewed carefully. The amount of effect that is considered unacceptable is often based on a statistical hypothesis test, but might also be defined in terms of a specified percent reduction from the controls. A small percent reduction (for example, three percent (3%)) might be considered acceptable even if it is statistically significantly different from the control, whereas a large percent reduction (for example, thirty percent (30%)) might be considered unacceptable even if it is not statistically significant.

(7) If the chronic toxicity of the material to aquatic animals has been shown to be related to a water quality characteristic, such as hardness or particulate matter for freshwater animals, refer to subsection (h).

(8) If chronic values are available for species in eight (8) families as described in subsection (d)(2)(A), ~~a~~ **an** SMCV shall be calculated for each species for which at least one (1) chronic value is available by calculating the geometric mean of the results of all acceptable life-cycle and partial life-cycle toxicity tests with the species; for a species of fish for which no such result is available, the SMCV is the geometric mean of all acceptable early life-stage tests. Appropriate GMCVs shall also be calculated. A GMCV is the geometric mean of the SMCVs for the genus. The FCV shall be obtained using the procedure described in subsection (e)(10) through (e)(15), substituting SMCV and GMCV for SMAV and GMAV, respectively. See subdivision (10).

(9) The following procedures are for use when chronic values are not available for species in eight (8) taxonomic families as described in subsection (d)(2)(A):

(A) For each chronic value for which at least one (1) corresponding appropriate acute value is available, calculate an ACR, using for the numerator the geometric mean of the results of all acceptable flow-through (except static is acceptable for daphnids and midges) acute tests in the same dilution water in which the concentrations are measured. For fish, the acute tests should be conducted with juveniles. The acute tests should be part of the same study as the chronic test. If acute tests were not conducted as part of the same study, but were conducted as part of a different study in the same laboratory and dilution water, then they may be used. If no such acute tests are available, results of acute tests conducted in the same dilution water in a different laboratory may be used. If no such acute tests are available, an ACR shall not be calculated.

(B) For each species, calculate the SMACR as the geometric mean of all ACRs available for that species. If the minimum ACR data requirements (as described in subsection (d)(2)(B)) are not met with freshwater data alone, saltwater data may be used along with the freshwater data.

(C) For some materials, the ACR seems to be the same for all species, but for other materials the ratio seems to increase or decrease as the SMAV increases. Thus the FACR can be obtained in the following three (3) ways,

depending on the data available (If the available SMACRs do not fit one (1) of these cases, a FACR may not be obtained and a Tier I FCV probably cannot be calculated.):

(i) If the species mean ACR seems to increase or decrease as the SMAVs increase, the FACR shall be calculated as the geometric mean of the ACRs for species whose SMAVs are close to the FAV.

(ii) If no major trend is apparent and the ACRs for all species are within a factor of ten (10), the FACR shall be calculated as the geometric mean of all of the SMACRs.

(iii) If the most appropriate SMACRs are less than two (2.0), and especially if they are less than one (1.0), acclimation has probably occurred during the chronic test. In this situation, because continuous exposure and acclimation cannot be assured to provide adequate protection in field situations, the FACR should be assumed to be two (2), so that the FCV is equal to the ~~Criterion Maximum Concentration~~ CMC. (See subsection (k)(1).)

(D) Calculate the FCV by dividing the FAV by the FACR. FCV = FAV ÷ FACR. If there is a final acute equation rather than ~~a~~ **an** FAV, see also subsection (f).

(10) If the SMCV of a commercially or recreationally important species of the Great Lakes system is lower than the calculated FCV, then that SMCV must be used as the FCV instead of the calculated FCV.

(h) When enough data are available to show that toxicity to two (2) or more species is similarly related to a water quality characteristic, the relationship shall be taken into account as described in this subsection. A final chronic equation can be derived in two (2) ways. The procedure described in subdivision (1) will result in the chronic slope being the same as the acute slope. The procedure described in subdivision (2) will usually result in the chronic slope being different from the acute slope. A chronic criterion based on a water quality characteristic shall be determined as follows:

(1) If ACRs are available for enough species at enough values of the water quality characteristic to indicate that the ACR appears to be the same for all species and appears to be independent of the water quality characteristic, then:

(A) calculate the FACR as the geometric mean of the available SMACRs;

(B) calculate the FCV at the selected value Z of the water quality characteristic by dividing the FAV at Z (see subsection (f)(11)) by the FACR; and

(C) use V = pooled acute slope (see subsection (f)(6)), and L = pooled chronic slope (see subdivision (2)(F)).

(2) When enough data are available to show that chronic toxicity to at least one (1) species is related to a water quality characteristic, the relationship should be taken into account as described in clauses (A) through (E) or using analysis of covariance. The two (2) methods are equivalent and produce identical results. The manual method described in this subdivision provides an understanding of this application of covariance analysis, but computerized versions of covariance analysis are much more convenient for analyzing large data sets. If two (2) or more factors affect toxicity, multiple regression analysis shall be used.

(A) For each species for which comparable chronic toxicity values are available at two (2) or more different values of the water quality characteristic, perform a least squares regression of the chronic toxicity values on the corresponding values of the water quality characteristic to obtain the slope and its ninety-five percent (95%) confidence limits for each species. (Because the best documented relationship is that between hardness and acute toxicity of metals in fresh water and a log-log relationship fits these data, geometric means and natural logarithms of both toxicity and water quality are used in the rest of this section. For relationships based on other water quality characteristics, such as pH, temperature, no transformation, or a different transformation might fit the data better, and appropriate changes will be necessary throughout this section. It is probably preferable, but not necessary, to use the same transformation that was used with the acute values in subsection (f).)

(B) Decide whether the data for each species are relevant, taking into account the range and number of the tested values of the water quality characteristic and the degree of agreement within and between species. For example, a slope based on six (6) data points might be of limited value if it is based only on data for a very narrow range of values of the water quality characteristic. A slope based on only two (2) data points, however, might be more useful if it is consistent with other information and if the two (2) points cover a broad range of the water quality characteristic. In addition, chronic values that appear to be questionable in comparison with other acute and chronic data available for the same species and for other species in the same genus in most cases should not be used. For example, if after adjustment for the water quality characteristic, the chronic values available for a species or genus differ by more than a factor of ten (10), rejection of some or all of the values is, in most cases, absent countervailing circumstances, appropriate. If a useful chronic slope is not available for at least one (1) species or if the available slopes are too dissimilar or if too few data are available to adequately define the relationship between chronic toxicity and the water quality characteristic, it might be appropriate to assume that the chronic slope is the same as the acute slope, which is equivalent to assuming that the ACR is independent of the water quality characteristic. Alternatively, return to subsection (g)(8), using the results of tests conducted under conditions and in waters similar to those commonly used for toxicity tests with the species.

(C) Individually for each species, calculate the geometric

mean of the available chronic values and then divide each chronic value for a species by the mean for the species. This normalizes the chronic values so that the geometric mean of the normalized values for each species individually, and for any combination of species, is one (1.0).

(D) Similarly, normalize the values of the water quality characteristic for each species individually.

(E) Individually for each species, perform a least squares regression of the normalized chronic toxicity values on the corresponding normalized values of the water quality characteristic. The resulting slopes and the ninety-five percent (95%) confidence limits will be identical to those obtained in this subdivision. Now, however, if the data are actually plotted, the line of best fit for each individual species will go through the point 1,1 in the center of the graph.

(F) Treat all of the normalized data as if they were all the same species and perform a least squares regression of all of the normalized chronic values on the corresponding normalized values of the water quality characteristic to obtain the pooled chronic slope, L, and its ninety-five percent (95%) confidence limits. If all normalized data are actually plotted, the line of best fit will go through the point 1,1 in the center of the graph.

(G) For each species, calculate the geometric mean, M, of the toxicity values and the geometric mean, P, of the values of the water quality characteristic. (These are calculated in clauses (C) and (D).)

(H) For each species, calculate the logarithm, Q, of the SMCV at a selected value, Z, of the water quality characteristic using the equation:

$$Q = \ln M - L(\ln P - \ln Z)$$

(Although it is not necessary, it is recommended that the same value of the water quality characteristic be used here as was used in subsection (f).)

(I) For each species, calculate ~~a~~ **an** SMCV at Z using the equation:

$$SMCV = e^{Q}$$

(Alternatively, the SMCV at Z can be obtained by skipping clause (G), using the equations in clause (H) and this clause to adjust each chronic value individually to Z, and then calculating the geometric means of the adjusted values for each species individually. This alternative procedure allows an examination of the range of the adjusted chronic values for each species.)

(J) Obtain the FCV at Z by using the procedure described in subsection (e)(10) through (e)(15).

(3) If the SMCV at Z of a commercially or recreationally important species of the Great Lakes system is lower than the calculated FCV at Z, then that SMCV shall be used as the FCV at Z instead of the calculated FCV.

(4) The final chronic equation is written as:

$$FCV = e^{(L[\ln(\text{water quality characteristic})] + \ln S - L[\ln Z])}$$

Where: L = pooled chronic slope.

S = FCV at Z.

Because L, S, and Z are known, the FCV can be calculated for any selected value of the water quality characteristic.

(i) ~~A final plant value~~ **An** FPV is the lowest plant value that was obtained with an important aquatic plant species in an acceptable toxicity test for which the concentrations of the test material were measured and the adverse effect was biologically important. Appropriate measures of the toxicity of the material to aquatic plants are used to compare the relative sensitivities of aquatic plants and animals. Although procedures for conducting and interpreting the results of toxicity tests with plants are not well developed, results of tests with plants usually indicate that criteria ~~which~~ **that** adequately protect aquatic animals and their uses will, in most cases, also protect aquatic plants and their uses. When developing an FPV, the following apply:

(1) A plant value is the result of a ninety-six (96) hour test conducted with an alga or a chronic test conducted with an aquatic vascular plant. (A test of the toxicity of a metal to a plant shall not be used if the medium contained an excessive amount of a complexing agent, such as EDTA, that might affect the toxicity of the metal. Concentrations of EDTA above two hundred (200) µg/L should be considered excessive.)

(2) The FPV shall be obtained by selecting the lowest result from a test with an important aquatic plant species in which the concentrations of test material are measured and the endpoint is biologically important.

(j) Pertinent information that could not be used in earlier subsections may be available concerning adverse effects on aquatic organisms. The following are data that may affect a criterion if the data were obtained with an important species, the test concentrations were measured, and the endpoint was biologically important:

(1) Cumulative and delayed toxicity, reduction in survival, growth, or reproduction, or any other adverse effect that has been shown to be biologically important. Delayed toxicity is an adverse effect to an organism that results from, and occurs after the end of, its exposure to one (1) or more test materials.

(2) Species for which no other data are available.

(3) Behavioral, biochemical, physiological, microcosm, and field studies.

(4) Tests conducted in unusual dilution water (see subsections (e)(4) and (g)(4)).

(5) Chronic tests in which the concentrations were not measured (see subsection (g)(2)).

(6) Tests with previously exposed organisms (see subsection (c)(6)(C)).

(7) Tests on formulated mixtures or emulsifiable concentrates (see subsection (c)(4)).

(k) A criterion consists of two (2) concentrations, the ~~criterion maximum concentration~~ CMC and the ~~criterion continuous concentration~~ CCC, determined as follows:

(1) The CMC is equal to one-half (½) the FAV. The CMC is an estimate of the highest concentration of a material in the water column to which an aquatic community can be exposed briefly without resulting in an unacceptable effect.

(2) The CCC is equal to the lowest of the FCV or the FPV (if available) unless other data (see subsection (j)) show that a lower value should be used. The CCC is an estimate of the highest concentration of a material in the water column to which an aquatic community can be exposed indefinitely without resulting in an unacceptable effect. If toxicity is related to a water quality characteristic, the CCC is obtained from the final chronic equation or FPV (if available) that results in the lowest concentrations in the usual range of the water quality characteristic, unless other data (see subsection (j)) show that a lower value should be used.

(3) Round both the CMC and the CCC to two (2) significant digits.

(4) The criterion is stated as follows:

(A) The procedures described in the Tier I methodology indicate that, except possibly where a commercially or recreationally important species is very sensitive, aquatic organisms should not be affected unacceptably if the four (4) day average concentration of (insert name of substance) does not exceed (insert the CCC for the substance) µg/L more than once every three (3) years on the average and if the one (1) hour average concentration does not exceed (insert the CMC for the substance) µg/L more than once every three (3) years on the average.

(B) If the CMC averaging period of one (1) hour or the CCC averaging period of four (4) days is inappropriate for the pollutant, or if the once-in-three-year allowable excursion frequency is inappropriate for the pollutant or for the sites to which a criterion is applied, then the commissioner may specify alternative averaging periods or frequencies. The choice of an alternative averaging period or frequency shall be justified by a scientifically defensible analysis demonstrating that the alternative values will protect the aquatic life uses of the water. Appropriate laboratory data or well-designed field biological surveys shall be submitted to the U.S. EPA as justification for differing averaging periods or frequencies of exceedance.

(Water Pollution Control Board; 327 IAC 2-1.5-11; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1381; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3377)

SECTION 19. 327 IAC 2-1.5-16 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1.5-16 Site-specific modifications to Tier I criteria and Tier II values

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-15-4-1; IC 13-18-4

Sec. 16. (a) Site-specific modifications ~~of~~ **to Tier I** criteria and **Tier II** values ~~in this subsection~~ must be protective of designated uses and aquatic life, wildlife, or human health. In addition, any site-specific modifications that result in less stringent criteria must be based on a sound scientific rationale and shall not be likely to jeopardize the continued existence of endangered or threatened species listed or proposed under Section 4 of the Endangered Species Act (ESA) or result in the destruction or adverse modification of such species' critical habitat. More stringent modifications shall be developed to protect endangered or threatened species listed or proposed under Section 4 of the ESA, where such modifications are necessary to ensure that water quality is not likely to jeopardize the continued existence of such species or result in the destruction or adverse modification of such species' critical habitat. More stringent modifications may also be developed to protect candidate (C1) species being considered by the U.S. Fish and Wildlife Service (FWS) for listing under Section 4 of the ESA, where such modifications are necessary to protect such species. Criteria and values may be modified on a site-specific basis to reflect local environmental conditions as restricted by the following provisions:

(1) Aquatic life criteria or values may be modified on a site-specific basis as follows:

(A) Aquatic life criteria or values may be modified on a site-specific basis to provide an additional level of protection.

(B) Less stringent site-specific modifications to chronic or acute aquatic life criteria or values may be developed when either of the following conditions ~~apply:~~ **applies:**

(i) The local water quality characteristics such as pH, hardness, temperature, or color alter the biological availability or toxicity of a pollutant.

(ii) The sensitivity of the aquatic organisms species that occur at the site differs from the species actually tested in developing the criteria.

(C) Less stringent modifications also may be developed to acute and chronic aquatic life criteria or values to reflect local physical and hydrological conditions.

(D) Any modifications to protect threatened or endangered aquatic species required by this subsection may be accomplished using either of the two (2) following procedures:

(i) If the ~~species mean acute value~~ SMAV for a listed or proposed species or for a surrogate of such species is lower than the calculated ~~final acute value~~ FAV, such lower SMAV may be used instead of the calculated FAV in developing site-specific modified criteria.

(ii) The site-specific criteria may be calculated using the

recalculation procedure for site-specific modifications **under 327 IAC 2-1-13.**

(2) Wildlife criteria or values may be modified on a site-specific basis as follows:

(A) Wildlife water quality criteria may be modified on a site-specific basis to provide an additional level of protection.

(B) Less stringent site-specific modifications to wildlife water quality criteria may be developed when a site-specific bioaccumulation factor (BAF) is derived that is lower than the system-wide BAF derived under section 13 of this rule. The modification must consider both the mobility of prey organisms and wildlife populations in defining the site for which criteria are developed. In addition, there must be a showing that the following conditions are met:

(i) Any increased uptake of the toxicant by prey species utilizing the site will not cause adverse effects in wildlife populations.

(ii) Wildlife populations utilizing the site or downstream waters will continue to be fully protected.

(C) Any modification to protect endangered or threatened wildlife species required by this subsection must consider both the mobility of prey organisms and wildlife populations in defining the site for which criteria are developed and may be accomplished by using the following recommended method:

(i) The procedure presented in section 15 of this rule is used, substituting appropriate species-specific toxicological, epidemiological, or exposure information, including changes to the BAF.

(ii) An interspecies uncertainty factor of one (1) shall be used where epidemiological data are available for the species in question. If necessary, species-specific exposure parameters may be derived as presented in section 15 of this rule.

(iii) An intraspecies uncertainty factor, to account for protection of individuals within a wildlife population, shall be applied in the denominator of the effect part of the wildlife equation in section 15 of this rule in a manner consistent with the other uncertainty factors described in section 15 of this rule.

(iv) The resulting wildlife value for the species in question should be compared to the two (2) class specific wildlife values that were previously calculated, and the lowest of the three (3) shall be selected as the site-specific modification.

(3) BAFs may be modified on a site-specific basis as follows:

(A) BAFs may be modified on a site-specific basis to larger values where reliable data show that local bioaccumulation is greater than the system-wide value.

(B) BAFs may be modified on a site-specific basis to lower values, where scientifically defensible, if:

(i) the fraction of the total chemical that is freely dissolved in the ambient water is different than that used to derive the system-wide BAFs, that is, the concentrations of particulate organic carbon and the dissolved organic carbon are different than those used to derive the system-wide BAFs;

(ii) input parameters of the model, such as the structure of the aquatic food web and the disequilibrium constant, are different at the site than those used to derive the system-wide BAFs;

(iii) the percent lipid of aquatic organisms that are consumed and occur at the site is different than that used to derive the system-wide BAFs; or

(iv) site-specific field-measured BAFs or biota-sediment accumulation factor (BSAFs) are determined.

(C) If site-specific BAFs are derived, they shall be derived using section 13 of this rule.

(D) Any more stringent modifications to protect threatened or endangered species required by this subsection shall be derived using procedures set forth in the methodology in section 13 of this rule.

(4) Human health criteria or values may be modified on a site-specific basis as follows:

(A) Human health criteria or values may be modified on a site-specific basis to provide an additional level of protection **in accordance with the following:**

(i) Human health criteria or values shall be modified on a site-specific basis to provide additional protection appropriate for highly exposed subpopulations.

(ii) Any person may request the commissioner to develop a site-specific modification of a human health criterion or value to make it more stringent.

(iii) The commissioner shall develop the site-specific modification of the human health criterion or value to make it more stringent when either of the following conditions ~~apply:~~ **applies:**

~~(i)~~ **(AA)** Local fish consumption rates are higher than the rate used to derive a human health criterion or value applicable under section 14 of this rule.

~~(ii)~~ **(BB)** A site-specific BAF is derived that is higher than that used in deriving a human health criterion of value under section 14 of this rule.

(B) Less stringent site-specific modifications to human health criteria or values may be developed when any of the following conditions apply:

(i) Local fish consumption rates are lower than the rate used in deriving human health criteria or values under section 14 of this rule.

(ii) A site-specific BAF is derived that is lower than that used in deriving human health criteria or values under section 14 of this rule.

(C) Local fish consumption rates referenced in clauses

~~(A)(i)~~ **(A)(iii)(AA)** and (B)(i) shall be determined by a fish consumption survey applicable to the site.

(b) The following public participation requirements must be met for a site-specific modification to a water quality criterion or value developed using the recalculation procedure as specified in 327 IAC 2-1-13 or using a WER determined for the site, or both:

~~(b)~~ **(1)** Upon receipt of ~~a request~~ **an application** for a site-specific modification ~~of~~ **to** a water quality criterion or value **under this section,** the commissioner shall:

(A) provide notice, request comment, and, if requested, schedule and hold a public meeting on the application in accordance with ~~327 IAC 5-2-11.2.~~ **327 IAC 5-2-11.2(b); and**

(B) publish all pertinent information about the proposed site-specific modification on the department's Web site.

(2) Upon approval of a site-specific modification to a water quality criterion or value under this section, the commissioner shall:

(A) publish a notice in the Indiana Register; and

(B) place all pertinent information about the approved site-specific modification on the department's Web site.

(c) ~~When the commissioner proposes a site-specific modification to a criterion or value as allowed in this section, the tentative decision shall be incorporated into a draft permit which is made available for public comment under 327 IAC 5-3-9.~~ The commissioner shall:

(1) notify the other Great Lakes states of such a proposal; and

(2) for less stringent criteria, ~~shall~~ supply appropriate supporting documentation for the modification.

~~(d) A final decision regarding a site-specific modification to a criterion or value shall be incorporated into the final NPDES permit. In addition, a reopening clause shall be included in the NPDES permit allowing the permit to be modified or revoked and reissued to revise the WQBELs based on the modified criterion or value if the board fails to adopt or the U.S. EPA fails to approve the modified criterion or value.~~

~~(c)~~ **(d)** All site-specific modifications to water quality criteria shall be incorporated into these water quality standards rules during the next revision of the water quality standards. ~~The U.S. EPA will have the opportunity to review the modified criterion or value upon submittal of the revised water quality standards rules adopted by the board.~~

(e) The following site-specific modifications to water quality criteria have been granted:

Table 16-1

Site-Specific Surface Water Quality Criteria

Waterbody	Starting Location	Ending Location	Substances	CMC (Maximum) (µg/l)	CCC (4-Day Average) (µg/l)
East Branch Grand Calumet River	U.S. Steel Outfall 005	A point one (1) mile downstream	Cyanide (Free) (adult salmonids present)	35.0	8.2
			Cyanide (Free) (salmonids absent)	45.8	10.7

(Water Pollution Control Board; 327 IAC 2-1.5-16; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1407; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3378)

SECTION 20. 327 IAC 2-1.5-20 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-1.5-20 Incorporation by reference

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18-4

Sec. 20. The following materials have been incorporated by reference ~~into~~ **in** this rule. Each of the following items, in addition to its title, will list the name and address of where it may be located for inspection and copying:

(1) Clean Water Act (CWA), 33 U.S.C. 1251 et seq., in effect ~~December 16, 1996,~~ **July 1, 2004,** is available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, or from the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

(2) The map identifying 1995 United States Coast Guard Light List No. 19675 is available from the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

(3) Code of Federal Regulations (40 CFR 136) in effect ~~December 16, 1996,~~ **July 1, 2004,** are available from the Superintendent of Documents, Government Printing Office,

Washington, D.C. 20402 or the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

(4) ASTM, 1990, Standard Practice for Conducting Bioconcentration Tests with Fishes and Saltwater Bivalve Molluscs, Standard E 1022, available from the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

(5) 1986 U.S. EPA Guidelines for Carcinogenic Risk Assessment (U.S. EPA, 1986), available from the U.S. Environmental Protection Agency, Office of Water Resource Center (WH-550A), 401 M Street, S.W., Washington, D.C. 20460, and the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

(6) U.S. EPA. 1993, Chapter 4, Wildlife Exposure Factors Handbook, Volumes I and II, available from U.S. Environmental Protection Agency, Office of Water Resource Center, 401 M Street, S.W., Washington, D.C. 20460 [EPA/600/R-93/187a and b], and the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

~~(7) "Standard Methods for the Examination of Water and Wastewater", Joint Editorial Board, American Public Health Association, American Water Works Association, and Water Environment Federation, 18th Edition, 1992. Available from American Public Health Association, 1015 Fifteenth Street, N.W., Washington, D.C. 20005, and the Indiana Department of Environmental Management, Office of Water Management, Indiana Government Center-North, 100 Senate Avenue, Indianapolis, Indiana 46206.~~

~~(8)~~ **(7)** 1980 National Guidelines, 45 FR 79352 and 45 FR 79354.

(Water Pollution Control Board; 327 IAC 2-1.5-20; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1412; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3378)

SECTION 21. 327 IAC 2-4-3 IS AMENDED TO READ AS FOLLOWS:

327 IAC 2-4-3 Sampling frequency; methods of analysis

Authority: IC 13-14-8; IC 13-14-9; IC 13-18-3
Affected: IC 13-18-4

Sec. 3. Sampling, measurements of flow, and characteristics of the effluent shall be performed at a frequency prescribed by the commissioner. All analytical work shall be in accordance with ~~the 16th edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association (APHA)~~ **40 CFR 136** or other methods approved by the commissioner. *(Water Pollution Control Board; 327 IAC 2-4-3; filed Sep 24, 1987, 3:00 p.m.: 11 IR 587; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518)*

SECTION 22. 327 IAC 5-1.5-72 IS AMENDED TO READ AS FOLLOWS:

327 IAC 5-1.5-72 "Waters of the state of Indiana" or "waters of the state" defined

Authority: IC 13-14-8; IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3
Affected: IC 13-11-2-265; IC 13-18-4

Sec. 72. "Waters of the state of Indiana" or "waters of the state" has the meaning set forth in ~~327 IAC 2-1.5-2(91).~~ **IC 13-11-2-265.** *(Water Pollution Control Board; 327 IAC 5-1.5-72; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1421; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518)*

SECTION 23. 327 IAC 5-2-1.5 IS AMENDED TO READ AS FOLLOWS:

327 IAC 5-2-1.5 Incorporation by reference

Authority: IC 13-14-8; IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3
Affected: IC 13-11-2; IC 13-18-4

Sec. 1.5. The following materials have been incorporated by reference ~~into~~ **in** this article. Each of the following items, in addition to its title, will list the name and address of where it may be located for inspection and copying:

(1) Clean Water Act (CWA), 33 U.S.C. 1251 et seq., in effect on ~~December 16, 1996,~~ **July 1, 2004,** is available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, or from the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

(2) All Federal Registers listed in this rule are available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, or the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

(3) Code of Federal Regulations (40 CFR 100–149, 40 CFR 400–424, and 40 CFR 425–699), in effect on ~~December 16, 1996,~~ **July 1, 2004,** are available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, or the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

(4) Standard Form A Municipal (EPA Form 7550-22),

available from the U.S. Environmental Protection Agency, Office of Water Resource Center, 401 M Street, S.W., Washington, D.C. 20460, or the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

(5) Pollution Prevention Act of 1990 (42 ~~USCA~~ **U.S.C.** 13101 ~~to 42 USCA 13109~~ **et seq.**), available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, or the Indiana Department of Environmental Management, Office of Water ~~Management,~~ **Quality,** Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.

~~(6) "Standard Methods for the Examination of Water and Wastewater", Joint Editorial Board, American Public Health Association, American Water Works Association, and Water Environment Federation, 18th Edition, 1992. Available from American Public Health Association, 1015 Fifteenth Street, N.W., Washington, D.C. 20005, and the Indiana Department of Environmental Management, Office of Water Management, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46206.~~

(Water Pollution Control Board; 327 IAC 5-2-1.5; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1421; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3378)

SECTION 24. 327 IAC 5-2-11.1 IS AMENDED TO READ AS FOLLOWS:

327 IAC 5-2-11.1 Establishment of water quality-based effluent limitations for dischargers not discharging to waters within the Great Lakes system

Authority: IC 13-14-8; IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3

Affected: IC 13-11-2; IC 13-18-4

Sec. 11.1. (a) The water quality standards established through the criteria set forth in 327 IAC 2-1-6 **and 327 IAC 2-1-8.9** or under the procedures described in 327 IAC 2-1-8.2 through 327 IAC 2-1-8.6 **and 327 IAC 2-1-8.9 shall:**

(1) ~~shall~~ be the basis for water quality-based effluent limitations **(WQBELs)** applicable to point source dischargers, not discharging to waters within the Great Lakes system, through NPDES permits (except for instances where a variance has been approved under 327 IAC 2-1-8.8 and 327 IAC 5-3-4.1); and

(2) ~~shall~~ not be enforceable against point source dischargers until translated into effluent limitations ~~which~~ **that** are incorporated in NPDES permits in accordance with this article.

(b) This subsection describes how the **surface** water quality criteria in 327 IAC 2-1-6(a) **and 327 IAC 2-1-8.9(d)** or those criteria derived using the procedures in 327 IAC 2-1-8.2 through 327 IAC 2-1-8.6 **and 327 IAC 2-1-8.9** will be applied in determining appropriate ~~water quality-based effluent limitations~~ **WQBELs** to NPDES permits as follows:

(1) The final acute value (FAV = 2(AAC)) will be applied directly to the undiluted discharge, or, if dilution by discharge induced mixing is allowed, the AAC will be applied outside the discharge induced mixing zone. **If the AAC for a metal is expressed in the form of dissolved metal, the AAC shall be set equal to $C_{instream}$ determined for the AAC in accordance with subdivision (8).**

(2) The CAC and the TLSC will be applied outside of the mixing zone. In the absence of site-specific mixing zone data, the allowable mixing zone dilution shall be determined by applying the guideline in 327 IAC 2-1-4 to the $Q_{7,10}$ low flow of the receiving stream. **If the CAC for a metal is expressed in the form of dissolved metal, the CAC shall be set equal to $C_{instream}$ determined for the CAC in accordance with subdivision (8).**

(3) The HLSC shall be applied outside of the mixing zone, if based on the consumption of organisms and incidental water intake. If based on consumption of organisms and drinking water, the HLSC shall apply at the point of the **public** water ~~supply~~ **system** intake, if this does not cause the HLSC based on consumption of organisms and incidental water intake to be exceeded outside of the mixing zone. Allowable mixing zone dilution shall be determined by applying the guideline of 327 IAC 2-1-4 to the $Q_{7,10}$ low flow of the receiving stream if the HLSC is based on consumption of organisms and incidental water intake and the $Q_{7,10}$ flow at the point of **the public** water ~~supply~~ **system** intake (provided the effluent has had time to fully mix with the receiving water) shall be allowed for dilution if the HLSC is based on consumption of organisms and drinking water.

(4) The criterion to provide an acceptable degree of protection to public health for cancer effects shall apply outside of the mixing zone if the criterion is based on consumption of organisms and incidental water intake and at the point of **the public** water ~~supply~~ **system** intake if based on the consumption of organisms and drinking water, if this would not cause the criterion based on the consumption of organisms and incidental water intake to be exceeded outside of the mixing zone. For calculation of allowable dilution, one-fourth (¼) of the fiftieth percentile flow of the receiving stream shall be used if the criterion is based on consumption of organisms and incidental water intake, and the fiftieth percentile flow of the receiving stream at the point of **the public** water **system** intake can be used if the criterion is based on the consumption of organisms and drinking water.

(5) As used in this rule, "FAV", "AAC", "CAC", "TLSC", and "HLSC" have the ~~same~~ meanings ~~as defined~~ **set forth** in 327 IAC 2-1-9.

(6) For a new discharge of a BCC, the water quality standard

for a BCC shall be applied directly to the undiluted discharge. Beginning January 1, 2004, the water quality ~~standard~~ **criteria** for a BCC shall be applied directly to the undiluted discharge for all discharges of a BCC. As used in this subdivision, "new discharge" means a discharge of a BCC that is initiated after the effective date of this subdivision.

(7) For intermittent or controlled discharges, the mixing zone dilution may be determined using stream flows other than those specified in this subsection if these alternate stream flows will ensure compliance with water quality criteria.

(8) The following procedures shall be used to calculate $C_{instream}$, the total recoverable metal concentration outside the mixing zone that equates to an AAC or CAC expressed in the form of dissolved metal:

(A) For an AAC expressed in the form of dissolved metal, $C_{instream}$ shall be calculated by dividing the AAC by the acute translator found in clause (D).

(B) For a CAC expressed in the form of dissolved metal, $C_{instream}$ shall be calculated by dividing the CAC by the chronic translator found in clause (D).

(C) If all approved analytical methods for the metal inherently measure only its dissolved form, such as hexavalent chromium, $C_{instream}$ shall not be calculated and the AAC and CAC expressed in the form of dissolved metal shall be applied in determining appropriate WQBELs.

(D) Unless a site-specific translator is determined in accordance with clause (E), the following translators shall be used:

Table 11.1-1

Metals Translators

Dissolved to Total Recoverable

Substances	Acute Translators	Chronic Translators
Arsenic (III)	1.000	1.000
Cadmium	1.136672-[(ln hardness)(0.041838)]	1.101672-[(ln hardness)(0.041838)]
Chromium (III)	0.316	0.860
Copper	0.960	0.960
Lead	1.46203-[(ln hardness)(0.145712)]	1.46203-[(ln hardness)(0.145712)]
Nickel	0.998	0.997
Silver	0.85	
Zinc	0.978	0.986

(E) A discharger or proposed discharger may request the use of an alternate translator by using site-specific data. The discharger must conduct a site-specific study to identify the ratio of the dissolved fraction to the total recoverable fraction for a metal in the receiving waterbody outside the mixing zone. If the discharger provides an acceptable study and other provisions of 327 IAC 2-1 and this article are satisfied (such as antibacksliding and antidegradation), the commissioner shall use the site-specific translator. A translator derived for one (1) discharge into a waterbody segment may be applied to other discharges on the same waterbody segment if the translator would adequately represent the site-specific conditions applicable to the other discharges.

(c) In a case where a variance has been granted from a water quality standard under 327 IAC 2-1-8.8 and 327 IAC 5-3-4.1, ~~water quality-based effluent limitations~~ **WQBELs** for the pollutant that is the subject of the variance shall be calculated under subsection (b) on the basis of the variance rather than the water quality standard.

~~(d) In accordance with 327 IAC 2-1-6(a)(3), effluent limitations which are based on water quality criteria for metals from 327 IAC 2-1-6(a)(2) Table 1, or subsequently developed under the procedures contained under 327 IAC 2-1-8, shall be expressed as the total recoverable fraction unless any of the following occur:~~

~~(1) An acid-soluble analytical method for the metal has been approved by EPA and the board through rulemaking, in which case the effluent limitation may be expressed as acid-soluble fraction.~~

~~(2) For a specific permittee, the commissioner determines that it is feasible to identify the ratio of the soluble fraction to the total recoverable fraction for a metal in the permittee's discharge after mixing with the receiving stream, in which case the effluent limitation shall be expressed as the total recoverable fraction for which the numeric limit has been~~

~~increased on the basis of the ratio.~~

(d) WQBELs in an NPDES permit for a metal calculated from a water quality criterion expressed in the form of dissolved metal that is:

(1) contained in 327 IAC 2-1; or

(2) subsequently developed under the procedures contained in 327 IAC 2-1;

shall be expressed in the permit as total recoverable metal unless

~~(3)~~ all approved analytical methods for the metal inherently measure only its dissolved form, ~~for example,~~ **such as** hexavalent chromium.

~~(c) It is the express intent of the board that, when an acid-soluble analytical method is approved for metals, the redesignation of numeric effluent limitations from total recoverable fraction to acid-soluble fraction shall not be construed as backsliding for purposes of Section 402(o) of the Clean Water Act (CWA) in cases where the effluent limitations are based on the acid-soluble criteria of 327 IAC 2-1-6(a)(2) Table 1.~~

(e) WQBELs for cyanide, calculated from a criterion for free cyanide contained in 327 IAC 2-1, shall be limited in the permit as free cyanide and monitored in the effluent using the "Cyanides Amenable to Chlorination" (CATC) method (40 CFR 136, Method 4500-CN G) or another method approved by the commissioner. The commissioner may include additional monitoring, limitations, or other requirements in a permit, on a case-by-case basis, if the additional requirements are necessary to ensure that water quality standards will be attained.

(f) When the ~~water quality-based effluent limitation~~ **WQBEL** for any substance is less than the limit of quantitation normally achievable and determined by the commissioner to be appropriate for that substance in the effluent, the permit shall contain the following provisions:

(1) The permittee shall be required to use an approved analytical methodology for the substance in the effluent to produce the LOD and LOQ achievable in the effluent. This analytical method, and the LOD and LOQ associated with this method, shall be specified in the permit in addition to the following requirements:

(A) The permit shall include conditions that state that effluent concentrations less than the limit of quantitation are in compliance with the effluent limitations.

(B) In addition, the permit shall require the permittee to implement one (1) or more of the following requirements:

(i) Develop a more sensitive analytical procedure.

(ii) Use an existing, more sensitive, analytical procedure that has not been approved by EPA.

(iii) Conduct studies to determine the bioaccumulative or bioconcentrative properties of the substance in aquatic species through caged-biota studies or fish tissue analyses of resident species.

(iv) Conduct effluent bioconcentration evaluations.

(v) Conduct whole effluent toxicity testing.

(vi) Other requirements, as appropriate, such as engineering assessments or sediment analyses.

For substances defined as ~~bioaccumulative chemicals of concern,~~ **BCCs,** at a minimum, either item (iii) or (iv) shall be included in the permit.

(2) If the measured effluent concentrations for a substance are above the ~~water quality-based permit limitations~~ **WQBELs** and above the ~~limit of detection~~ **LOD** specified by the permit in any three (3) consecutive analyses or any five (5) out of nine (9) analyses, or if any of the additional analyses required under subdivision (1)(B) indicate that the substance is present in the effluent at concentrations exceeding the ~~water quality-based permit limitations,~~ **WQBELs,** the permit shall contain provisions that require the discharger to:

(A) determine the source of this substance through evaluation of sampling techniques, analytical/laboratory procedures, and industrial processes and wastestreams; and

(B) increase the frequency of sampling and testing for the substance.

(3) The permit shall contain provisions allowing the permit to be reopened, in accordance with section 16 of this rule, to include additional requirements or limitations if the information gathered under subdivisions (1) and (2) indicates that such additional requirements or limitations are necessary.

(g) The department shall use the representative ambient upstream concentration of a substance in determining the ~~water quality-based effluent limitations~~ **WQBELs** for that substance. This upstream concentration shall be determined by the department on a case-by-case basis, using existing, acceptable data for the receiving water. Where limited or no acceptable data exists, the permittee shall be required to supply the necessary data. Whenever the representative ambient upstream concentration for a substance in the receiving water is determined to be greater than any applicable water quality ~~standard~~ **criterion** for that substance, the following conditions apply:

(1) If the source of the wastewater is not the receiving water, the permit limitations shall be calculated using the applicable water quality ~~standard~~ **criterion** and a value of zero (0) for the upstream dilution flow. Except for substances defined as ~~bioaccumulative chemicals of concern,~~ **BCCs,** the department may establish limitations greater than the applicable water quality ~~standard~~ **criterion** for the substance as required in this subdivision, in a range up to, but not greater than, the lesser of the representative ambient upstream concentration of the substance in the receiving water or the representative ambient concentration of the substance in the body of water at the point of intake. The limitation shall only be increased above

the ~~standard~~ **criterion** if it is demonstrated to the department that the concentration of the substance in the body of water at the point of intake exceeds the applicable ~~standard~~ **criterion** for that substance and that reasonable, practical, or otherwise required methods are implemented to minimize the addition of the substance to the wastewater.

(2) If the source of the wastewater is the receiving water, the effluent limitation for that substance shall equal the representative ambient upstream concentration of that substance in the receiving water as determined by the department. Where circumstances allow, such as the discharge of once through noncontact cooling water, this will be implemented through the use of net limitations, with a net limitation of zero (0) being applied to the effluent. The representative ambient upstream concentration applicable to this subdivision shall be established at the upper ninety-ninth percentile of the available acceptable upstream data or otherwise appropriately determined as the reasonably expected upstream concentration for that substance.

(h) In addition to the requirements of 40 CFR 122.43(a), NPDES permits shall include limitations more stringent than promulgated effluent limitations guidelines from Sections 301, 306, 307, 318, and 405 of the CWA where necessary to achieve water quality standards established under Section 303 of the CWA, including narrative criteria for water quality as follows:

(1) Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) ~~which~~ **that** the commissioner determines are, or may be, discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any narrative or numeric water quality ~~standard~~ **criterion** promulgated under 327 IAC 2-1-6.

(2) When determining whether a discharge causes, has the reasonable potential to cause, or contributes to an instream excursion above a narrative or numeric ~~criteria~~ **criterion** within an Indiana water quality standard, the commissioner shall use procedures ~~which~~ **that** account for:

(A) existing controls on point and nonpoint ~~source~~ **sources** of pollution;

(B) the variability of the pollutant or pollutant parameter in the effluent;

(C) the sensitivity of the species to toxicity testing (when evaluating whole effluent toxicity); and

(D) where appropriate, the dilution of the effluent in the receiving water.

(3) When the commissioner determines, using the procedures in subdivision (2), that a discharge causes, has the reasonable potential to cause, or contributes to an instream excursion above the allowable ambient concentration of a numeric ~~criteria~~ **criterion** from 327 IAC 2-1-6 for an individual pollutant, the permit must contain effluent limitations for that pollutant.

(4) When the commissioner determines, using the procedures in subdivision (2), that a discharge causes, has the reasonable potential to cause, or contributes to an instream excursion above the numeric criterion for whole effluent toxicity, the permit must contain effluent limits for whole effluent toxicity.

(5) Except as provided in this subdivision, when the commissioner determines, using the procedures in subdivision (2), toxicity testing ~~date,~~ **data,** or other information, that a discharge causes, has the reasonable potential to cause, or contributes to an instream excursion above a narrative criterion from 327 IAC 2-1-6, the permit must contain effluent limitations for whole effluent toxicity. Limitations on whole effluent toxicity are not necessary where the commissioner demonstrates in the fact sheet or briefing memo of the NPDES permit, using the procedures in subdivision (2), that chemical-specific limits for the effluent are sufficient to attain and maintain applicable numeric and narrative water quality ~~standards.~~ **criteria.**

(6) Where a water quality criterion has not been established for a specific chemical pollutant that is present in an effluent at a concentration that causes, has the reasonable potential to cause, or contributes to an excursion above a narrative criterion from 327 IAC 2-1-6, the commissioner must establish effluent limits using one (1) or more of the following options:

(A) Establish effluent limits using a calculated numeric water quality criterion for the pollutant ~~which~~ **that** the commissioner demonstrates will attain and maintain applicable narrative water quality criteria and will fully protect the designated use. Such a criterion may be derived using a proposed state criterion, or an explicit policy or rule interpreting the narrative water quality criterion, supplemented with other relevant information that may include:

(i) EPA's Water Quality Standards Handbook, Second Edition–Revised (1994);

(ii) risk assessment data;

(iii) exposure ~~date;~~ **data;**

(iv) information about the pollutant from the Food and Drug Administration; and

(v) current EPA criteria documents.

(B) Establish effluent limits on a case-by-case basis, using EPA's water quality criteria, published under Section ~~307(a)~~ **304(a)** of the CWA, supplemented where necessary by other relevant information.

(C) Establish effluent limitations on an indicator parameter for the pollutant of concern, provided the following:

(i) The permit identifies which pollutants are intended to be controlled by the use of the effluent limitation.

(ii) The fact sheet required by 327 IAC 5-3-8 sets forth the basis for the limit, including a finding that compliance with the effluent limit on the indicator parameter will

result in controls on the pollutant of concern that are sufficient to attain and maintain applicable water quality standards.

(iii) The permit requires all effluent and ambient monitoring necessary to show that during the term of the permit the limit on the indicator parameter continues to attain and maintain applicable water quality standards.

(iv) The permit contains a reopening clause allowing the permitting authority to modify or revoke and reissue the permit if the limits on the indicator parameter no longer attain and maintain applicable water quality standards.

(7) When developing ~~water quality-based effluent limits~~ **WQBELs** under this subsection, the commissioner shall ensure the following:

(A) The level of water quality to be achieved by limits on point sources established under this subsection is derived from, and complies with, all applicable water quality standards.

(B) Effluent limits developed to protect a narrative water quality criterion **or** a numeric water quality criterion, or both, are consistent with the assumptions and requirements of any available ~~waste load allocation~~ **WLA** for the discharge prepared by the commissioner and approved by EPA under 40 CFR 130.7.

~~(i) Water quality-based limitations may be expressed, where appropriate, in terms of toxicity or toxic units (TU), for example, the LC_{10} for fathead minnow of the effluent from outfall 001 shall be greater than one hundred percent (100%) or shall not exceed one (1) TU_a. As used in this subsection, "toxic unit" or "TU" means the unit used for whole effluent toxicity-based limitations for the protection of the receiving stream from toxic effects and is defined as one hundred (100) divided by the LC_{10} or the no observed effect level (NOEL).~~ *(Water Pollution Control Board; 327 IAC 5-2-11.1; filed Feb 1, 1990, 4:30 p.m.: 13 IR 1043; filed Feb 26, 1993, 5:00 p.m.: 16 IR 1749; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1432; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3378)*

SECTION 25. 327 IAC 5-2-11.2 IS AMENDED TO READ AS FOLLOWS:

327 IAC 5-2-11.2 Public notice of comment period and public meetings for site-specific modification of water quality criteria and values; implementation of antidegradation; alternate mixing zone demonstrations; variances

Authority: IC 13-14-8; IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3

Affected: IC 13-11-2; IC 13-15-4-1; IC 13-15-5-1; IC 13-18-4; IC 13-18-7; IC 13-23-13; IC 13-24-1; IC 13-25-5

Sec. 11.2. (a) This section is applicable to **an application for** the following:

(1) ~~An application for~~ Site-specific modification ~~of~~ **to water quality criteria under 327 IAC 2-1-8.9(b) and** Tier I water quality criteria and Tier II water quality values under 327 IAC 2-1.5-16(b).

(2) ~~An application for~~ An antidegradation demonstration under section 11.3(b)(4) of this rule.

(3) ~~An application for~~ An antidegradation exception under section 11.7(c) of this rule.

(4) ~~An application for~~ An alternate mixing zone under section ~~11.4(b)(4)(D)~~ **11.4(b)(4)(F)** of this rule.

(5) ~~An application for~~ A variance under 327 IAC 5-3-4.1(c).

(b) Upon receipt of an application listed in subsection (a), the commissioner shall provide notice, request comment, and, if requested, schedule and hold a public meeting on the application in accordance with the following conditions:

(1) The commissioner shall provide notice of receipt of an application in the following manner:

(A) Publication of a notice in a daily or weekly newspaper in general circulation throughout the area affected by the discharge for which the application was submitted.

(B) Send the notice to interested persons on either ~~of~~ **mailing list identified under** the following: ~~mailing lists:~~

(i) ~~The mailing list identified under~~ 327 IAC 5-3-8(a).

(ii) ~~The mailing list identified under~~ 327 IAC 5-3-12(b)(1).

(C) Send the notice to the applicant.

(2) The notice under subdivision (1) shall contain the following:

(A) **The** name and address of the department.

(B) **The** name and address of the applicant.

(C) An identification of the type of application submitted, such as alternate mixing zone or variance.

(D) A brief description of the location of any existing or proposed discharge point subject to the application, including an identification of the receiving water.

(E) A brief description of the applicant's activities or operations that result in the discharge identified in the application.

(F) An identification of the substance for which the application was submitted.

(G) **The** name of an agency contact person and an address and telephone number where interested persons may obtain further information, including a copy of the application.

(H) A brief description of the comment procedures and the procedures to request a public meeting.

(3) If requested, the commissioner shall hold a public meeting on the application in accordance with the following provisions:

(A) The commissioner shall provide notice of the public meeting as follows:

(i) Publication of a notice in a daily or weekly newspaper in general circulation throughout the area affected by the discharge for which the application was submitted.

(ii) Send the notice to the following interested persons:

(AA) Persons on the mailing list identified under 327 IAC 5-3-8(a).

(BB) Persons on the mailing list identified under 327 IAC 5-3-12(b)(1).

(CC) Those persons that commented on the notice of receipt of the application.

(iii) Send the notice to the applicant.

(B) The notice required by clause (A) shall contain the date, time, and place of the public meeting and the information required under subdivision (2).

(C) This meeting shall be held at least ten (10) days after the later of the following:

(i) The notice in accordance with clause (A)(i) appears in the newspaper.

(ii) The postmark date of the written notice sent to interested parties and to the applicant in accordance with clause (A)(ii) and (A)(iii).

(D) The meeting shall be recorded by any of the following:

(i) Audiotape.

(ii) Videotape.

(iii) Any other method of accurately and completely recording the details of the meeting.

(E) The commissioner shall request the applicant to provide a summary and rationale for the application at the meeting.

(F) At the commissioner's discretion, a public meeting may be noticed and held without having first received a request for a public meeting. In these instances, the notice for the public meeting may be contained in the notice of receipt of the application.

(4) The time period under IC 13-15-4-1 is hereby changed to increase the period by thirty (30) days for any permit application subject to the time period that is affected by the application. If a public meeting is requested, the time period under IC 13-15-4-1 is hereby changed to increase the period by an additional thirty (30) days.

(Water Pollution Control Board; 327 IAC 5-2-11.2; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1435; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3378)

SECTION 26. 327 IAC 5-2-11.4 IS AMENDED TO READ AS FOLLOWS:

327 IAC 5-2-11.4 Great Lakes system dischargers total maximum daily loads; wasteload allocations for point sources; load allocations for nonpoint sources; preliminary wasteload allocations

Authority: IC 13-14-8; IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3

Affected: IC 13-11-2; IC 13-18-4-7; IC 13-18-4-8

Sec. 11.4. (a) This subsection applies to the establishment of ~~total maximum daily loads~~ TMDLs for all pollutants and pollutant parameters in the Great Lakes system. Where specified, the following conditions also apply to ~~wasteload allocations~~ WLAs calculated in the absence of TMDLs and to preliminary WLAs:

(1) At a minimum, TMDLs shall be established in accordance with the listing and priority setting process established in Section 303(d) of the Clean Water Act (CWA) and at 40 CFR 130.7. Where water quality standards cannot be attained immediately, TMDLs must reflect reasonable assurances that water quality standards will be attained in a reasonable period of time. TMDLs may be based on attaining water quality standards over a period of time, with specific controls on individual sources being implemented in stages. Determining the reasonable period of time in which water quality standards will be met is a case-specific determination considering a number of factors, including, but not limited to, the following:

(A) Receiving water characteristics.

(B) Persistence, behavior, and ubiquity of pollutants of concern.

(C) Type of remediation activities necessary.

(D) Available regulatory and nonregulatory controls.

(E) Requirements for attainment of water quality standards.

(2) An assessment and remediation plan that the commissioner has certified as meeting the requirements of this section pertaining to TMDLs and public participation requirements applicable to TMDLs, and that has been approved by EPA as meeting those requirements under 40 CFR 130.6, may be used in lieu of a TMDL for purposes of this section. Assessment and remediation plans under this section may include, but are not limited to, **the following:**

(A) Lakewide Management Plans.

(B) Remedial Action Plans. ~~and~~

(C) State Water Quality Management Plans.

Also, any part of an assessment and remediation plan that also satisfies one (1) or more requirements under Section 303(d) of the CWA or implementing regulations may be incorporated by reference into a TMDL as appropriate. Assessment and remediation plans under this section shall be tailored to the level of detail and magnitude for the watershed and pollutant being assessed.

(3) TMDLs, WLAs calculated in the absence of a TMDL, and preliminary WLAs must ensure attainment of applicable water quality standards including all numeric and narrative water quality criteria set forth in 327 IAC 2-1.5-8 **and 327 IAC 2-1.5-16,** and Tier I criteria and Tier II values established under 327 IAC 2-1.5-11 through 327 IAC 2-1.5-16.

(4) If a discharge contains one (1) or more substances for which a TMDL, WLA calculated in the absence of a TMDL, or preliminary WLA was based on ~~a human cancer criterion~~ **an** HCC, ~~human cancer value~~ HCV, ~~human noncancer criterion~~ HNC, or ~~human noncancer value~~ HNV, human health shall be protected from the potential adverse additive effects of mixtures of substances in an effluent in accordance with the following procedures:

(A) If an effluent for a particular discharger contains more than one (1) substance for which an HCC exists or for which an HCC or an HCV can be calculated, the additivity of the mixture of carcinogens shall be addressed as follows:

(i) Except as provided in item (ii), the TMDL, WLA calculated in the absence of a TMDL, or preliminary WLA based on an HCC or HCV shall be established to protect against additive effects possibly associated with simultaneous multiple chemical human exposure to carcinogens such that the following condition is met:

$$\sum \frac{C_i}{WLA_i} \leq 1; \quad \text{For } i = 1 \text{ to } n$$

Where: C = The adjusted TMDL, WLA calculated in the absence of a TMDL, or preliminary WLA concentration of each separate carcinogen that shall be used in the calculation of reasonable potential in section 11.5 of this rule and **water quality-based effluent limitations** (WQBELs) in section 11.6 of this rule.

WLA = The TMDL, WLA calculated in the absence of a TMDL, or preliminary WLA concentration based on the HCC or HCV for each respective carcinogen.

n = Number of WLAs based on an HCC or HCV.

(ii) Notwithstanding item (i):

(AA) the commissioner may consider, upon submission of the discharger, the use of an alternate, scientifically-based procedure for ensuring the aggregate risk of the mixture of carcinogens remains below one (1) in one hundred thousand (100,000); or

(BB) if information is available to the commissioner demonstrating that available scientific information does not support the assumption of additivity, the TMDL, WLA calculated in the absence of a TMDL, or preliminary WLA shall not be adjusted for each such substance.

(B) If an effluent for a particular discharger contains more than one (1) substance for which ~~a~~ **an** HNC exists or for which ~~a~~ **an** HNC or HNV can be calculated, the additivity of the mixture of substances shall be addressed as follows:

(i) The incremental adverse effect of each substance shall be assumed to not be additive except as provided in item (ii).

(ii) If scientific information available to the commissioner demonstrates that the adverse effects of the components are additive, the TMDL, WLA calculated in the absence of a TMDL, or preliminary WLA **based on an HNC or HNV** for each additive noncarcinogenic substance shall be established to protect against additive ~~or~~ effects possibly associated with simultaneous multiple chemical human exposure such that the following condition is met:

$$\sum \frac{N_i}{WLA_i} \leq 1; \quad \text{For } i = 1 \text{ to } n$$

Where: N = The adjusted TMDL, WLA calculated in the absence of a TMDL, or preliminary WLA concentration of each separate **additive noncarcinogenic** substance that shall be used in the calculation of reasonable potential in section 11.5 of this rule and WQBELs in section 11.6 of this rule.

WLA = The TMDL, WLA calculated in the absence of a TMDL, or preliminary WLA concentration based on the HNC or HNV for each respective **additive noncarcinogenic** substance.

n = Number of WLAs based on an HNC or HNV **for additive noncarcinogenic substances.**

(C) Notwithstanding ~~the requirements of~~ clauses (A) and (B), the toxicity equivalency factors (TEFs) and bioaccumulation equivalency factors (BEFs) for the chlorinated dibenzo-p-dioxins (CDDs) and chlorinated dibenzofurans (CDFs) shall be accounted for as follows:

(i) The TEFs and BEFs in Table 11.4-1 in item (iv) shall be used when calculating a 2,3,7,8-TCDD toxicity equivalence concentration in effluent to be used when implementing both human health noncancer and cancer criteria. The chemical concentration of each CDDs and CDFs in effluent shall be converted to a 2,3,7,8-TCDD toxicity equivalence concentration in effluent by:

(AA) multiplying the chemical concentration of each CDDs and CDFs in the effluent by the appropriate TEF in Table 11.4-1 in item (iv);

(BB) multiplying each product from subitem (AA) by the BEF for each CDDs and CDFs in Table 11.4-1 in item (iv); and

(CC) adding all final products from subitem (BB).

(ii) The equation for calculating the 2,3,7,8-TCDD toxicity equivalence concentration in effluent is:

$$(TEC)_{tcdd} = \sum (C)_x (TEF)_x (BEF)_x$$

Where: $(TEC)_{tcdd}$ = 2,3,7,8-TCDD toxicity equivalence concentration in effluent.

$(C)_x$ = Concentration of total chemical x in effluent.

$(TEF)_x$ = TCDD toxicity equivalency factor for x.

$(BEF)_x$ = TCDD bioaccumulation equivalency factor for x.

(iii) The 2,3,7,8-TCDD toxicity equivalence concentration in effluent shall be used when developing TMDLs, ~~wasteload allocations~~ **WLAs** in the absence of a TMDL, or preliminary ~~wasteload allocations~~ **WLAs** under this section.

(iv) The following values shall be used for TEFs and BEFs for CDDs and CDFs:

Table 11.4-1

Toxicity Equivalency Factors (TEF) and

Bioaccumulation Equivalency Factors (BEF)

for CDDs and CDFs

Congener	TEF	BEF
2,3,7,8-TCDD	1.0	1.0
1,2,3,7,8-PeCDD	0.5	0.9
1,2,3,4,7,8-HxCDD	0.1	0.3
1,2,3,6,7,8-HxCDD	0.1	0.1
1,2,3,7,8,9-HxCDD	0.1	0.1
1,2,3,4,6,7,8-HpCDD	0.01	0.05
OCDD	0.001	0.01
2,3,7,8-TCDF	0.1	0.8
1,2,3,7,8-PeCDF	0.05	0.2
2,3,4,7,8-PeCDF	0.5	1.6
1,2,3,4,7,8-HxCDF	0.1	0.08
1,2,3,6,7,8-HxCDF	0.1	0.2
2,3,4,6,7,8-HxCDF	0.1	0.7
1,2,3,7,8,9-HxCDF	0.1	0.6
1,2,3,4,6,7,8-HpCDF	0.01	0.01
1,2,3,4,7,8,9-HpCDF	0.01	0.4
OCDF	0.001	0.02

(5) TMDLs shall include WLAs for point sources and ~~load allocations~~ LAs for nonpoint sources, including natural background, such that the sum of these allocations is not greater than the loading capacity of the water for the pollutant addressed by the TMDL, minus the sum of a specified margin of safety (MOS) and any capacity reserved for future growth. The components of the TMDL are as follows:

(A) Nonpoint source LAs that shall be based on any of the following:

(i) Existing pollutant loadings if changes in loadings are not reasonably anticipated to occur.

(ii) Increases in pollutant loadings that are reasonably anticipated to occur.

(iii) Anticipated decreases in pollutant loadings if such decreased loadings are technically feasible and are reasonably anticipated to occur within a reasonable time period as a result of implementation of BMPs or other load reduction measures. In determining whether anticipated decreases in pollutant loadings are technically feasible and can reasonably be expected to occur within a reasonable period of time, technical and institutional factors shall be considered. These decisions are case-specific and should reflect the particular TMDL under consideration.

(iv) Where appropriate and where sufficient data are available, contributions to the water column from sediments inside and outside of any applicable mixing zones.

(v) Where appropriate and where sufficient data are available, nonpoint source discharges resulting from wet weather events.

Monitoring data for these LAs shall be collected and analyzed in order to validate the TMDL's assumptions, to verify anticipated load reductions, to evaluate the effectiveness of controls being used to implement the TMDL, and to revise the WLAs and LAs as necessary to ensure that water quality criteria shall be achieved within the time period established in the TMDL.

(B) Each TMDL shall include ~~a margin of safety~~ **an** MOS sufficient to account for technical uncertainties in establishing the TMDL and shall describe the manner in which the MOS is determined and incorporated into the TMDL. The MOS may be provided by leaving a portion of the loading capacity unallocated or by using conservative modeling assumptions to establish WLAs and LAs. If a portion of the loading capacity is left unallocated to provide ~~a~~ **an** MOS, the amount left unallocated shall be described. If conservative modeling assumptions are relied on to provide a MOS, the specific assumptions providing the MOS shall be identified.

(C) TMDLs may include reserved allocations of loading capacity to accommodate future growth and additional sources. Where such reserved allocations are not included in a TMDL, any increased loadings of the pollutant for

which the TMDL was developed that are due to a new or expanded discharge shall not be allowed unless the TMDL is revised in accordance with these procedures to include an allocation for the new or expanded discharge.

(D) The sum of the WLAs is the portion of the loading capacity not assigned to nonpoint sources including background, or to an MOS, or reserved for future growth. Where appropriate and where sufficient data are available, WLAs shall also be developed for point source discharges resulting from wet weather events. Upon reissuance, NPDES permits for these point sources must include effluent limitations consistent with WLAs in EPA-approved or EPA-established TMDLs.

(6) If separate TMDLs are prepared for different segments of the same watershed, and the separate TMDLs each include WLAs for the same pollutant for one (1) or more of the same point sources, then WQBELs for that pollutant for the point sources shall be consistent with the most stringent of those WLAs in order to ensure attainment of all applicable water quality standards.

(7) TMDLs shall be sufficiently stringent so as to prevent accumulation of the pollutant of concern in sediments to levels injurious to designated or existing uses, human health, wildlife, and aquatic life.

(8) The representative background concentration of pollutants shall be established in accordance with this section to develop TMDLs, WLAs calculated in the absence of a TMDL, ~~or~~ **and** preliminary WLAs. Background loadings may be accounted for in a TMDL through an allocation to a single background category or through individual allocations to the various background sources as follows:

(A) As used in this subsection, "background" represents all loadings resulting from the following:

(i) Flow from upstream waters into the specified watershed, waterbody, or waterbody segment for which a TMDL, WLA in the absence of a TMDL, or preliminary WLA for the purpose of determining the need for a WQBEL is being developed.

(ii) Atmospheric deposition or sediment release or resuspension.

(iii) Chemical reactions occurring within the watershed, waterbody, or waterbody segment.

(B) When determining what available data are acceptable for use in calculating background, the commissioner shall use best professional judgment, including consideration of the sampling location and the reliability of the data through comparison to reported analytical detection levels. Pollutant degradation and transport information may be considered when utilizing pollutant loading data. Where limited or no acceptable data exist, the commissioner may require the permittee to supply the necessary data. Best professional judgment shall be used to select the one (1) data set that most accurately reflects or estimates background concentrations when data in more than one (1) of the following data sets or categories exist:

(i) Acceptable available water column data.

(ii) Water column concentrations estimated through use of acceptable available caged or resident fish tissue data.

(iii) Water column concentrations estimated through use of acceptable available or projected pollutant loading data.

(C) The representative background concentration for a substance in the specified watershed, waterbody, or waterbody segment shall be established as follows:

(i) If all the values in the data set selected in clause (B) are at or above the ~~limit of detection~~ LOD, then the background concentration is the geometric mean of that data set.

(ii) If the data set consists of values above and below the LOD, the following procedure shall be used to determine the representative background concentration:

(AA) Each value in the data set with a value less than the LOD (nondetect) shall be assigned the value (V). The geometric mean of this adjusted data set is the representative background concentration. The value (V) is determined as follows:

$$V = (LOD) \times \left(1 - \frac{\text{Number of nondetects}}{\text{Total number of values}} \right)$$

(BB) If information is available that indicates an alternate methodology for evaluating the data set would result in a background concentration more representative of actual conditions, this alternative methodology may be used in place of the methodology contained in subitem (AA) upon approval of the commissioner.

(iii) When all of the acceptable available data in a data set or category, such as water column, caged or resident fish tissue, or pollutant loading data, are below the LOD for a substance, and the most sensitive approved analytical method available for that substance was used, then all the data for that pollutant in that data set shall be assumed to be zero (0).

(iv) Notwithstanding items (i) through (iii), the representative background concentration of whole effluent toxicity (WET) shall be assumed to be zero (0) unless data are available that indicates that the discharge of the WET and any background WET are additive.

(9) The effluent flow used to develop TMDLs, WLAs calculated in the absence of a TMDL, ~~or~~ **and** preliminary WLAs shall be determined as follows:

(A) For municipal, semipublic, and other sanitary or domestic wastewater discharges, the average design flow of the treatment facility shall be used.

(B) For industrial dischargers, the highest monthly average flow from the previous two (2) years of monitoring shall be

used.

(C) Notwithstanding clauses (A) and (B), an alternate effluent flow value may be used, upon approval by the commissioner, if the discharger provides flow data that supports the alternate value (such as when a TMDL or WLA is calculated for wet weather conditions as provided in section 11.6(g)(4) of this rule). This flow data shall be included with the application for a new permit, a renewal of an existing permit, or with a request for modification of an existing permit, or when requested by the commissioner.

(D) TMDLs, WLAs calculated in the absence of a TMDL, ~~or~~ **and** preliminary WLAs shall indicate the point source effluent flows used in the analyses.

(10) The portion of the receiving waterbody allocated for mixing for TMDLs, WLAs calculated in the absence of a TMDL, ~~or~~ **and** preliminary WLAs shall be determined in accordance with subsection (b).

(11) TMDLs, WLAs in the absence of a TMDL, and preliminary WLAs shall be based on the assumption that a pollutant does not degrade. However, the commissioner may take into account degradation of the pollutant if each of the following conditions are met:

(A) Scientifically valid field studies or other relevant information demonstrate that degradation of the pollutant is expected to occur under the full range of environmental conditions expected to be encountered.

(B) Scientifically valid field studies or other relevant information ~~address~~ **addresses** other factors that affect the level of pollutants in the water column, including, but not limited to, the following:

(i) Resuspension of sediments.

(ii) Chemical speciation.

(iii) Biological and chemical transformation.

(C) Notwithstanding clauses (A) and (B), TMDLs, WLAs in the absence of a TMDL, and preliminary WLAs conducted for chlorine and ~~whole effluent toxicity~~ **WET** shall be based on the assumption that the parameter does degrade unless data for the waterbody are available indicating otherwise.

(12) As used in this section, "loading capacity" refers to the greatest amount of loading that a water can receive without violating water quality standards. The loading capacity is initially calculated at the farthest downstream location in the watershed drainage basin. The maximum allowable loading consistent with the attainment of each applicable numeric criterion or value for a given pollutant is determined by multiplying the applicable criterion or value by the flow at the farthest downstream location in the tributary basin at the design flow condition described under subsection (b) and by using appropriate conversion factors. This loading is then compared to the loadings at sites within the basin to assure that applicable numeric criteria or values for a given pollutant are not exceeded at all applicable sites. The lowest load is then selected as the loading capacity.

(13) The ambient water quality characteristics used to develop TMDLs, WLAs calculated in the absence of a TMDL, ~~or~~ **and** preliminary WLAs shall be determined as follows:

(A) For ammonia (as N), metals dependent on hardness, and pentachlorophenol, the appropriate water quality characteristics shall be obtained at a location downstream of the point of discharge, or for Lake Michigan, outside the applicable mixing zone and shall be determined as follows:

(i) For ammonia (as N), the seventy-fifth percentile of the pH and temperature. If a seasonal TMDL, WLA calculated in the absence of a TMDL, or preliminary WLA is developed for ammonia, the pH and temperature data shall be obtained from the appropriate seasonal period.

(ii) For metals dependent on hardness, the fiftieth percentile of the hardness.

(iii) For pentachlorophenol, the fiftieth percentile of the ~~temperature.~~ **pH.**

(B) If any of the data required under clause (A) are not available for the waterbody, the data shall either be obtained from similar nearby streams or the permittee will be required to obtain the necessary data. For discharges to Lake Michigan, data from Lake Michigan shall be required.

(C) The use of the data required in clause (A) is intended to determine values of those water quality characteristics that are representative of those characteristics at design conditions. If it is demonstrated that an alternate method of determining these characteristics for a specific receiving waterbody would result in values more representative of the characteristics at design conditions, then this alternate method may be used to determine the water quality characteristics.

(b) The following requirements shall be applied in establishing the portion of the receiving waterbody allocated for mixing for TMDLs, WLAs in the absence of TMDLs, and preliminary WLAs:

(1) The following procedures shall be used to establish the portion of the receiving waterbody allocated for mixing for TMDLs, WLAs in the absence of TMDLs, and preliminary WLAs for a BCC:

(A) For purposes of this subsection, new and existing discharges are determined as follows:

(i) New discharges are defined as:

(AA) discharges from new Great Lakes dischargers; or

(BB) new or expanded discharges from an existing Great Lakes discharger.

(ii) Existing discharges are defined as all discharges of BCCs not included in item (i).

(B) There shall be no mixing zone available for a new

discharge of a BCC to the Great Lakes system. WLAs established through TMDLs, WLAs in the absence of TMDLs, and preliminary WLAs for a new discharge of a BCC shall be set equal to the most stringent applicable water quality criteria or values for the BCC.

(C) A mixing zone may be allocated for a BCC for an existing discharge to the Great Lakes system ~~pursuant to~~ **under** subdivisions (2) and (3) until January 1, 2004, except for a discharge into the open waters of Lake Michigan. WLAs established through TMDLs, WLAs established in the absence of TMDLs, and preliminary WLAs for all discharges, both new and existing, into the open waters of Lake Michigan shall be set equal to the most stringent applicable water quality ~~criterion~~ **criteria** or ~~value~~ **values** for the BCC.

(D) Except as provided in clauses (E) and (F), NPDES permits shall not authorize mixing zones for existing discharges of a BCC to the Great Lakes system after January 1, 2004. After January 1, 2004, WLAs established through TMDLs, WLAs established in the absence of TMDLs, and preliminary WLAs for all discharges of a BCC to the Great Lakes system shall be set equal to the most stringent applicable water quality ~~criterion~~ **criteria** or ~~value~~ **values** for the BCC.

(E) The commissioner may grant mixing zones for any existing discharge of a BCC to the Great Lakes system beyond the date specified in clause (D) where it can be demonstrated, on a case-by-case basis, that failure to grant a mixing zone would preclude water conservation measures that would lead to the overall load reduction of the BCC, even though higher concentrations of the BCC occur in the effluent. Such mixing zones must also be consistent with subdivisions (2) and (3).

(F) The commissioner may grant mixing zones, consistent with subdivisions (2) and (3), beyond the date specified in clause (D) for any existing discharge of a BCC to the Great Lakes system upon the request of a discharger subject to the following limited circumstances:

(i) The commissioner determines the following:

(AA) The discharger is in compliance with and will continue to implement all applicable technology-based treatment and pretreatment requirements of Sections 301, 302, 304, 306, 307, 401, and 402 of the CWA, and is in compliance with its existing NPDES ~~water quality-based effluent limitations,~~ **WQBELs,** including those based on a mixing zone.

(BB) The discharger has reduced and will continue to reduce the loading of the BCC for which a mixing zone is requested to the maximum extent possible.

(ii) In making the determination in item (i), the commissioner shall consider the following information submitted by the discharger:

(AA) The availability, feasibility, cost effectiveness, and environmental benefits of additional controls or pollution prevention measures for reducing and ultimately eliminating the BCC for that discharger, including those used by similar dischargers. As used in this item, "pollution prevention" has the meaning set forth in the federal Pollution Prevention Act of 1990 (42 ~~USCA~~ **U.S.C.** 13101 ~~to 42 USCA 13109).~~ **et seq.).**

(BB) Whether the discharger or affected communities will suffer unreasonable economic effects if the mixing zone is eliminated.

(CC) The extent to which the discharger will implement an ambient monitoring plan to ensure compliance with water quality criteria at the edge of any authorized mixing zone or to ensure consistency with any applicable TMDL or such other strategy consistent with this section.

(DD) Other information the commissioner deems appropriate.

(iii) Any exceptions to the mixing zone elimination provision for an existing discharge of a BCC granted under this clause shall comply with the following:

(AA) Not result in any less stringent limitations than those existing upon or after the effective date of this rule.

(BB) Not likely jeopardize the continued existence of any endangered or threatened species listed under Section 4 of the ~~Endangered Species Act~~ ESA or result in the destruction or adverse modification of such species' critical habitat.

(CC) Be limited to one (1) permit term unless the commissioner makes a new determination in accordance with this subdivision for each successive permit application in which a mixing zone for the BCC is sought.

(DD) Reflect all information relevant to the size of the mixing zone considered under item (ii).

(EE) Protect all designated and existing uses of the receiving water.

(FF) Meet all applicable aquatic life, wildlife, and human health criteria and values at the edge of the mixing zone and, as appropriate, within the mixing zone or be consistent with any appropriate TMDL or such other strategy consistent with this section.

(GG) Ensure the discharger has developed and conducted a pollutant minimization program for the BCC if required to do so under section 11.6 of this rule.

(HH) Ensure that alternative means for reducing BCCs elsewhere in the watershed are evaluated.

(G) For each draft NPDES permit that would allow a mixing zone for one (1) or more BCCs after January 1, 2004, the fact sheet or statement of basis for the draft permit, shall:

(i) specify the mixing provisions used in calculating the permit limits; and

(ii) identify each BCC for which a mixing zone is proposed.

(2) The following addresses conditions for deriving TMDLs, WLAs in the absence of TMDLs, and preliminary WLAs for open waters of Lake Michigan, inland lakes, and other waters of the Great Lakes system with no appreciable flow relative to their volumes:

(A) For discharges into the open waters of Lake Michigan, the following requirements apply:

(i) To prevent acute toxicity to aquatic life, WLAs established in a TMDL, WLAs in the absence of a TMDL, and preliminary WLAs shall be determined as follows:

(AA) For allocations based on **an** acute aquatic life ~~criteria~~ **criterion** or ~~values,~~ **value,** the CMC **or SMC** shall not be exceeded outside the zone of initial dilution and the ~~final acute value~~ FAV shall not be exceeded in the undiluted discharge, unless a mixing zone demonstration is conducted and approved under subdivision (4), in which case the CMC **or SMC** shall be met outside the ~~alternative~~ **applicable alternate** mixing zone.

(BB) For allocations implementing ~~an~~ **the narrative** acute ~~whole effluent toxicity~~ WET criterion, 1.0 TU_a shall not be exceeded in the undiluted discharge, unless a mixing zone demonstration is conducted and approved ~~pursuant to~~ **under** subdivision (4), in which case 0.3 TU_a shall be met outside the ~~alternative~~ **applicable alternate** mixing zone.

(ii) To prevent chronic toxicity to aquatic life, human health, and wildlife, WLAs established in a TMDL, WLAs in the absence of a TMDL, and preliminary WLAs shall be determined as follows:

(AA) For allocations based on **a** chronic ~~criteria~~ **criterion** or ~~values~~ **value** (CCC or ~~SCV;~~ **SCC;** HNC or HNV; HCC or HCV; or WC or WV), the chronic ~~criteria~~ **criterion** or value shall not be exceeded in the undiluted discharge unless ~~an alternative~~ **a** mixing zone ~~is demonstrated as appropriate in a mixing zone~~ demonstration **is** conducted ~~pursuant to~~ **and approved under** subdivision (4), **in which case the chronic criterion or value shall be met outside the applicable alternate mixing zone.**

(BB) For allocations implementing ~~a~~ **the narrative** chronic ~~effluent toxicity~~ WET criterion, 1.0 TU_c shall not be exceeded in the undiluted discharge unless ~~an alternative~~ **a** mixing zone ~~is demonstrated as appropriate in a mixing zone~~ demonstration **is** conducted ~~pursuant to~~ **and approved under** subdivision (4), in which case 1.0 TU_c shall be met outside the ~~discharge-induced~~ **applicable alternate** mixing zone.

(iii) WLAs established in a TMDL, WLAs in the absence of a TMDL, and preliminary WLAs based on the criterion for sulfates, total dissolved solids**,** fluorides, or dissolved iron under 327 IAC 2-1.5-8(j) shall ensure that the ~~criteria~~ **criterion** not be exceeded in the undiluted discharge unless ~~an alternative~~ **a** mixing zone ~~is demonstrated as appropriate in a mixing zone~~ demonstration **is** conducted ~~pursuant to~~ **and approved under** subdivision (4), **in which case the criterion shall be met outside the applicable alternate mixing zone.**

(iv) If mixing zones from two (2) or more proximate sources interact or overlap, the combined effect must be evaluated to ensure that applicable criteria and values will be met in the area where any applicable mixing zones overlap.

(v) In no case shall a mixing zone be granted that exceeds the area where discharge-induced mixing occurs.

(B) For discharges into inland lakes and other waters of the Great Lakes system with no appreciable flow relative to their volumes (other than the open waters of Lake Michigan), no mixing zone will be allowed and water quality criteria **or values** will apply to the undiluted discharge.

(C) Appropriate mixing zone assumptions to be used in calculating load allocations for nonpoint sources shall be determined on a case-by-case basis.

(D) In no case shall a mixing zone be granted that would likely jeopardize the continued existence of any endangered or threatened species listed under Section 4 of the ESA or result in the destruction or adverse modification of such species' critical habitat.

(3) The following describes conditions for deriving TMDLs, WLAs in the absence of TMDLs, and preliminary WLAs for tributaries of the Great Lakes system that exhibit appreciable flows relative to their volumes:

(A) The following stream design flows shall be used unless data exist to demonstrate that an alternative stream design flow is appropriate for stream-specific and pollutant-specific conditions:

(i) For purposes of calculating a TMDL, WLAs in the absence of a TMDL, or preliminary WLAs, using a steady-state model, the stream design flows shall be as follows:

(AA) For an acute aquatic life criterion or value, ~~or an acute aquatic WET criterion, when a high rate diffuser is used,~~ the one (1) day, ten (10) year stream design flow ($Q_{1,10}$).

(BB) To implement the narrative acute WET criterion, when a mixing zone demonstration is conducted and approved under subdivision (4), the one (1) day, ten (10) year stream design flow ($Q_{1,10}$).

~~(BB)~~ **(CC)** For a chronic aquatic life criterion or value,

~~or a chronic aquatic WET criterion,~~ the seven (7) day, ten (10) year stream design flow ($Q_{7,10}$).

(DD) To implement the narrative chronic WET criterion, the seven (7) day, ten (10) year stream design flow ($Q_{7,10}$).

~~(CC)~~ **(EE)** For a drinking water human health criterion or value, the harmonic mean flow at the point of ~~drinking~~ **the public** water **system** intake.

~~(DD)~~ **(FF)** For a nondrinking water human health criterion or value, the harmonic mean flow at the point of discharge.

~~(EE)~~ **(GG)** For a wildlife criterion or value, the ninety (90) day, ten (10) year **stream design** flow ($Q_{90,10}$).

(ii) TMDLs, WLAs in the absence of TMDLs, and preliminary WLAs calculated using dynamic modelling do not need to incorporate the stream design flows specified in item (i).

(iii) TMDLs, WLAs in the absence of TMDLs, and preliminary WLAs calculated for intermittent or controlled discharges may use alternate stream design flows if these alternate design flows will ensure compliance with water quality criteria **and values.**

(B) To prevent acute toxicity, WLAs and LAs established in a TMDL, WLAs in the absence of a TMDL, and preliminary WLAs shall be determined as follows:

(i) For allocations based on **an** acute aquatic life ~~criteria~~ **criterion** or ~~values,~~ **value, the CMC or SMC shall not be exceeded outside the zone of initial dilution and** the ~~final acute value~~ FAV shall not be exceeded in the undiluted discharge unless ~~the discharger utilizes a submerged, high rate diffuser outfall structure (or the functional equivalent) that provides turbulent initial mixing and minimizes organism exposure time; and~~ a mixing zone demonstration is conducted and approved under subdivision (4), in which case the CMC **or SMC** shall be met outside the ~~discharge-induced~~ **applicable alternate** mixing zone.

(ii) For allocations implementing ~~an~~ **the narrative** acute ~~whole effluent toxicity~~ WET criterion, 1.0 TU_a shall not be exceeded in the undiluted discharge unless ~~the discharger utilizes a submerged, high rate diffuser outfall structure (or the functional equivalent) that provides turbulent initial mixing and minimizes organism exposure time; and~~ a mixing zone demonstration is conducted and approved under subdivision (4), in which case 0.3 TU_a shall be met outside the ~~discharge-induced~~ **applicable alternate** mixing zone.

(C) To protect aquatic life, wildlife, and human health from chronic effects, including chronic ~~whole effluent toxicity,~~ **WET,** WLAs and LAs established in a TMDL, WLAs in the absence of a TMDL, and preliminary WLAs shall be calculated using a dilution fraction no greater than twenty-five percent (25%) of the stream design flow unless a mixing zone demonstration under subdivision (4) is conducted and approved.

(D) If mixing zones from two (2) or more proximate sources interact or overlap, the combined effect must be evaluated to ensure that applicable criteria and values will be met in the area where any applicable mixing zones overlap.

(E) In no case shall a permitting authority grant a mixing zone that would likely jeopardize the continued existence of any endangered or threatened species listed under Section 4 of the ESA or result in the destruction or adverse modification of such species' critical habitat.

(4) An alternate mixing zone that is allowed under subdivision (2) or (3) may be granted upon the request of the discharger subject to the following requirements:

(A) **Alternate mixing zones are granted on a pollutant-by-pollutant and criterion-by-criterion basis.** Any discharger seeking a mixing zone other than that specified by subdivision (2) or (3) shall submit an application for ~~a~~ **an alternate** mixing zone ~~demonstration~~ for consideration by the commissioner. The alternate mixing zone application must do the following:

(i) Document the characteristics and location of the outfall structure, including whether technologically-enhanced mixing will be utilized.

(ii) Document the amount of dilution occurring at the boundaries of the proposed mixing zone and the size, shape, and location of the area of mixing, including the manner in which diffusion and dispersion occur.

(iii) For sources discharging to the open waters of Lake Michigan, define the location at which discharge-induced mixing ceases.

(iv) For sources discharging to tributaries of the Great Lakes system that exhibit appreciable flows relative to their volumes and seeking an alternate mixing zone for an acute aquatic life criterion or value or for acute WET, define the location at which discharge-induced mixing ceases under stream design flow conditions.

~~(iv)~~ **(v)** Document the physical, including substrate character and geomorphology, chemical, and biological characteristics of the receiving waterbody, including whether the receiving waterbody supports indigenous, endemic, or naturally occurring species.

~~(v)~~ **(vi)** Document the physical, chemical, and biological characteristics of the effluent.

~~(vi)~~ **(vii)** Document the synergistic effects of overlapping mixing zones or the aggregate effects of adjacent mixing zones.

~~(vii)~~ **(viii)** Show whether organisms would be attracted to the area of mixing as a result of the effluent character.

(B) The commissioner may grant the alternate mixing zone if the discharger demonstrates the following:

(i) The mixing zone would not interfere with or block passage of fish or aquatic life.

(ii) The level of the pollutant permitted in the waterbody would not likely jeopardize the continued existence of any endangered or threatened species listed under Section 4 of the ESA or result in the destruction or adverse modification of such species' critical habitat.

(iii) The mixing zone would not extend to drinking water intakes.

(iv) The mixing zone would not impair or otherwise interfere with the designated or existing uses of the receiving water or downstream waters.

(v) The mixing zone would not promote undesirable aquatic life or result in a dominance of nuisance species.

(vi) By allowing the additional mixing:

(AA) substances will not settle to form objectionable deposits;

(BB) floating debris, oil, scum, and other matter in concentrations that form nuisances will not be produced; and

(CC) objectionable color, odor, taste, or turbidity will not be produced.

(C) In no case shall an alternate mixing zone for an acute aquatic life criterion or value or for acute WET be granted unless the discharger utilizes a submerged, high rate diffuser outfall structure (or the functional equivalent) that provides turbulent initial mixing and minimizes organism exposure time.

(D) In no case shall an alternate mixing zone for an acute aquatic life criterion or value or for acute WET be granted that exceeds the area where discharge-induced mixing occurs.

~~(C)~~ **(E)** In no case shall ~~a~~ **an alternate** mixing zone for a discharge into the open waters of Lake Michigan be granted that exceeds the area where discharge-induced mixing occurs.

~~(D)~~ **(F)** Upon receipt of an application for an alternate mixing zone, ~~demonstration,~~ the commissioner shall provide notice, request comment, and, if requested, schedule and hold a public meeting on the application in accordance with section 11.2 of this rule.

(5) Except for discharges into the open waters of Lake Michigan, notwithstanding subdivisions (2) ~~(3),~~ ~~and~~ **through** (4), the commissioner may deny any mixing zone for:

(A) a discharge;

(B) certain substances in a discharge; or ~~for~~

(C) a criterion **or value** for any substance in a discharge;

based upon a determination of adverse human health, aquatic life, or wildlife effects. The commissioner shall identify and document the rationale for this decision.

(6) For discharges into the open waters of Lake Michigan, if all of the conditions for approval of an alternate mixing zone are met in accordance with subdivision (4), the alternate mixing zone shall be granted unless the commissioner determines that the mixing zone should be denied based upon a consideration of harm to human health, aquatic life, or wildlife. The commissioner shall evaluate all available information, including information submitted by the public, relevant to the consideration of harm to human health, aquatic life, or wildlife. The commissioner shall identify the harm to human health, aquatic life, or wildlife, and document the rationale for this decision.

(7) The commissioner's evaluation of a mixing zone for a discharge into the open waters of Lake Michigan under subdivisions (2), (4), and (6) shall constitute the evaluation required by IC 13-18-4-7. Any decision regarding the granting or denial of a mixing zone for a discharge into Lake Michigan shall be included in the public notice of the tentative decision on the draft new, renewed, or modified permit. The basis for the tentative decision, including the commissioner's rationale for concluding whether or not the requirements of IC 13-18-4-7 are satisfied, shall be included in the briefing memo or fact sheet that accompany the tentative decision on the draft new, renewed, or modified permit.

(c) ~~Wasteload allocations~~ **WLAs** calculated in the absence of a TMDL and preliminary WLAs shall be determined using the conservation of mass equations as follows unless an alternate methodology is approved by the commissioner:

(1) For the calculations contained within this subsection, the following apply:

(A) WQC_c = The chronic water quality criterion or value. A chronic water quality criterion or value is any of the following:

(i) ~~Criterion continuous concentration~~ CCC or ~~secondary chronic value (SCV).~~ **SCC. If the CCC or SCC for a metal is expressed in the form of dissolved metal, the CCC or SCC shall be set equal to $C_{instream}$ determined for the CCC or SCC in accordance with subdivision (6).**

(ii) **The numeric interpretation of the narrative chronic** WET criterion ~~in chronic toxic units~~ (1.0 TU_c).

(iii) ~~Human noncancer criterion~~ HNC or ~~human noncancer value~~ HNV.

(iv) ~~Human cancer criterion~~ HCC or ~~human cancer value~~ HCV.

(v) Wildlife criterion (WC) or ~~wildlife value~~ WV.

(vi) The ~~criteria~~ **criterion** for sulfates, total dissolved solids, fluorides, ~~and~~ **or** dissolved iron under 327 IAC 2-1.5-8(j).

(B) WQC_a = The ~~criterion maximum concentration~~ CMC or ~~secondary acute value (SAV)~~ **SMC** or, **if a mixing zone demonstration for acute WET is conducted and approved under subsection (b)(4),** three-tenths (0.3) TU_a for WET. **If the CMC or SMC for a metal is expressed in the form of dissolved metal, the CMC or SMC shall be set equal to $C_{instream}$ determined for the CMC or SMC in accordance with subdivision (6).**

(C) FAV = Final acute value = two (2) times the CMC or ~~SAV.~~ **SMC. If the CMC or SMC for a metal is expressed in the form of dissolved metal, the FAV shall equal two (2) times $C_{instream}$ determined for the CMC or SMC in accordance with subdivision (6).**

(D) Q_e = The facility effluent flow as determined by subsection (a)(9).

(E) Q_w = The portion of the receiving waterbody allocated for mixing ~~pursuant to~~ **under** subsection (b). **If C_b is greater than the water quality criterion or value, a value of zero (0) shall be used for Q_w.**

(F) C_b = The representative background concentration determined by subsection (a)(8).

~~(G) MR = Mixing zone ratio = $\frac{Q_w}{Q_e}$.~~

(G) DF = Dilution factor = $\frac{Q_w + Q_e}{Q_e}$.

(H) Q_z = The **portion of the receiving waterbody allocated for mixing in the** zone of initial dilution. **For discharges into tributaries that exhibit appreciable flows relative to their volumes, $Q_z = Q_e$ or the $Q_{1,10}$, whichever is less. For discharges into the open waters of Lake Michigan, $Q_z = Q_e$. If C_b is greater than WQC_a, a value of zero (0) shall be used for Q_z.**

(2) ~~Wasteload allocations~~ **WLAs** for discharges into tributaries that exhibit appreciable flows relative to their volumes based on protection from acute aquatic effects shall be determined as follows:

(A) For a discharge without ~~a high rate diffuser (or its functional equivalent),~~ **an approved alternate mixing zone under subsection (b)(4),** the equation resulting in the lesser WLA shall be used:

(i) WLA = FAV (or 1.0 TU_a for WET); or

(ii) $$WLA = \frac{WQC_a(Q_e + Q_z) - (Q_z)(C_b)}{Q_e}$$

(B) For a discharge with ~~a high rate diffuser (or its functional equivalent),~~ **an approved alternate mixing zone under subsection (b)(4),** the following equation shall be used:

~~$$WLA = \frac{WQC_a(Q_e + Q_w) - (Q_w)(C_b)}{Q_e}$$~~

$$WLA = (WQC_a)(DF) - (C_b)(DF-1)$$

(3) ~~Wasteload allocations~~ **WLAs** for **discharges into** tributaries that exhibit appreciable flows relative to their volumes based on protection from chronic effects shall be determined as follows:

$$WLA = \frac{WQC_c(Q_e + Q_w) - (Q_w)(C_b)}{Q_e}$$

(4) ~~Wasteload allocations~~ **WLAs** for discharges into the open waters of Lake Michigan based on protection from acute aquatic effects shall be determined as follows:

(A) For a discharge without an approved alternate mixing zone **under subsection (b)(4),** the equation resulting in the lesser WLA shall be used:

(i) WLA = FAV (or 1.0 TU_a for WET); or

(ii) $$WLA = \frac{WQC_a(Q_e + Q_z) - (Q_z)(C_b)}{Q_e}$$

(B) For a discharge with an approved alternate mixing zone **under subsection (b)(4),** the following equation shall be used:

~~$WLA = (WQC_a)(1 + MR) - (C_b)(MR)$~~ **$(WQC_a)(DF) - (C_b)(DF-1)$**

(5) ~~Wasteload allocations~~ **WLAs** for **discharges into** the open waters of Lake Michigan based on protection from chronic effects shall be determined as follows:

~~$WLA = (WQC_c)(1 + MR) - (C_b)(MR)$~~ **$(WQC_c)(DF) - (C_b)(DF-1)$**

(6) WLAs for discharges into inland lakes and other waters of the Great Lakes system with no appreciable flow relative to their volumes (other than the open waters of Lake Michigan) based on protection from acute aquatic effects shall be determined as follows:

$$WLA = WQC_a$$

(7) WLAs for discharges into inland lakes and other waters of the Great Lakes system with no appreciable flow relative to their volumes (other than the open waters of Lake Michigan) based on protection from chronic effects shall be determined as follows:

$$WLA = WQC_c$$

(8) The following procedures shall be used to calculate

$C_{instream}$, the total recoverable metal concentration outside the mixing zone that equates to an acute or chronic aquatic water quality criterion or value expressed in the form of dissolved metal:

(A) For a CMC or SMC expressed in the form of dissolved metal, $C_{instream}$ shall be calculated by dividing the CMC or SMC by the acute translator found in clause (D).

(B) For a CCC or SCC expressed in the form of dissolved metal, $C_{instream}$ shall be calculated by dividing the CCC or SCC by the chronic translator found in clause (D).

(C) If all approved analytical methods for the metal inherently measure only its dissolved form, such as hexavalent chromium, $C_{instream}$ shall not be calculated and the acute and chronic aquatic water quality criteria or values expressed in the form of dissolved metal shall be used in the calculation of WLAs.

(D) Unless a site-specific translator is determined in accordance with clause (E), the following translators shall be used:

Table 11.4-2

Metals Translators

Dissolved to Total Recoverable

Substances	Acute Translators	Chronic Translators
Arsenic (III)	1.000	1.000
Cadmium	1.136672-[(ln hardness)(0.041838)]	1.101672-[(ln hardness)(0.041838)]
Chromium (III)	0.316	0.860
Copper	0.960	0.960
Mercury	0.85	0.85
Nickel	0.998	0.997
Selenium	0.922	0.922
Zinc	0.978	0.986

(E) A discharger or proposed discharger may request the use of an alternate translator by using site-specific data. The discharger must conduct a site-specific study to identify the ratio of the dissolved fraction to the total recoverable fraction for a metal in the receiving waterbody outside the mixing zone. If the discharger provides an acceptable study, and other provisions of 327 IAC 2-1.5 and this article are satisfied (such as antibacksliding and antidegradation), the commissioner shall use the site-specific translator. A translator derived for one (1) discharge into a waterbody segment may be applied to other discharges on the same waterbody segment if the translator would adequately represent the site-specific conditions applicable to the other discharges.

(d) Notwithstanding this section, the pollutants contained in this subsection shall be addressed as follows:

(1) The pH requirements contained in 327 IAC 2-1.5-8(c)(2) and 327 IAC 2-1.5-8(j) apply to the undiluted discharge.

(2) The bacteriological criteria contained in 327 IAC 2-1.5-8(e) apply to the undiluted discharge.

(3) Models, approved by the commissioner, that ensure compliance with the applicable water quality criteria for the following parameters shall be used:

(A) Dissolved oxygen criteria contained in 327 IAC 2-1.5-8(c)(3), 327 IAC 2-1.5-8(d)(1), and 327 IAC 2-1.5-8(j).

(B) Thermal requirements contained in 327 IAC 2-1.5-8(c)(4) and 327 IAC 2-1.5-8(d)(2).

(C) Criteria for the protection of public water supplies contained under 327 IAC 2-1.5-8(f).

(D) Criteria for the protection of industrial water supplies contained in 327 IAC 2-1.5-8(g).

(Water Pollution Control Board; 327 IAC 5-2-11.4; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1441; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3379)

SECTION 27. 327 IAC 5-2-11.5 IS AMENDED TO READ AS FOLLOWS:

327 IAC 5-2-11.5 Great Lakes system dischargers determination of reasonable potential to exceed water quality standards

Authority: IC 13-14-8; IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3

Affected: IC 13-11-2; IC 13-18-4

Sec. 11.5. (a) If the commissioner determines that a pollutant or pollutant parameter (either conventional, nonconventional, a toxic substance, or whole effluent toxicity **(WET))** is or may be

discharged into the Great Lakes system at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any applicable narrative **criterion** or numeric water quality ~~criteria~~ **criterion** or value under 327 IAC 2-1.5, the commissioner shall incorporate **water quality-based effluent limitations** (WQBELs) in an NPDES permit that will ensure compliance with the ~~criteria~~ **criterion** or value. The commissioner shall exercise best professional judgment, taking into account the:

(1) source and nature of the discharge;

(2) existing controls on point and nonpoint sources of pollution; ~~the~~

(3) variability of the pollutant or pollutant parameter in the effluent; and

(4) where appropriate, ~~the~~ dilution of the effluent in the receiving water.

In all cases, the commissioner shall use any valid, relevant, representative information pertaining to the discharge of the pollutant.

(b) If the commissioner determines that a substance is or may be discharged into the Great Lakes system at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any numeric criterion for a toxic substance contained in 327 IAC 2-1.5-8(b)(3), Table 8-1, 327 IAC 2-1.5-8(b)(5), Table 8-3, 327 IAC 2-1.5-8(b)(6), Table 8-4, **327 IAC 2-1.5-16(e), Table 16-1,** a criterion for ammonia contained under 327 IAC 2-1.5-8(c)(5), a criterion for sulfates, total dissolved solids, fluorides, or dissolved iron under 327 IAC 2-1.5-8(j), or a Tier I criterion or Tier II value ~~determined~~ **established** under 327 IAC 2-1.5-11 through 327 IAC 2-1.5-16, the commissioner shall incorporate WQBELs in an NPDES permit for the discharge of that pollutant, and in all cases, the commissioner shall use any valid, relevant, representative information pertaining to the discharge of the substance as follows:

(1) When facility-specific effluent monitoring data for a substance are available, the commissioner may take into account the source and nature of the discharge, existing controls on point and nonpoint sources of pollution, the variability of the pollutant or pollutant parameter in the effluent, and, where appropriate, the dilution of the effluent in the receiving water in making the determination whether to develop preliminary effluent limitations (PELs) and comparing those effluent limitations to the projected effluent quality (PEQ) of the discharge in accordance with the following procedures:

(A) The commissioner shall develop PELs for the discharge of a pollutant from a point source using the following procedures:

(i) The commissioner shall develop preliminary WLAs for the discharge of the pollutant from the point source to protect human health, wildlife, acute aquatic life, and chronic aquatic life, based upon the following:

(AA) Any existing numeric criterion for a toxic substance contained in 327 IAC 2-1.5-8(b)(3), Table 8-1, 327 IAC 2-1.5-8(b)(5), Table 8-3, 327 IAC 2-1.5-8(b)(6), Table 8-4, **327 IAC 2-1.5-16(e), Table 16-1,** or 327 IAC 2-1.5-8(c)(5) **or a site-specific modification to an existing numeric criterion established under 327 IAC 2-1.5-16.**

(BB) Where there is no existing numeric criterion, the commissioner shall calculate a Tier I criterion for such substance for the protection of human health, wildlife, and aquatic life using the methodologies under 327 IAC 2-1.5-11 (aquatic life), 327 IAC 2-1.5-14 (human health), 327 IAC 2-1.5-15 (wildlife), and 327 IAC 2-1.5-16 (site-specific modifications).

(CC) Where there is insufficient data to calculate a Tier I criterion, the commissioner shall calculate a Tier II value for such substance for the protection of human health and aquatic life using the methodologies under 327 IAC 2-1.5-12 (aquatic life), 327 IAC 2-1.5-14 (human health), and 327 IAC 2-1.5-16 (site-specific modifications).

(DD) Where there is insufficient data to calculate a Tier II value, the commissioner shall apply the procedure in subdivision (3) to determine whether data must be generated to calculate a Tier II value.

(ii) The commissioner shall develop **a** preliminary ~~WLAs~~ **WLA** for the discharge of sulfates, total dissolved solids, fluorides, or dissolved iron, in addition to the preliminary WLAs developed for ~~these parameters~~ **the parameter** under item (i), based on the numeric ~~criteria~~ **criterion** for ~~these substances~~ **the substance** under 327 IAC 2-1.5-8(j) when applicable.

(iii) Section 11.4(c) of this rule shall be used as the basis for determining preliminary WLAs in accordance with items (i) and (ii).

(iv) The commissioner shall ~~develop PELs consistent with~~ **use** the preliminary WLAs developed under items (i) through (iii) ~~and~~ **to develop monthly and daily PELs** in accordance with the ~~procedures~~ **procedure** for converting WLAs into WQBELs under section ~~11.6~~ **11.6(c)** of this rule.

(B) The commissioner shall determine the ~~projected effluent quality~~ PEQ as follows:

(i) When monthly average data are available, **calculated using** at least ~~three (3)~~ **two (2)** data points over the period of a month, the monthly PEQ shall be determined as follows:

(AA) The commissioner shall identify the number of monthly averages of the effluent data and the coefficient of variation of the monthly averages of the effluent data.

(BB) The commissioner shall obtain the appropriate multiplying factor from ~~Table 11.5-1 in~~ subsection (h) based on the information obtained in subitem (AA).

(CC) The maximum of the monthly average values shall be multiplied by the multiplying factor determined under subitem (BB) to determine the monthly PEQ.

(ii) When monthly average data ~~is~~ **are** not available, the monthly PEQ shall be identical to the daily PEQ determined under item (iii). An alternate method of ~~determining the~~ **calculating** monthly ~~PEQ~~ **averages** may be used if the applicant demonstrates that this alternate method results in ~~a~~ monthly ~~PEQ~~ **averages** representative of actual conditions at the facility. **Monthly averages calculated under this item shall be used to determine the monthly PEQ using the procedure in item (i).**

(iii) The daily PEQ shall be determined as follows:

(AA) The commissioner shall identify the number of daily effluent samples and the coefficient of variation of the daily effluent samples.

(BB) The commissioner shall obtain the appropriate multiplying factor from ~~Table 11.5-1 in~~ subsection (h) based on the information obtained in subitem (AA).

(CC) The maximum of the daily effluent samples shall be multiplied by the multiplying factor determined under subitem (BB) to determine the daily PEQ.

(iv) The coefficient of variation shall be calculated as the ratio of the standard deviation of the daily or monthly effluent data divided by the arithmetic average of the effluent data, except that where there are fewer than ten (10) data points the coefficient of variation shall be specified as six-tenths (0.6).

(v) In lieu of the procedures under items (i) through (iv), the commissioner shall allow the use of an alternate procedure for the determination of the PEQ if the applicant demonstrates that the alternate statistical procedure meets the following: ~~criteria:~~

(AA) Is a scientifically defensible statistical method.

(BB) Specifies the daily PEQ as the ninety-fifth percentile of the distribution of the projected population of daily values of the facility-specific effluent monitoring data.

(CC) Specifies the monthly PEQ as the ninety-fifth percentile of the distribution of the projected population of monthly average values of the facility-specific effluent monitoring data.

(DD) Accounts for and captures the long term daily and monthly variability of the effluent quality.

(EE) Accounts for limitations associated with sparse data sets.

(FF) Assumes a lognormal distribution of the facility-specific effluent data unless otherwise shown by the effluent data set.

(C) The commissioner shall establish WQBELs in the NPDES permit for each substance that:

(i) the monthly PEQ developed under clause (B) exceeds the monthly PEL developed under clause (A); or

(ii) the daily PEQ developed under clause (B) exceeds the daily PEL developed under clause (A).

(D) If facility-specific effluent monitoring data for a metal are available in the form of dissolved metal and the PELs for the metal developed under clause (A) are based on an acute or chronic aquatic water quality criterion or value expressed in the form of dissolved metal, the commissioner shall make the determination under clause (C) using PEQs and PELs in the form of dissolved metal if the following conditions are satisfied:

(i) The discharger provides an acceptable site-specific study that shows that the metal in the effluent does not become more dissolved in the receiving waterbody outside the mixing zone.

(ii) Representative data are available from the receiving waterbody to calculate the background concentration of the metal in accordance with section 11.4(a)(8) of this rule and, if applicable, the hardness of the receiving waterbody in accordance with section 11.4(a)(13) of this rule.

(iii) The facility-specific effluent monitoring data in the form of dissolved metal are representative of the magnitude and variability of the metal in the effluent.

(iv) The PEQs in the form of dissolved metal are determined under clause (B) using the effluent monitoring data in item (iii).

(v) The PELs in the form of dissolved metal are developed as follows:

(AA) Preliminary WLAs in the form of dissolved metal are developed consistent with section 11.4(c) of this rule and using the receiving waterbody data in item (ii) to protect acute and chronic aquatic life.

(BB) The preliminary WLAs in subitem (AA) are used to develop monthly and daily PELs in accordance with section 11.6(c) of this rule.

(vi) A determination under clause (C) using PEQs and PELs developed under this item in the form of total recoverable metal shows that the commissioner is not required to establish WQBELs in the NPDES permit for the metal. The PEQs and PELs shall be developed as follows:

(AA) PEQs in the form of total recoverable metal shall be determined under clause (B) using facility-specific effluent monitoring data in the form of total recoverable metal that is comparable to the data in item (iii).

(BB) Monthly and daily PELs in the form of total recoverable metal shall be developed using prelimi-

nary WLAs developed under section 11.4(c) of this rule for all the applicable criteria and values for the metal that are expressed in the form of total recoverable metal and in accordance with section 11.6(c) of this rule. The preliminary WLAs shall be calculated using the receiving waterbody data in item (ii).

(2) When facility-specific effluent monitoring data for a substance are not available, the commissioner shall exercise best professional judgment, taking into account the source and nature of the discharge, existing controls on point and nonpoint sources of pollution, and, where appropriate, the dilution of the effluent in the receiving water:

(A) for a new Great Lakes discharger, to develop an estimated monthly and daily PEQ necessary to make a determination under this subsection; or

(B) for an existing Great Lakes discharger, to determine whether it is necessary to require the applicant to collect the data required to make a determination under this subsection.

(3) The commissioner shall develop the necessary data to calculate Tier II values where such data does not currently exist as follows:

(A) Except as provided in clauses (B) and (D) or subdivision (4), for each toxic substance that a permittee reports as known or believed to be present in its effluent, or that the commissioner reasonably believes may be present in the effluent, and for which pollutant data sufficient to calculate Tier II values for noncancer human health, acute aquatic life, or chronic aquatic life do not exist, the commissioner shall take the following actions:

(i) For those effects (noncancer human health, acute aquatic life, or chronic aquatic life) for which sufficient data do not exist, the commissioner shall use all available, relevant information, including ~~quantitative structure activity relationship~~ QSAR information and other relevant toxicity information, to estimate ambient screening values for such pollutant that will protect humans from health effects other than cancer, and aquatic life from acute and chronic effects.

(ii) Using the procedures under subdivision ~~(1)(A),~~ **(1),** the commissioner shall develop PELs for the discharge of the pollutant from the point source to protect human health, acute aquatic life, and chronic aquatic life based upon the estimated ambient screening values.

(iii) The commissioner shall compare the PEQs developed according to the procedures under subdivision ~~(1)(B)~~ **(1)** to the PELs developed under item (ii). If the monthly or daily PEQ exceeds the respective monthly or daily PEL, the commissioner shall generate or require the permittee to generate the data necessary to derive Tier II values for noncancer human health, acute aquatic life, and chronic aquatic life.

(iv) The data generated under item (iii) shall be used in calculating a Tier II value as required under subdivision (1). The calculated Tier II value shall be used in calculating the PELs under subdivision ~~(1)(A).~~ **(1).** These PELs shall be used for purposes of determining whether a WQBEL must be included in the permit under subdivision ~~(1)(C).~~ **(1).**

(B) With the exception of ~~bioaccumulative chemicals of concern~~ BCCs, the commissioner is not required to apply the procedures under clause (A) or include WQBELs to protect aquatic life for any pollutant discharged by an existing point source into the Great Lakes system if the following occur:

(i) There is insufficient data to calculate a Tier I criterion or Tier II value for aquatic life for the pollutant.

(ii) The permittee has demonstrated that the whole effluent does not exhibit acute or chronic toxicity.

(iii) The permittee has demonstrated, through a biological assessment, that there are no acute or chronic effects on aquatic life in the receiving water. ~~Upon request by the permittee, the commissioner may determine that a biological assessment is not necessary to evaluate the impact of the pollutant on the receiving stream after considering:~~

~~(AA) the characteristics of the pollutant;~~

~~(BB) the concentration of the pollutant in the effluent;~~

~~(CC) the effluent flow; and~~

~~(DD) the biological and physical characteristics of the receiving waterbody.~~

(C) Nothing in clause (A) or (B) shall preclude or deny the right of the commissioner to:

(i) determine, in the absence of the data necessary to derive a Tier II value, that the discharge of the pollutant will cause, have the reasonable potential to cause, or contribute to an excursion above a narrative criterion for water quality; and

(ii) incorporate a WQBEL for the pollutant into an NPDES permit.

(D) If the commissioner develops a WQBEL consistent with clause (C) that is at least as stringent as a WQBEL that would have been developed based upon the Tier II value or values for that pollutant, the commissioner may require the permittee to generate the data necessary to derive a Tier II value or values for that pollutant.

(4) The determinations under this subdivision shall be made on a pollutant-by-pollutant, outfall-by-outfall basis. This subdivision applies only in the absence of an EPA-approved TMDL applicable to the discharge or in the absence of an assessment and remediation plan submitted and approved in accordance with section 11.4(a)(2) of this rule. The following procedures shall be used in the consideration of intake pollutants in determining reasonable potential:

(A) As used in this subdivision and section 11.6(i) of this rule, "intake pollutant" means a pollutant that is present in

waters of the state at the time it is withdrawn from such waters by the discharger or other facility, such as a public water ~~supply;~~ **system** supplying the discharger with intake water.

(B) As used in this subdivision, **subsection (g),** and section 11.6(i) of this rule, an intake pollutant is considered to be from the same body of water as the discharge if the following conditions exist:

(i) The commissioner finds that the intake pollutant would have reached the vicinity of the outfall point in the receiving water within a reasonable period had it not been removed by the permittee. This finding may be deemed established if:

(AA) the representative background concentration of the pollutant in the receiving water, as determined under section 11.4(a)(8) of this rule (excluding any amount of the pollutant in the facility's discharge) is similar to or greater than that in the intake water;

(BB) there is a direct hydrological connection between the intake and discharge points (the water at the point of intake naturally flows toward the water at the point of discharge); and

(CC) any difference in a water quality characteristic (such as temperature, pH, and hardness) between the intake and receiving waters does not result in an adverse impact on the receiving water.

(ii) The commissioner may also consider other site-specific factors relevant to the transport and fate of the pollutant to make the finding in a particular case that a pollutant would or would not have reached the vicinity of the outfall point in the receiving water within a reasonable period had it not been removed by the permittee.

(iii) An intake pollutant from ground water may be considered to be from the same body of water if the commissioner determines that the pollutant would have reached the vicinity of the outfall point in the receiving water within a reasonable period had it not been removed by the permittee, except that such a pollutant is not from the same body of water to the extent that the ground water contains the pollutant partially or entirely due to human activity, such as industrial, commercial, or municipal operations, disposal actions, or treatment processes.

(iv) Notwithstanding any other provision in this clause, an intake pollutant shall be considered to be from the same body of water if the permittee's intake point is located on Lake Michigan and the outfall point is located on a tributary of Lake Michigan and the following conditions are met:

(AA) The representative background concentration of the pollutant in the receiving water, as determined under section 11.4(a)(8) of this rule (excluding any amount of the pollutant in the facility's discharge) is similar to or greater than that in the intake water.

(BB) Any difference in a water quality characteristic (such as temperature, pH, and hardness) between the intake and receiving waters does not result in an adverse impact on the receiving water.

(C) The commissioner may use the procedure to determine reasonable potential described in this subdivision in lieu of the procedures contained under subdivisions (1) through (3) provided the following conditions are met:

(i) The commissioner may determine that there is no reasonable potential for the discharge of an intake pollutant or pollutant parameter to cause or contribute to an excursion above a narrative **criterion** or numeric water quality criterion ~~within an applicable water quality standard~~ **or value under 327 IAC 2-1.5** when a discharger demonstrates to the satisfaction of the commissioner (based upon information provided in the permit application or other information deemed necessary by the commissioner) that:

(AA) the facility does not contribute any additional mass of the intake pollutant to its wastewater;

(BB) the facility withdraws one hundred percent (100%) of the intake water containing the pollutant from the same body of water into which the discharge is made;

(CC) the facility does not alter the intake pollutant chemically or physically in a manner that would cause adverse water quality impacts to occur that would not occur if the pollutants were left in-stream;

(DD) the facility does not cause an increase in the intake pollutant concentration at the edge of the mixing zone, or at the point of discharge if a mixing zone is not allowed, as compared to the pollutant concentration in the intake waterbody unless the increased concentration does not cause or contribute to an excursion above an applicable **narrative criterion or numeric** water quality ~~standard;~~ **criterion or value;** and

(EE) the timing and location of the discharge would not cause adverse water quality impacts to occur that would not occur if the intake pollutant were left in the waterbody.

(ii) If a discharge of an intake pollutant or pollutant parameter is not able to qualify under item (i), the commissioner may decide not to impose WQBELs on the discharge, if the following conditions are met:

(AA) The discharge consists of one (1) or more internal wastestreams that do qualify (qualifying wastestreams) under item (i) and one (1) or more internal wastestreams that do not qualify (nonqualifying wastestreams) under item (i).

(BB) For nonqualifying wastestreams composed entirely of storm water, the permittee accepts permit conditions for the storm water wastestream that the commissioner determines to be necessary to protect the

water quality of the receiving waterbody. The requirements imposed shall be as if the storm water wastestream discharged directly into the receiving waterbody and shall be consistent with requirements imposed on other similar storm water discharges to the waterbody.

(CC) For nonqualifying wastestreams not composed entirely of storm water, the permittee accepts WQBELs on each of the nonqualifying wastestreams that have a reasonable potential for the discharge of the intake pollutant or pollutant parameter to cause or contribute to an excursion above a narrative **criterion** or numeric water quality criterion **or value** as determined using the procedures under subdivisions (1) through (3). For purposes of determining reasonable potential and developing WQBELs for these nonqualifying wastestreams, the preliminary ~~wasteload allocations~~ **WLAs** and ~~wasteload allocations~~ **WLAs** in the absence of a TMDL shall be determined as if these nonqualifying wastestreams discharged directly into the receiving waterbody without combining with the qualifying wastestreams.

(iii) Upon a finding under item (i) or (ii) that a pollutant in the discharge does not cause, have the reasonable potential to cause, or contribute to an excursion above an applicable **narrative criterion or numeric** water quality ~~standard,~~ **criterion or value,** the commissioner is not required to include a WQBEL in the facility's permit for the intake pollutant provided:

(AA) the NPDES permit fact sheet or statement of basis includes a specific determination that there is no reasonable potential for the discharge of an intake pollutant to cause or contribute to an excursion above an applicable narrative **criterion** or numeric water quality criterion **or value** and references appropriate supporting documentation included in the administrative record;

(BB) the permit requires all influent, effluent, and ambient monitoring necessary to demonstrate that the conditions in item (i) or (ii) are maintained during the permit term; and

(CC) the permit contains a reopener clause authorizing modification or revocation and reissuance of the permit if new information indicates changes in the conditions under item (i) or (ii).

(iv) Absent a finding under item (i) or (ii) that the discharge of an intake pollutant or pollutant parameter does not cause, have the reasonable potential to cause, or contribute to an excursion above an applicable **narrative criterion or numeric** water quality criterion **or value,** the commissioner shall use the procedures contained under subdivisions (1) through (3) to determine whether the discharge of that pollutant causes, has the reasonable potential to cause, or contribute to an excursion above an applicable narrative **criterion** or numeric water quality criterion **or value.**

(5) Notwithstanding this subsection, if the commissioner determines that the geometric mean of a pollutant in fish tissue samples collected from a waterbody exceeds the tissue basis of a ~~toxic substance,~~ **water quality criterion or value,** after consideration of the variability of the pollutant's bioconcentration and bioaccumulation in fish, the following provisions apply:

(A) If such pollutant is a BCC, each facility that discharges detectable levels of the BCC to that water has the reasonable potential to cause or contribute to an excursion above a water quality criterion **or value** for that BCC and the commissioner shall establish a WQBEL for such pollutant in the NPDES permit for each such facility.

(B) If such pollutant is not a BCC, the commissioner may determine that any or all of the facilities that discharge detectable levels of the pollutant to that water have the reasonable potential to cause or contribute to an excursion above a water quality criterion **or value** for that ~~toxic substance~~ **pollutant** and the commissioner shall establish a WQBEL for such pollutant in the NPDES permit for each such facility.

(c) Except as provided in subdivision (3), where the commissioner determines that the ~~whole effluent toxicity~~ WET of an effluent is or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any numeric interpretation of a narrative WET criterion contained in 327 IAC 2-1.5-8, the commissioner shall incorporate WQBELs for WET in the NPDES permit and in all cases, the commissioner shall use any valid, relevant, or representative information pertaining to the discharge of WET as follows:

(1) When facility-specific WET effluent data are available, the commissioner may take into account the source and nature of the discharge, existing controls on point and nonpoint sources of pollution, the variability of the WET in the effluent, and, where appropriate, the dilution of the effluent in the receiving water in making the determination to develop effluent limitations for WET. The WET of an effluent is or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any applicable WET criterion contained under 327 IAC 2-1.5, when effluent-specific information demonstrates the following:

(A) The acute WET of an effluent is or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above an applicable acute WET criterion applied to the undiluted discharge, when effluent-specific information demonstrates the following:

$$(TU_a)(F) \geq 0.2$$

Where: TU_a = The geometric mean of the measured acute toxicity values expressed in acute toxic units (TU_a or TU_c). Individual toxicity values may be estimated for the missing endpoint using a default ~~acute-chronic ratio~~ ACR of ten (10), when data exist for chronic WET, but not for acute WET.

F = Fraction of the measured toxicity values greater than the preliminary ~~wasteload allocation~~ **WLA** for acute WET determined under section 11.4(c) of this rule (fraction failed).

(B) The acute WET of an effluent is or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above an applicable acute WET criterion applied outside an alternate mixing zone, when effluent-specific information demonstrates the following:

$$F \geq 0.2$$

Where: F = Fraction of the measured toxicity values greater than the preliminary ~~wasteload allocation~~ **WLA** for acute WET determined under section 11.4(c) of this rule (fraction failed). Individual toxicity values may be estimated for the missing endpoint using a default ~~acute-chronic ratio~~ ACR of ten (10), when data exist for chronic WET, but not for acute WET.

(C) The chronic WET of an effluent is or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above an applicable chronic WET criterion, when effluent-specific information demonstrates the following:

$$\frac{(TU_c)(Q_e)(F)}{(Q_w + Q_e)} \geq 0.2$$

Where: TU_c = The geometric mean of the measured chronic toxicity values expressed in chronic toxic units. Individual toxicity values may be estimated for the missing endpoint using a default ~~acute-chronic ratio~~ ACR of ten (10), when data exist for acute WET, but not for chronic WET.

Q_e = The effluent flow rate as determined under section 11.4(a)(9) of this rule.

Q_w = The portion of the receiving waterbody allocated for mixing as determined under section 11.4(b) of this rule.

F = Fraction of the measured toxicity values greater than the preliminary ~~wasteload allocation~~ **WLA** for acute or chronic WET determined under section 11.4(c) of this rule (fraction failed).

(2) When WET data are not available, the commissioner shall exercise best professional judgment, taking into account the source and nature of the discharge, existing controls on point and nonpoint ~~source~~ **sources** of pollution, and, where appropriate, the dilution of the effluent in the receiving water to determine whether it is necessary to impose WET requirements in accordance with the following:

(A) For a new Great Lakes discharger, the commissioner shall determine whether it is necessary to impose WET limitations.

(B) For an existing Great Lakes discharger, whether it is necessary to require the applicant to collect the data required to make a determination under this subsection. The commissioner may include in the NPDES permit the following conditions to generate additional data and control toxicity if found:

(i) WET testing requirements to generate the data needed to adequately characterize the toxicity of the effluent to aquatic life.

(ii) A toxicity reduction evaluation and a schedule to comply with WET limits if any toxicity testing data indicate that the WET of an effluent is or may be discharged at levels that will cause, have the reasonable potential to cause, or contribute to an excursion above any applicable WET criterion.

(iii) WET limits that become effective upon completion of the compliance schedule.

(3) Limitations on ~~whole effluent toxicity~~ **WET** are not necessary where the commissioner demonstrates in the fact sheet or briefing memo of the NPDES permit that chemical-specific limits for the effluent are sufficient to attain and maintain the applicable narrative water quality criteria for WET.

(d) Once the commissioner has determined in accordance with this section that a WQBEL must be included in an NPDES permit, the commissioner shall do the following:

(1) Rely upon the WLA established for the point source either as part of any EPA-approved TMDL prepared under section 11.4 of this rule, or as part of an assessment and remediation plan developed and approved in accordance with section ~~11.4(a)(3)~~ **11.4(a)(2)** of this rule, or, in the absence of such TMDL or plan, calculate WLAs for the protection of acute and chronic aquatic life, wildlife, and human health in accordance with the provisions for developing ~~wasteload allocations~~ **WLAs** under section 11.4 of this rule.

(2) Develop ~~water quality-based effluent limitations~~ **WQBELs** using these WLAs in accordance with section 11.6 of this rule.

(e) The commissioner may require monitoring for a pollutant or pollutant parameter even if it is determined that a WQBEL in the NPDES permit for that pollutant or pollutant parameter is not required.

(f) In addition to this section, effluent limitations shall be established to comply with all other applicable state and federal laws and regulations, including technology-based requirements and antidegradation policies.

(g) Notwithstanding subsection (b) or (c) **and only in situations where the intake and outfall points are located on the same body of water as defined in subsection (b)(4)(B),** the commissioner shall not impose WQBELs for a discharge consisting solely of once-through noncontact cooling water, except in accordance with the following:

(1) The commissioner may require a WQBEL based on an ~~acute aquatic criterion~~ **AAC or value** for a substance or acute WET when information is available indicating that such a limit is necessary to protect aquatic life unless the discharger is able to demonstrate that the presence of the substance or WET is due solely to its presence in the intake water.

(2) The commissioner shall establish limitations or other requirements in the permit for the noncontact cooling water wastestream to prevent impairment of the receiving waterbody if a valid biological assessment of the receiving waterbody indicates that the noncontact cooling water discharge impairs an existing or designated use of the waterbody, exclusive of thermal impacts from a discharge for which alternative thermal effluent limitations have been established in accordance with Section 316(a) of the CWA and 327 IAC 5-7.

(3) If a substance is present at elevated levels in the noncontact cooling water wastestream due to improper operation or maintenance of the cooling system, and this substance is or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above a numeric criterion **or value** for a toxic substance as determined under subsection (b), WQBELs shall be established using the procedures in sections 11.4 and 11.6 of this rule.

(4) If the permittee uses or proposes to use additives in the noncontact cooling water wastestream, the additives shall be evaluated using the reasonable potential procedures contained under this section to determine whether WQBELs are necessary for the wastestream.

(5) If the source of the noncontact cooling water wastestream is contaminated ground water, ~~the provisions of~~ this subsection ~~do~~ **does** not apply to the discharge of the substances contaminating the ground water.

(6) If one (1) or more wastestreams consisting solely of noncontact cooling water are combined with one (1) or more wastestreams not consisting solely of noncontact cooling water, ~~the provisions of~~ this subsection may still be applied to the wastestreams consisting solely of noncontact cooling water if, for the wastestreams that do not consist solely of noncontact cooling water, the following requirements are imposed:

(A) For each of the wastestreams composed entirely of storm water, permit conditions that the commissioner determines to be necessary to protect the water quality of the receiving waterbody shall be imposed. The requirements imposed shall be as if the storm water wastestream discharged directly into the receiving waterbody and shall be consistent with requirements imposed on other similar storm water discharges to the waterbody.

(B) For each of the wastestreams not composed entirely of storm water, each wastestream shall be evaluated to determine if there is a reasonable potential for the discharge of a pollutant or pollutant parameter to cause or contribute to an excursion above a narrative **criterion** or numeric water quality criterion **or value** as determined using the procedures in this section. For purposes of determining reasonable potential and developing WQBELs for these wastestreams, the preliminary ~~wasteload allocations~~ **WLAs** and ~~wasteload allocations~~ **WLAs** in the absence of a TMDL shall be determined as if these wastestreams discharged directly into the receiving waterbody without combining with the wastestreams consisting solely of noncontact cooling water.

(7) As used in this subsection, "once-through noncontact cooling water" means water used for cooling that does not come into direct contact with any raw material, intermediate product, final product, or waste product and makes one (1) or two (2) passes for the purpose of removing waste heat.

(h) The ~~following table establishes the~~ multiplying factors to be used in subsection (b) **are established in Tables 11.5-1 and 11.5-2 and shall be obtained as follows:**

(1) Round the coefficient of variation (CV) identified in subsection (b) to the nearest CV in Table 11.5-1 or Table 11.5-2. If the CV identified in subsection (b) is greater than 2.0, set the CV equal to 2.0.

(2) Obtain the appropriate multiplying factor from Table 11.5-1 or Table 11.5-2 using the number of samples identified in subsection (b) and the CV determined under subdivision (1). If the number of samples identified under subsection (b) is greater than one hundred (100), obtain the multiplying factor using one hundred (100) samples.

Table 11.5-1
Reasonable Potential Multiplying Factors

Number of Samples	Coefficient of Variation																				
	0.05	0.1	0.2	0.3	0.4	0.5	0.6	0.7	0.8	0.9	1.0	1.1	1.2	1.3	1.4	1.5	1.6	1.7	1.8	1.9	2.0
1	1.2	1.4	1.9	2.6	3.6	4.7	6.2	8.0	10.1	12.6	15.5	18.7	22.3	26.4	30.8	35.6	40.7	46.2	52.1	58.4	64.9

2	1.1	1.3	1.6	2.0	2.5	3.1	3.8	4.6	5.4	6.4	7.4	8.5	9.7	10.9	12.2	13.6	15.0	16.4	17.9	19.5	21.1
3	1.1	1.2	1.5	1.8	2.1	2.5	3.0	3.5	4.0	4.6	5.2	5.8	6.5	7.2	7.9	8.6	9.3	10.0	10.8	11.5	12.3
4	1.1	1.2	1.4	1.7	1.9	2.2	2.6	2.9	3.3	3.7	4.2	4.6	5.0	5.5	6.0	6.4	6.9	7.4	7.8	8.3	8.8
5	1.1	1.2	1.4	1.6	1.8	2.1	2.3	2.6	2.9	3.2	3.6	3.9	4.2	4.5	4.9	5.2	5.6	5.9	6.2	6.6	6.9
6	1.1	1.1	1.3	1.5	1.7	1.9	2.1	2.4	2.6	2.9	3.1	3.4	3.7	3.9	4.2	4.5	4.7	5.0	5.2	5.5	5.7
7	1.1	1.1	1.3	1.4	1.6	1.8	2.0	2.2	2.4	2.6	2.8	3.1	3.3	3.5	3.7	3.9	4.1	4.3	4.5	4.7	4.9
8	1.1	1.1	1.3	1.4	1.6	1.7	1.9	2.1	2.3	2.4	2.6	2.8	3.0	3.2	3.3	3.5	3.7	3.9	4.0	4.2	4.3
9	1.1	1.1	1.2	1.4	1.5	1.7	1.8	2.0	2.1	2.3	2.4	2.6	2.8	2.9	3.1	3.2	3.4	3.5	3.6	3.8	3.9
10	1.0	1.1	1.2	1.3	1.5	1.6	1.7	1.9	2.0	2.2	2.3	2.4	2.6	2.7	2.8	3.0	3.1	3.2	3.3	3.4	3.6
11	1.0	1.1	1.2	1.3	1.4	1.6	1.7	1.8	1.9	2.1	2.2	2.3	2.4	2.5	2.7	2.8	2.9	3.0	3.1	3.2	3.3
12	1.0	1.1	1.2	1.3	1.4	1.5	1.6	1.7	1.9	2.0	2.1	2.2	2.3	2.4	2.5	2.6	2.7	2.8	2.9	3.0	3.0
13	1.0	1.1	1.2	1.3	1.4	1.5	1.6	1.7	1.8	1.9	2.0	2.1	2.2	2.3	2.4	2.5	2.5	2.6	2.7	2.8	2.9
14	1.0	1.1	1.2	1.3	1.4	1.4	1.5	1.6	1.7	1.8	1.9	2.0	2.1	2.2	2.3	2.3	2.4	2.5	2.6	2.6	2.7
15	1.0	1.1	1.2	1.2	1.3	1.4	1.5	1.6	1.7	1.8	1.8	1.9	2.0	2.1	2.2	2.2	2.3	2.4	2.4	2.5	2.5
16	1.0	1.1	1.1	1.2	1.3	1.4	1.5	1.6	1.6	1.7	1.8	1.9	1.9	2.0	2.1	2.1	2.2	2.3	2.3	2.4	2.4
17	1.0	1.1	1.1	1.2	1.3	1.4	1.4	1.5	1.6	1.7	1.7	1.8	1.9	1.9	2.0	2.0	2.1	2.2	2.2	2.3	2.3
18	1.0	1.1	1.1	1.2	1.3	1.3	1.4	1.5	1.6	1.6	1.7	1.7	1.8	1.9	1.9	2.0	2.0	2.1	2.1	2.2	2.2
19	1.0	1.1	1.1	1.2	1.3	1.3	1.4	1.5	1.5	1.6	1.6	1.7	1.8	1.8	1.9	1.9	2.0	2.0	2.0	2.1	2.1
20	1.0	1.1	1.1	1.2	1.2	1.3	1.4	1.4	1.5	1.5	1.6	1.6	1.7	1.7	1.8	1.8	1.9	1.9	2.0	2.0	2.0
21	**1.0**	**1.1**	**1.1**	**1.2**	**1.2**	**1.3**	**1.3**	**1.4**	**1.5**	**1.5**	**1.6**	**1.6**	**1.7**	**1.7**	**1.7**	**1.8**	**1.8**	**1.9**	**1.9**	**1.9**	**2.0**
22	**1.0**	**1.1**	**1.1**	**1.2**	**1.2**	**1.3**	**1.3**	**1.4**	**1.4**	**1.5**	**1.5**	**1.6**	**1.6**	**1.7**	**1.7**	**1.7**	**1.8**	**1.8**	**1.8**	**1.9**	**1.9**
23	**1.0**	**1.0**	**1.1**	**1.2**	**1.2**	**1.3**	**1.3**	**1.4**	**1.4**	**1.4**	**1.5**	**1.5**	**1.6**	**1.6**	**1.6**	**1.7**	**1.7**	**1.8**	**1.8**	**1.8**	**1.8**
24	**1.0**	**1.0**	**1.1**	**1.1**	**1.2**	**1.2**	**1.3**	**1.3**	**1.4**	**1.4**	**1.5**	**1.5**	**1.5**	**1.6**	**1.6**	**1.6**	**1.7**	**1.7**	**1.7**	**1.8**	**1.8**
25	**1.0**	**1.0**	**1.1**	**1.1**	**1.2**	**1.2**	**1.3**	**1.3**	**1.4**	**1.4**	**1.4**	**1.5**	**1.5**	**1.5**	**1.6**	**1.6**	**1.6**	**1.7**	**1.7**	**1.7**	**1.7**
26	**1.0**	**1.0**	**1.1**	**1.1**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.4**	**1.4**	**1.4**	**1.5**	**1.5**	**1.5**	**1.6**	**1.6**	**1.6**	**1.6**	**1.7**	**1.7**
27	**1.0**	**1.0**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.4**	**1.4**	**1.4**	**1.4**	**1.5**	**1.5**	**1.5**	**1.6**	**1.6**	**1.6**	**1.6**	**1.6**
28	**1.0**	**1.0**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.4**	**1.4**	**1.4**	**1.4**	**1.5**	**1.5**	**1.5**	**1.5**	**1.6**	**1.6**	**1.6**
29	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.4**	**1.4**	**1.4**	**1.4**	**1.5**	**1.5**	**1.5**	**1.5**	**1.5**	**1.6**
30	1.0	1.0	1.1	1.1	1.1	1.2	1.2	1.2	1.3	1.3	1.3	1.3	1.4	1.4	1.4	1.4	1.5	1.5	1.5	1.5	1.5
31	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.3**	**1.4**	**1.4**	**1.4**	**1.4**	**1.4**	**1.5**	**1.5**	**1.5**
32	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.4**	**1.4**	**1.4**	**1.4**	**1.4**	**1.4**	**1.5**
33	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.4**	**1.4**	**1.4**	**1.4**	**1.4**	**1.4**
34	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.4**	**1.4**	**1.4**	**1.4**	**1.4**
35	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.4**	**1.4**	**1.4**
36	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.4**
37	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**
38	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**	**1.3**

39	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.3**	**1.3**	**1.3**	**1.3**
40	1.0	1.0	1.0	1.1	1.1	1.1	1.1	1.1	1.1	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.3	1.3
~~50~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.1~~	~~1.1~~	~~1.1~~	~~1.1~~	~~1.1~~	~~1.1~~	~~1.1~~	~~1.1~~	~~1.1~~	~~1.1~~	~~1.1~~	~~1.1~~	~~1.1~~
~~60~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~
~~70~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~
~~80~~	~~1.0~~	~~1.0~~	~~1.0~~	~~1.0~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~
~~90~~	~~1.0~~	~~1.0~~	~~1.0~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~
~~100~~	~~1.0~~	~~1.0~~	~~1.0~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.9~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.8~~	~~0.7~~	~~0.7~~	~~0.7~~

Table 11.5-2
Reasonable Potential Multiplying Factors

Number of Samples	**Coefficient of Variation**																				
	0.05	**0.1**	**0.2**	**0.3**	**0.4**	**0.5**	**0.6**	**0.7**	**0.8**	**0.9**	**1.0**	**1.1**	**1.2**	**1.3**	**1.4**	**1.5**	**1.6**	**1.7**	**1.8**	**1.9**	**2.0**
41	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**
42	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**
43	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**
44	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**
45	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**	**1.2**	**1.2**	**1.2**
46	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.2**	**1.2**
47	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**
48	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**
49	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**
50	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**
51	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**
52	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**
53	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**	**1.1**
54 to 63	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**
64	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**
65	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**
66	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**
67	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**
68	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**
69	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**
70 to 73	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**
74 to 77	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**
78	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**
79	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**
80 to 81	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**

82 to 83	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**
84	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**
85	**1.0**	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**
86 to 87	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**
88 to 89	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**
90 to 92	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**
93 to 96	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**
97	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.7**
98 to 99	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.7**	**0.7**
100	**1.0**	**1.0**	**1.0**	**0.9**	**0.9**	**0.9**	**0.9**	**0.9**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.8**	**0.7**	**0.7**	**0.7**

(Water Pollution Control Board; 327 IAC 5-2-11.5; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1450; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3379)

SECTION 28. 327 IAC 5-2-11.6 IS AMENDED TO READ AS FOLLOWS:

327 IAC 5-2-11.6 Great Lakes system dischargers establishment of water quality-based effluent limitations (WQBELs)

Authority: IC 13-14-8; IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3
Affected: IC 13-11-2; IC 13-18-4

Sec. 11.6. (a) The NPDES permit shall include conditions necessary to achieve water quality standards established under 327 IAC 2-1.5, including narrative water quality criteria. The numeric water quality criteria set forth in 327 IAC 2-1.5-8 **and 327 IAC 2-1.5-16** and Tier I criteria and Tier II values established under 327 IAC 2-1.5-11 through 327 IAC 2-1.5-16 shall not be enforceable against any point source discharger until translated into effluent limitations that are incorporated in NPDES permits in accordance with this article.

(b) ~~Total maximum daily loads~~ TMDLs and ~~wasteload allocations~~ WLAs developed under section 11.4 of this rule shall provide the basis for numeric water quality-based effluent limitations (WQBELs) established in NPDES permits for point sources discharging to waters within the Great Lakes system. If a variance has been granted from a water quality criterion under 327 IAC 2-1.5-17 and 327 IAC 5-3-4.1, WQBELs for the pollutant that is the subject of the variance shall be calculated on the basis of the variance rather than the water quality criterion.

(c) The following procedure shall be used to calculate WQBELs using the WLAs ~~including WLAs for whole effluent toxicity (WET),~~ developed under section 11.4 of this rule:

(1) This subsection assumes that effluent data follow a log-normal distribution. If a discharger is able to demonstrate that the effluent data for a pollutant does not follow a log-normal distribution and provides an alternate distribution that more accurately describes the data, this alternate distribution may be used ~~in lieu~~ **instead** of the procedures in this subsection.

~~(2) The following procedures shall be used to translate a WLA based on a dissolved criterion into a total recoverable WLA used in the determination of WQBELs:~~

~~(A) Unless site-specific translators are determined in accordance with clause (B), the following translators shall be used to translate a dissolved WLA based on an acute or chronic dissolved aquatic water quality criterion into a total recoverable WLA to be used in the determination of total recoverable WQBELs in an NPDES permit:~~

~~Table 11.6-1~~

~~Metals Translators~~

~~Dissolved to Total Recoverable[††]~~

~~Substances~~	~~Acute Translators~~	~~Chronic Translators~~
~~Arsenic (III)~~	~~1.000~~	~~1.000~~
~~Cadmium~~	~~0.944~~	~~0.909~~
~~Chromium (III)~~	~~0.316~~	~~0.860~~
~~Copper~~	~~0.960~~	~~0.960~~
~~Mercury~~	~~0.850~~	~~0.850~~
~~Nickel~~	~~0.998~~	~~0.997~~
~~Selenium~~	~~0.922~~	~~0.922~~
~~Zinc~~	~~0.978~~	~~0.986~~

~~[††] Divide a dissolved WLA derived from an acute aquatic water quality criterion by the acute translator and divide a dissolved WLA derived from a chronic aquatic water quality criterion by the chronic translator.~~

~~(B) A discharger or proposed discharger may request the use of an alternate translator by using site-specific data. The discharger must conduct a site-specific study to identify the ratio of the dissolved fraction to the total recoverable fraction for a metal in the receiving waterbody outside the mixing zone. If the discharger provides an acceptable study, and other provisions of 327 IAC 2-1.5 and this article are satisfied (such as antibacksliding and antidegradation), the commissioner shall use the site-~~

~~specific translators to convert a dissolved WLA into a total recoverable WLA. A translator derived for one (1) discharge into a waterbody segment may be applied to other discharges on the same waterbody segment if the translator would adequately represent the site-specific conditions applicable to the other discharges.~~

~~(3)~~ **(2)** For the equations contained within this subsection, the following apply:

(A) Z_{99} = 2.326 (99th percentile probability basis).

(B) CV = coefficient of variation = ratio of the standard deviation to the mean. A value of six-tenths (0.6) will be used for the CV unless the discharger demonstrates that an alternate CV is more representative of the variability of the pollutant in the effluent.

~~(4)~~ **(3)** The first step in this procedure is to calculate a long term average (LTA) for each WLA determined **for the pollutant** under section 11.4 of this rule. These LTAs are calculated as follows:

(A) The LTA_A protective of acute aquatic life effects shall be calculated as follows:

$$LTA_A = \left(e^{(0.5\sigma^2 - z_{99}\sigma)}\right) WLA_A$$

Where: σ^2 = $\ln(CV^2 + 1)$.

WLA_A = WLA determined under section 11.4 of this rule using ~~acute aquatic criteria~~ **the AAC** or ~~values or acute toxic units and, if appropriate, translated from a dissolved WLA to a total recoverable WLA in accordance with subdivision (2).~~ **value.** This WLA is expressed as a one (1) day maximum.

(B) The LTA_C protective of chronic aquatic life effects shall be calculated as follows:

$$LTA_C = \left(e^{(0.5\sigma_4^2 - z_{99}\sigma_4)}\right) WLA_C$$

Where: σ_4^2 = $\ln(CV^2/4 + 1)$.

WLA_C = **For sulfates, total dissolved solids, fluorides, and dissolved iron, the more stringent** WLA determined under section 11.4 of this rule using ~~criteria~~ **the criterion** for ~~sulfates, total dissolved solids, fluorides, and dissolved iron~~ **the pollutant** under 327 IAC 2-1.5-8(j), ~~chronic aquatic criteria~~ **if applicable, or the CAC** or ~~values or chronic toxic units and, if appropriate, translated from a dissolved WLA to a total recoverable WLA in accordance with subdivision (2).~~ **value. For other pollutants, the WLA determined under section 11.4 of this rule using the CAC or value.** This WLA is expressed as a four (4) day average.

(C) The LTA_H protective of human health ~~life~~ effects shall be calculated as follows:

$$LTA_H = \left(e^{(0.5\sigma_{30}^2 - z_{99}\sigma_{30})}\right) WLA_H$$

Where: σ_{30}^2 = $\ln(CV^2/30 + 1)$.

WLA_H = **The most stringent** WLA determined under section 11.4 of this rule using **a** ~~criteria~~ **criterion** or ~~values~~ **value** for the protection of human health. This WLA is expressed as a thirty (30) day average.

(D) The LTA_W protective of wildlife effects shall be calculated as follows:

$$LTA_W = \left(e^{(0.5\sigma_{30}^2 - z_{99}\sigma_{30})}\right) WLA_W$$

Where: σ_{30}^2 = $\ln(CV^2/30 + 1)$.

WLA_W = WLA determined under section 11.4 of this rule using **the** wildlife ~~criteria~~ **criterion** or ~~values.~~ **WV.** This WLA is expressed as a thirty (30) day average.

~~(5)~~ **(4)** Daily maximum and monthly average WQBELs are determined using the lowest LTA calculated in subdivision ~~(4)~~ **(3)** as follows:

(A) The daily maximum WQBEL is calculated as follows:

$$\text{Daily Maximum} = \left(e^{(Z_{99}\sigma - 0.5\sigma^2)}\right) LTA$$

Where: σ^2 = $\ln(CV^2 + 1)$.

(B) The monthly average WQBEL is calculated as follows:

$$\text{Monthly Average} = \left(e^{(Z_{95}\sigma_n - 0.5\sigma_n^2)}\right) LTA$$

Where: σ^2_n = $\ln(CV^2/n + 1)$.

z_{95} = 1.645 (95th percentile probability basis).

n = Number of samples per month. A value of ten (10) will be used unless the discharger demonstrates that an alternate value is more appropriate.

(C) The ~~values of 1.0 TU_a and 1.0 TU_c will be the most restrictive WQBELs established in an NPDES permit for WET.~~ **monthly average WQBEL shall not exceed the most stringent WLA developed under section 11.4 of this rule unless calculated using the following:**

(i) A CV calculated using facility-specific effluent monitoring data that is representative of the variability of the pollutant in the effluent.

(ii) A value for n based on the monitoring frequency in the NPDES permit to be issued.

(d) Notwithstanding ~~the provisions of~~ subsection (c), **WQBELs for whole effluent toxicity (WET) and** WQBELs for the criteria listed in section 11.4(d) of this rule shall be developed ~~to be consistent with the models used in that subsection.~~ **as follows:**

(1) For WET, WQBELs shall be developed using the WLAs for acute and chronic WET developed under section 11.4 of this rule as follows:

(A) The commissioner shall ensure that the WQBELs for WET established under this subdivision attain the acute and chronic WET criteria in 327 IAC 2-1.5-8 under the receiving waterbody flows and outside the mixing zones used to develop the WLAs for acute and chronic WET under section 11.4 of this rule.

(B) The commissioner shall determine, on a case-by-case basis, the following:

(i) Whether to develop a WQBEL for only acute or chronic WET or WQBELs for both acute and chronic WET.

(ii) The number of species required for WET testing.

(iii) The particular species required for WET testing.

(C) In making the determination in clause (B), the commissioner shall take into consideration available information about the discharge and receiving waterbody, including, but not limited to, the following:

(i) The ACR of the effluent.

(ii) The sensitivity of the test species to the toxicity in the effluent.

(iii) The WLAs developed for acute and chronic WET under section 11.4 of this rule.

(D) When the commissioner determines that it is necessary to develop a WQBEL for acute WET, the WQBEL shall be set equal to the WLA developed for acute WET under section 11.4 of this rule and shall be established in an NPDES permit as a daily maximum limit.

(E) When the commissioner determines that it is necessary to develop a WQBEL for chronic WET, the WQBEL shall be set equal to the WLA developed for chronic WET under section 11.4 of this rule and shall be established in an NPDES permit as a monthly average limit.

(2) For the criteria listed in section 11.4(d) of this rule, WQBELs shall be developed to be consistent with the models used in that subsection.

(e) WQBELs in an NPDES permit for ~~metals~~ **a metal** calculated from a ~~dissolved~~ water quality criterion **expressed in the form of dissolved metal that is:**

(1) contained in 327 IAC 2-1.5; **or**

(2) subsequently developed under the procedures contained in 327 IAC 2-1.5;

shall be expressed in the permit as ~~the~~ total recoverable ~~metals fraction~~ **metal** unless all approved analytical methods for the metal inherently measure only its dissolved form, such as hexavalent chromium.

(f) ~~Water quality-based effluent limitations~~ **WQBELs** for cyanide, calculated from a criterion for free cyanide contained in 327 IAC 2-1.5, shall be limited in the permit as free cyanide and monitored in the effluent using the "Cyanides Amenable to Chlorination" (CATC) method ~~(Standard Methods for the Examination of Water and Wastewater,~~ **(40 CFR 136,** Method 4500-CN G) **or another method approved by** the commissioner. ~~may approve the use of the "Weak and Dissociable Cyanide" method (Standard Methods for the Examination of Water and Wastewater, Method 4500-CN I) if the applicant demonstrates that interferences render the CATC method inaccurate.~~ The commissioner may include additional monitoring, limitations, or other requirements in a permit, on a case-by-case basis, if the additional requirements are necessary to ensure that water quality standards will be attained.

(g) Whenever a WQBEL is developed, unless otherwise provided in subdivision (3), ~~or (4),~~ the WQBEL in the NPDES permit shall be expressed as both a concentration value and a corresponding mass loading rate as follows:

(1) Both mass and concentration limits shall be based on the same permit averaging periods, such as daily, or monthly averages, or in other appropriate permit averaging periods.

(2) The mass loading rates shall be calculated using effluent flow rates that are the same as those used in establishing the concentration-based WQBELs.

(3) For pollutants or parameters that cannot appropriately be expressed in terms of mass (such as pH, temperature, radiation, bacteria, or dissolved oxygen) mass limits are not required.

(4) A discharger may request tiered mass limits for a discharge that increases as a result of wet weather flow. As used in this subdivision, "tiered mass limits" consists of two (2) sets of mass limits. One (1) set shall be based on the dry-weather effluent flow determined under section 11.4(a)(9) of this rule and the stream design flow under section 11.4(b) of this rule. The second set shall be based on an effluent flow and stream flow under wet weather conditions. **For each mass limit developed under this subdivision, the NPDES permit shall include a corresponding concentration limit.**

(h) When a WQBEL for a pollutant is calculated to be less than the ~~level of quantitation~~ LOQ, the following conditions apply:

(1) The calculated WQBEL shall be established as the limit in the NPDES permit.

(2) The analytical method, ~~level of detection~~ LOD, and LOQ shall be specified as follows:

(A) The commissioner shall specify in the permit the most sensitive, applicable, analytical method, specified in or approved under 40 CFR 136 or by the commissioner, to be used to monitor for the presence and amount in an effluent of the pollutant for which the WQBEL is established and shall specify in accordance with clause (B), the LOD and LOQ that can be achieved by use of the specified analytical method.

(B) The LOD and LOQ shall be determined as follows:

(i) The ~~method detection level~~ MDL shall be used as the LOD unless the permittee demonstrates that a higher LOD is appropriate because of effluent-specific matrix interference.

(ii) The LOQ shall be the ~~minimum level~~ ML specified in or approved under 40 CFR 136 for the method for that pollutant. If no such ML exists, or if the method is not specified or approved under 40 CFR 136 or by the commissioner, the LOQ shall be calculated by multiplying the LOD by three and eighteen-hundredths (3.18). The commissioner may specify a higher LOQ if the permittee demonstrates that a higher LOQ is appropriate because of effluent-specific matrix interference. Other methods for deriving an LOQ may be approved by the commissioner if the method is scientifically defensible.

(3) Compliance with the WQBELs for the pollutant shall be determined as follows:

(A) When a daily maximum WQBEL is less than the LOD specified in the permit, **effluent levels:**

(i) ~~effluent levels~~ of the pollutant less than the LOD are in compliance with the maximum WQBEL; and

(ii) ~~effluent levels~~ greater than the LOD but less than the LOQ are in compliance with the maximum WQBEL, except when confirmed by a sufficient number of analyses of multiple samples and use of appropriate statistical techniques.

(B) When a daily maximum WQBEL is greater than the LOD specified in the permit but less than the LOQ specified in the permit, effluent levels of the pollutant less than the LOQ are in compliance with the WQBEL.

(C) To determine compliance with a WQBEL expressed as a daily maximum mass limitation, the LOD and LOQ shall each be converted to a mass value, using appropriate conversion factors and the same effluent flow used to determine the mass-based WQBEL, before applying ~~the provision of~~ clauses (A) and (B).

(D) When a monthly or weekly average WQBEL is less than the LOQ specified in the permit, a monthly or weekly average effluent level less than or equal to the respective monthly or weekly average WQBEL is in compliance with the monthly or weekly average WQBEL. Daily effluent values that are less than the LOQ, used to determine the monthly or weekly average effluent levels less than the LOQ, may be assigned a value of zero (0), unless, after considering the number of monitoring results that are greater than the LOD, and applying appropriate statistical techniques, a value other than zero (0) is warranted.

(4) When a WQBEL is less than the LOD, the commissioner may require a period of accelerated monitoring in a permit, when the measured effluent level is between the LOD and LOQ, for the purpose of collecting additional data to apply the statistical analysis referenced in subdivision ~~(3)(B)~~ **(3)(A)** and (3)(D).

(5) When a WQBEL is less than the LOQ, special conditions may be included in the permit to better quantify the levels of pollutant present in the discharge. These special conditions may include, but are not limited to, the following:

(A) Fish tissue sampling.

(B) Caged-biota studies.

(C) ~~Whole effluent toxicity~~ WET tests.

(D) Limits on internal wastestreams.

(E) Monitoring requirements on internal wastestreams.

(F) Development of a more sensitive analytical procedure.

(G) Monitoring for surrogate parameters.

(H) Waterbody bioassessment.

(6) The permit shall contain reopener clauses authorizing modification or revocation and reissuance of the permit to:

(A) include more stringent monitoring requirements or conditions if new information generated as a result of accelerated monitoring conducted in accordance with subdivision (4), or special conditions included in the permit in accordance with subdivision (5) indicates the likely presence of the pollutant in the discharge at levels above the WQBEL; and

(B) specify the use of a different analytical method if a more sensitive analytical method has been specified in or approved under 40 CFR 136 or approved by the commissioner to monitor for the presence and amount in the effluent of the pollutant for which the WQBEL is established and shall specify in accordance with subdivision (2)(B), the LOD and LOQ that can be achieved by use of the specified analytical method.

(7) The commissioner shall include a condition in the permit requiring the permittee to develop and conduct a pollutant minimization program (PMP) for each pollutant with a WQBEL below the LOQ in accordance with the following:

(A) The goal of the ~~pollutant minimization program~~ **PMP** shall be to maintain the effluent at or below the WQBEL. The ~~pollutant minimization program~~ **PMP** shall include, but is not limited to, the following:

(i) Submission of a control strategy designed to proceed toward the goal.

(ii) Implementation of appropriate cost-effective control measures consistent with the control strategy.

(iii) Monitoring necessary to monitor the progress toward

the goal. **This shall include, but is not limited to, the following:**

(AA) Semiannual monitoring of potential sources of the pollutant.

(BB) Quarterly monitoring for the pollutant in the influent of the wastewater treatment system.

(iv) An annual status report that shall be sent to the commissioner, including the following:

(AA) All minimization program monitoring results for the previous year.

(BB) A list of potential sources of the pollutant.

(CC) A summary of all actions taken to reduce or eliminate the identified sources of the pollutant.

(v) A ~~pollution minimization program~~ **PMP** may include the submittal of pollution prevention strategies that use changes in production process technology, materials, processes, operations, or procedures to reduce or eliminate the source of the pollutant.

(B) No ~~pollution minimization program~~ **PMP** is required if the permittee demonstrates that the discharge of a pollutant with a WQBEL below the LOQ is reasonably expected to be in compliance with the WQBEL at the point of discharge into the receiving water. This demonstration may include, but is not limited to, the following:

(i) Treatment information, including information derived from modeling the destruction or removal of the pollutant in the treatment process.

(ii) Mass balance information.

(iii) Fish tissue studies or other biological studies.

(C) In determining appropriate cost-effective control measures to be implemented in a ~~pollution minimization program,~~ **PMP,** the following factors may be considered:

(i) Significance of sources.

(ii) Economic and technical feasibility.

(iii) Treatability.

(D) The permit shall contain a reopener clause authorizing modification or revocation and reissuance of the permit to revise (such as more or less frequent monitoring) or remove the requirements of this subdivision if supported by information generated as a result of this subdivision.

(i) The determinations under this subsection regarding the consideration of intake pollutants, as defined under section 11.5(b)(4)(A) of this rule, shall be made on a pollutant-by-pollutant, outfall-by-outfall basis. This subsection applies only when the concentration of the pollutant of concern upstream of the discharge, as determined under section 11.4(a)(8) of this rule, exceeds the most stringent applicable water quality criterion **or value** for that pollutant. In addition, this subsection applies only in the absence of an EPA-approved TMDL applicable to the discharge, or in the absence of an assessment and remediation plan submitted and approved in accordance with section 11.4(a)(2) of this rule. ~~The requirements of section 11.5(b)(3)(A) of this rule shall also apply to this section.~~ The following procedures shall be used in the consideration of intake pollutants in establishing WQBELs:

(1) When an intake pollutant is from the same body of water, as defined under section 11.5(b)(4)(B) of this rule, and the discharge and the facility meet the conditions in section 11.5(b)(4)(C)(i)(BB) through 11.5(b)(4)(C)(i)(EE), the following procedures apply:

(A) The commissioner may establish effluent limitations allowing the facility to discharge a mass and concentration of the pollutant that are no greater than the mass and concentration of the pollutant identified in the facility's intake water (no net addition limitations). The permit shall specify how compliance with mass and concentration limitations shall be assessed. No permit may authorize no net addition limitations that are effective after March 23, 2007. After that date, WQBELs shall be established in accordance with section 11.5(d) of this rule.

(B) Where proper operation and maintenance of a facility's treatment system results in removal of a pollutant, the commissioner may establish limitations that reflect the lower mass or concentration, or both, of the pollutant achieved by such treatment, taking into account the feasibility of establishing such limits.

(C) For pollutants contained in intake water provided by a water system, the concentration of the intake pollutant shall be determined at the point where the raw water supply is removed from the same body of water, except that it shall be the point where the water enters the water supplier's distribution system where the water treatment system removes any of the identified pollutants from the raw water supply. Mass shall be determined by multiplying the concentration of the pollutant by the volume of the facility's intake flow received from the water system.

(2) Where the pollutant in a facility's discharge originates from a water of the state that is not the same body of water as the receiving water, as determined in accordance with section 11.5(b)(4)(B) of this rule, WQBELs shall be established based upon the most stringent applicable water quality criterion **or value** for that pollutant.

(3) Where a facility discharges intake pollutants that originate in part from the same body of water, and in part from a different body of water, the commissioner may apply the procedures of subdivisions (1) and (2) to derive an effluent limitation reflecting the flow-weighted average of each source of the pollutant, provided that adequate monitoring to determine compliance can be established and is included in the permit.

(Water Pollution Control Board; 327 IAC 5-2-11.6; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1457; errata filed Aug 11, 1997, 4:15 p.m.: 20 IR 3379; errata, 26 IR 3884)

SECTION 29. 327 IAC 5-2-13 IS AMENDED TO READ AS FOLLOWS:

327 IAC 5-2-13 Monitoring

Authority: IC 13-14-8; IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3
Affected: IC 13-11-2; IC 13-18-4

Sec. 13. (a) To assure compliance with permit terms and conditions, all permittees shall monitor, as required in the permit, the following:

(1) The mass, concentration, or other measurement specified in sections 11, 11.1, and 11.6 of this rule for each pollutant specified in the permit.

(2) The volume of wastewater flow at monitoring points specified in the permit, including the final effluent flow from each point source.

(3) Other parameters and conditions as specifically required in the permit.

(b) A POTW shall monitor the mass, concentration, or other units of specified pollutants in the raw influent, in the discharge from intermediate unit treatment processes as specified in the permit or the applicable report of operation form, and in the final effluent, and the volume of effluent flow. For purposes of this section and sections 14 through 15 of this rule, a POTW includes a municipality or other political subdivision, such as a regional sewer district, ~~which~~ **that** owns or operates a wastewater treatment ~~works~~ **plant** or a **water** treatment plant, ~~for public water supply,~~ **as defined in IC 13-11-2,** or a private utility of a quasi-public nature ~~which~~ **that** owns or operates a treatment plant ~~for~~ **from which a permitted discharge occurs, including** a mobile home park **or** a residential development. ~~etc., from which a permitted discharge occurs.~~

(c) For purposes of subsections (a) and (b), the commissioner shall specify the following monitoring requirements in the permit:

(1) Requirements concerning proper installation, use, and maintenance of monitoring equipment or methods (including biological monitoring methods where appropriate).

(2) Monitoring frequency, type, and intervals sufficient to yield continuing data representative of the volume of effluent flow and the quantity of pollutants discharged based on the impact of the wastestream on the receiving water, in accordance with 40 CFR 122.44.

(3) Test procedures for the analysis of pollutants meeting the requirements of subsection (d).

(d) Requirements for test procedures shall be as follows:

(1) Test procedures identified in 40 CFR 136 shall be utilized for pollutants or parameters listed in that part, unless an alternative test procedure has been approved under 40 CFR 136.5.

(2) Where no test procedure under 40 CFR 136 has been approved, analytical work shall be conducted in accordance with ~~the most recent edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association (APHA) or as otherwise specified~~ **test procedures approved** by the commissioner. ~~in the permit.~~

(3) Notwithstanding subdivision (1), the commissioner may specify in a permit the test procedure ~~used in developing the data on which an effluent limitations guideline was based, or~~ specified ~~by the standards and guidelines.~~ **in a standard or effluent limitations guideline.**

(e) The sampling frequency and other monitoring requirements specified by the commissioner under subsection (c) shall, to the extent applicable, be consistent with monitoring requirements specified in a standard or effluent limitations guideline on which the effluent limitations in the permit are based. In no case shall the sampling frequency be less than once per calendar year.

(f) Where composite samples are specified in the permit, each fraction of the composite shall be weighted in proportion to the flow corresponding to the time that sample fraction is taken unless the permittee demonstrates that such flow-weighting of sample fractions is not necessary to obtain representative monitoring results. *(Water Pollution Control Board; 327 IAC 5-2-13; filed Sep 24, 1987, 3:00 p.m.: 11 IR 628; filed Feb 26, 1993, 5:00 p.m.: 16 IR 1753; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1465)*

SECTION 30. 327 IAC 5-2-15 IS AMENDED TO READ AS FOLLOWS:

327 IAC 5-2-15 Reporting requirements

Authority: IC 13-14-8; IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3
Affected: IC 13-11-2; IC 13-14-4-3; IC 13-18-4

Sec. 15. (a) Permittees shall report to the commissioner, using discharge monitoring reports (DMR) (EPA Form 3320-1) and, also, in the case of POTWs, semipublic, state, and federal facilities' reports of operation, the results of any monitoring specified by the permit, ~~pursuant to~~ **under** section 13 of this rule, as often as required by the permit, but in no case less than once per year. POTWs with pretreatment or hybrid pretreatment requirements in their NPDES permits as well as industrial dischargers shall also submit the results of effluent analysis on the Indiana Discharge Monitoring Report Form 30530.

(b) If the permittee monitors any pollutant more frequently than required by the permit, using approved analytical methods, the results of this monitoring shall be reported in the DMR. Other monitoring data not specifically required in the permit

(such as internal process or internal wastestream data) ~~which~~ **that** is collected by or for the permittee need not be submitted unless requested by the commissioner. Any such additional monitoring data ~~which~~ **that** indicates a violation of a permit limitation shall be followed up by the permittee, whenever feasible, with a monitoring sample obtained and analyzed pursuant to approved analytical methods. The results of the analysis of the follow-up sample shall be reported to the commissioner in the permittee's DMR.

(c) All reports required by this section shall be prepared by or under the direction of a certified wastewater treatment plant operator or a certified water treatment plant operator licensed under the provisions of 327 IAC 8 when such reports concern a discharge originating in whole or in part from a wastewater treatment plant or a water treatment plant, respectively, as defined in IC 13-11-2.

(d) As used in this section, "approved analytical methods" means those test procedures for the analysis of pollutants ~~which conform to 40 CFR 136 or are specified in the permit.~~ **under section 13(d) of this rule.**

(e) NPDES effluent data is to be reported on the monthly DMRs as follows:

(1) Effluent concentrations less than the ~~limit of detection~~ LOD shall be reported as less than the value of the LOD. For example, if a substance is not detected at a concentration of one (1.0) milligram per liter, the value shall be reported as < 1.0 mg/l.

(2) Effluent concentrations greater than or equal to the LOD shall be reported at the measured value. Effluent concentrations greater than or equal to the LOD and less than the ~~limit of quantitation~~ LOQ that are reported on a DMR shall be annotated on the DMR to indicate that the value is not quantifiable.

(3) Except as provided in section 11.6(h)(3) of this rule, when the individual daily values are averaged for the purpose of determining the weekly average or monthly average, values less than the LOQ shall be accommodated in calculation of the averages using statistical methods that have been approved by the commissioner.

(4) Mass discharge values ~~which~~ **that** are calculated from concentrations reported as less than the value of the ~~limit of detection~~ **LOD** shall be reported as less than the corresponding mass discharge value.

(5) Mass discharge values that are calculated from effluent concentrations greater than the ~~limit of detection~~ **LOD** shall be reported at the calculated value.

(6) Except as provided in section 11.6(h)(3) of this rule, when the individual daily mass discharge values are averaged for the purpose of determining the weekly average or monthly average, values less than the LOQ shall be accommodated in calculation of the averages using statistical methods that have been approved by the commissioner.

(Water Pollution Control Board; 327 IAC 5-2-15; filed Sep 24, 1987, 3:00 p.m.: 11 IR 629; filed Feb 26, 1993, 5:00 p.m.: 16 IR 1754; filed Jan 14, 1997, 12:00 p.m.: 20 IR 1466)

Notice of Public Hearing

Under IC 4-22-2-24, IC 13-14-8-6, and IC 13-14-9, notice is hereby given that on October 13, 2004 at 1:30 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Water Pollution Control Board will hold a public hearing on proposed amendments to rules concerning water quality standards, methods, and implementation procedures in 327 IAC 1-1, 327 IAC 2-1, 327 IAC 2-1.5, 327 IAC 2-4, 327 IAC 5-1.5, and 327 IAC 5-2.

The purpose of this hearing is to receive comments from the public prior to consideration of final adoption of these rules by the board. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed rule amendments. Oral statements will be heard, but, for the accuracy of the record, all comments should be submitted in writing.

Additional information regarding this action may be obtained from MaryAnn Stevens, Rules Section, Office of Water Quality, (317) 232-8635 or (800) 451-6027 (in Indiana).

Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

Attn: ADA Coordinator
Indiana Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

or call (317) 233-0855 or (317) 232-6565 (TDD). Speech and hearing impaired callers may contact IDEM via the Indiana Relay Service at 1-800-743-3333. Please provide a minimum of 72 hours' notification.

Copies of these rules are now on file at the Office of Water Quality, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Room 1255 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Tim Method
Deputy Commissioner
Indiana Department of Environmental Management

TITLE 329 SOLID WASTE MANAGEMENT BOARD

Proposed Rule

LSA Document #03-286

DIGEST

Amends 329 IAC 12-8-4, 329 IAC 12-8-5, and 329 IAC 12-9-2, concerning certification for solid waste facility operators, to place asbestos disposal certification for solid waste facility operators, which is currently under the authority of the Air Pollution Control Board, under the rules promulgated by the Solid Waste Management Board. Effective 30 days after filing with the secretary of state.

HISTORY

First Notice of Comment Period: November 1, 2003, Indiana Register (27 IR 584).

Second Notice of Comment Period: April 1, 2004, Indiana Register (27 IR 2356).

Notice of First Hearing: April 1, 2004, Indiana Register (27 IR 2360).

Date of First Hearing: June 15, 2004.

PUBLIC COMMENTS UNDER IC 13-14-9-4.5

IC 13-14-9-4.5 states that a board may not adopt a rule under IC 13-14-9 that is substantively different from the draft rule published under IC 13-14-9-4 until the board has conducted a third comment period that is at least twenty-one (21) days long.

Because this proposed rule is not substantively different from the draft rule published on April 1, 2004, at 27 IR 2356, the Indiana Department of Environmental Management (IDEM) is not requesting additional comment on this proposed rule.

SUMMARY/RESPONSE TO COMMENTS FROM THE SECOND COMMENT PERIOD

The Indiana Department of Environmental Management (IDEM) requested public comment from April 1, 2004, through May 1, 2004, on IDEM's draft rule language. No comments were received during the second comment period.

SUMMARY/RESPONSE TO COMMENTS FROM THE FIRST PUBLIC HEARING

On June 15, 2004, the Solid Waste Management Board (board) conducted the first public hearing/board meeting regarding amendments to 329 IAC 12-8 and 329 IAC 12-9 concerning the addition of asbestos handling, reporting, and disposal requirements. No comments were made at the first hearing.

329 IAC 12-8-4
329 IAC 12-8-5
329 IAC 12-9-2

SECTION 1. 329 IAC 12-8-4, PROPOSED TO BE AMENDED AT 26 IR 1672, SECTION 38, IS AMENDED TO READ AS FOLLOWS:

329 IAC 12-8-4 Examination requirements for Category II certification

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2
Affected: IC 13-15-10; IC 36-9-30

Sec. 4. (a) In order to qualify for accreditation as an accredited examination provider for Category II certification for operators of municipal and nonmunicipal solid waste disposal facilities, the written examination must meet the requirements of this section.

(b) The commissioner may approve an examination under the Category IV certification for a specific type of site. For operators of municipal and nonmunicipal solid waste disposal facilities, the examination for operator certification under Category IV must address any Category II topics in subsection (c) that are applicable to the type of site for which the examination has been developed.

(c) A Category II certification shall adequately address the following topics:

(1) Purpose of training course.

(2) An overview of municipal and nonmunicipal solid waste disposal facilities in integrated municipal solid waste management to address the following:

(A) Generation of municipal solid wastes.

(B) Physical and chemical composition of solid wastes.

(C) Municipal solid waste management.

(3) Basics of site selection.

(4) Complying with design requirements to the following:

(A) Specifications.

(B) Types of plans.

(C) Plan reading.

(D) Municipal and nonmunicipal solid waste facility landfill methods.

(5) Waste acceptance and screening to include the following:

(A) Wastes prohibited by state and federal law and regulations.

(B) Commonly prohibited wastes.

(C) Wastes requiring special handling.

(D) Wastes prohibited by the facility permit.

(E) Screening methods for prohibited wastes.

(F) Record keeping and notification requirements.

(G) Public information and education.

(6) Waste decomposition to include the following:

(A) Fate of wastes.

(B) Effects of decomposition.

(C) Subsidence and differential settlement.

(D) Landfill gas generation and migration.

(E) Leachate generation, migration, and control.

(7) Control processes for landfill gas and leachate to include the following:

(A) Landfill gas and leachate characteristics.

(B) Managing landfill gas.

(C) Protection of facilities built on landfills.

(D) Landfill gas recovery and use.

(E) Managing leachate.

(8) Operational techniques shall adequately address the following:

(A) Design and operational plans.

(B) Operational practices.

(C) Cover systems.

(D) Operation of a lined facility.

(E) Operational problems.

(F) Site operation to minimize environmental and health problems.

(9) Closure and long term care shall adequately address the following:

(A) Site closure.

(B) Closure considerations.

(C) Closure plan.

(D) Long term care and environmental monitoring.

(E) Landfill site end uses.

(F) Final cover design.

(G) Vegetation.

(H) Financing closure and post-closure care.

(10) Disposal of regulated asbestos-containing material (RACM) to include the following:

(A) Special handling requirements.

(B) Disposal requirements.

(C) Record keeping and notification requirements.

(Solid Waste Management Board; 329 IAC 12-8-4; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1485; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

SECTION 2. 329 IAC 12-8-5 IS AMENDED TO READ AS FOLLOWS:

329 IAC 12-8-5 Examination requirements for Category III certification

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2

Affected: IC 13-15-10; IC 36-9-30

Sec. 5. (a) In order to qualify for accreditation as an accredited examination provider for Category III certification for operators of restricted waste sites and construction/demolition sites, the written examination must meet the requirements of this section.

(b) The commissioner may approve an examination under the Category IV certification for a specific type of site. For operators of restricted waste sites and construction/demolition sites, the examination for operator certification under Category IV must address any Category III topics in subsection (c) that are applicable to the type of site for which the examination has been developed.

(c) A Category III certification shall adequately address the following topics:

(1) Purpose of training course.

(2) The role of restricted waste and construction/demolition sites in waste management to address the following:

(A) Types of restricted wastes.

(B) Generation of restricted wastes.

(C) Physical and chemical composition of restricted wastes.

(D) Overview of restricted waste management.

(3) Basics of site selection.

(4) Complying with design requirements to the following:

(A) Specifications.

(B) Types of plans.

(C) Plan reading.

(D) Landfill methods.

(5) Waste acceptance and screening to include the following:

(A) Wastes prohibited by state and federal law and regulations.

(B) Commonly prohibited wastes.

(C) Wastes requiring special handling.

(D) Screening methods for prohibited wastes.

(E) Record keeping and notification requirements.

(F) Public information and education.

(6) Waste decomposition to include the following:

(A) Subsidence and differential settlement.

(B) Leachate generation, migration, and control.

(7) Operational techniques shall adequately address the following:

(A) Design and operational plans.

(B) Operational practices.

(C) Cover systems.

(D) Operation of a lined facility.

(E) Operational problems.

(F) Site operation to minimize environmental and health problems.

(8) Closure and long term care shall adequately address the following:

(A) Site closure.

(B) Closure considerations.

(C) Closure plan.

(D) Long term care and environmental monitoring.

(E) Landfill site end uses.

(F) Final cover design.

(G) Vegetation.

(H) Financing closure and post-closure care.

(9) Disposal of regulated asbestos-containing material (RACM) to include the following:

(A) Special handling requirements.

(B) Disposal requirements.

(C) Record keeping and notification requirements.

(Solid Waste Management Board; 329 IAC 12-8-5; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1485; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

SECTION 3. 329 IAC 12-9-2 IS AMENDED TO READ AS FOLLOWS:

329 IAC 12-9-2 Accredited training course requirements for recertification

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-14-8-7; IC 13-15-10-4; IC 13-19-3-1; IC 13-19-3-2

Affected: IC 13-15-10; IC 36-9-30

Sec. 2. (a) Training courses shall be classified as follows:

(1) Category I recertification training course for operators of solid waste incinerators and waste to energy facilities.

(2) Category II recertification training course for operators of municipal and nonmunicipal solid waste land disposal facilities.

(3) Category III recertification training course for operators of restricted waste sites and construction/demolition sites.

(4) Category IV recertification training course for a specific facility.

(b) The accredited training course must include, at a minimum, applicable topics relating to the appropriate category of solid waste facility operation as follows:

(1) An update on applicable Indiana legislation and regulations.

(2) Discussion of applicable department policy.

(3) Information on new or improved technologies.

(4) Information on changes to processes.

(5) Information on changes in management practices.

(6) Information on asbestos disposal.

(c) The accredited training course must be at least four (4) hours in length. *(Solid Waste Management Board; 329 IAC 12-9-2; filed Feb 3, 1997, 9:15 a.m.: 20 IR 1487; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)*

Notice of Public Hearing

Under IC 4-22-2-24, IC 13-14-8-6, and IC 13-14-9, notice is hereby given that on October 19, 2004 at 1:30 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Solid Waste Management Board will hold a public hearing on the proposed amendments to 329 IAC 12-8 and 329 IAC 12-9 concerning the addition of asbestos handling, reporting, and disposal requirements to the solid waste facility operator certification.

The purpose of this hearing is to receive comments from the public prior to final adoption of these rules by the board. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed amendments. Oral statements will be heard, but, for the accuracy of the record, all comments should be submitted in writing.

Additional information regarding this action may be obtained from Lynn West, Rules, Planning and Outreach Section, Office of Land Quality, (317) 232-3593, (800) 451-6027 (in Indiana) or e-mail at lwest@dem.state.in.us.

Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

Attn: ADA Coordinator

Indiana Department of Environmental Management

100 North Senate Avenue

P.O. Box 6015

Indianapolis, IN 46206-6015

or call (317) 233-0855, (TDD): (317) 233-6565. Speech and hearing impaired callers may contact IDEM via the Indiana Relay Service at 1-800-743-333. Please provide a minimum of seventy-two (72) hours notification before the hearing.

Copies of these rules are now on file at the Office of Land Quality, Indiana Government Center-North, 100 North Senate Avenue, Eleventh Floor and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Timothy J. Method
Assistant Commissioner
Solid Waste Management Board

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

Proposed Rule

LSA Document #04-142

DIGEST

Amends 405 IAC 1-1.5-1 to specify that disputes related to claims submitted to Medicaid managed care organizations by Medicaid providers who do not have a contract with the

managed care organization are governed by 405 IAC 1-1.6. Adds 405 IAC 1-1.6 to set out the dispute resolution process for disputes related to claims submitted to Medicaid managed care organizations by Medicaid providers who do not have a contract with the managed care organization. Effective 30 days after filing with the secretary of state.

405 IAC 1-1.5-1
405 IAC 1-1.6

SECTION 1. 405 IAC 1-1.5-1 IS AMENDED TO READ AS FOLLOWS:

405 IAC 1-1.5-1 Scope

Authority: IC 12-15-21
Affected: IC 4-21.5-3

Sec. 1. (a) This rule governs the procedures for appeals to the office of Medicaid policy and planning (office) involving actions or determinations of reimbursement for all Medicaid providers.

(b) This rule governs the procedures for appeals to the office from the following actions or determinations:

(1) Setting rates of reimbursement.

(2) Any action based upon a final audit.

(3) Determination of change of provider status for purposes of setting a rate of reimbursement.

(4) Determination by the office that an overpayment to a provider has been made due to a year-end cost settlement.

(5) Any other determination by the office that a provider has been paid more than it was entitled to receive under any federal or state statute or regulation.

(6) The office's refusal to enter into a provider agreement.

(7) The office's suspension, termination, or refusal to renew an existing provider agreement.

(c) Notwithstanding subsections (a) and (b), this rule does not govern determinations by the office or its contractor with respect to the authorization or approval of Medicaid services requested by a provider on behalf of a recipient.

(d) Disputes relating to claims submitted to a managed care organization (MCO) by providers who are not under contract to the MCO, and who provide services to recipients in the risk-based managed care program are governed by 405 IAC 1-1.6. *(Office of the Secretary of Family and Social Services; 405 IAC 1-1.5-1; filed Oct 31, 1994, 3:30 p.m.: 18 IR 862; readopted filed Jun 27, 2001, 9:40 a.m.: 24 IR 3822)*

SECTION 2. 405 IAC 1-1.6 IS ADDED TO READ AS FOLLOWS:

Rule 1.6. Managed Care Provider Reimbursement Dispute Resolution

405 IAC 1-1.6-1 Scope

Authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2; IC 12-15-21-3
Affected: IC 12-15

Sec. 1. (a) This rule applies to disputes relating to claims submitted to risk-based managed care organizations (MCOs) contracted with the office of Medicaid policy and planning (office) by providers who are not contracted with the MCO, and who provide services to a Medicaid recipient enrolled in a risk-based managed care plan.

(b) This rule governs the procedures for a provider's objection to a determination by the MCO involving the provider's claim, including a provider's objection to:

(1) any determination by the MCO regarding payment for a claim submitted by the provider, including the amount of such payment; or

(2) the MCO's determination that a claim submitted by the provider lacks sufficient supporting information, records, or other materials.

(c) The procedures in this rule may, at the election of a provider, be utilized to determine the payment due for a claim in the event the MCO fails, within thirty (30) days after the provider submits the claim, to notify the provider of its determination:

(1) regarding payment for the provider's claim; or

(2) that the provider's claim lacked sufficient supporting information, records, or other materials.

(Office of the Secretary of Family and Social Services; 405 IAC 1-1.6-1)

405 IAC 1-1.6-2 Informal dispute inquiry

Authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2; IC 12-15-21-3
Affected: IC 12-15

Sec. 2. (a) Before the provider may submit a formal claim appeal under section 3 of this rule, the provider shall attempt to informally resolve the matter as described in this section.

(b) The informal dispute process shall be commenced by a provider making a verbal inquiry or submitting a written inquiry to the MCO, within the following time limits:

(1) If the provider disagrees with the MCO's determination regarding the provider's claim, the informal process must be commenced within sixty (60) days after the provider's receipt of written notification of the MCOs determination.

(2) If the MCO fails to make a determination within

thirty (30) days of the date the claim was submitted, the informal process must be commenced within ninety (90) days of the date the claim was submitted to the MCO.

(Office of the Secretary of Family and Social Services; 405 IAC 1-1.6-2)

405 IAC 1-1.6-3 Formal appeal to managed care organization

Authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2; IC 12-15-21-3
Affected: IC 12-15

Sec. 3. (a) In the event the matter is not resolved to the provider's satisfaction within thirty (30) days after the provider commenced the informal process set out in section 2 of this rule, the provider shall have sixty (60) days after the end of the thirty (30) day period to submit a formal appeal notice to the MCO.

(b) The provider's claim appeal notice must be in writing and specify the basis of the provider's dispute with the MCO.

(c) The formal claim appeal procedure is commenced by the MCO's receipt of the provider's written claim appeal notice. The appeal review is conducted by a panel of one (1) or more individuals selected by the MCO. The panel shall:

(1) be knowledgeable about the policy, legal, and clinical issues involved in the matter subject to the appeal;

(2) not include an individual who has been involved in any previous consideration of the matter; and

(3) consider all information and material submitted to it by the provider that bears directly upon an issue involved in the matter.

(d) The MCO shall allow the provider an opportunity to appear in person before the panel or to communicate with the panel through appropriate other means if the provider is unable to appear in person.

(e) The provider may be represented by an attorney or other representative during the formal claim appeal procedure.

(f) The MCO's medical director, or other licensed physician designated by the medical director, shall serve as a consultant to the panel in the event the matter involves a question of medical necessity or medical appropriateness.

(g) The panel shall make a written determination of the matter that is the subject of the provider's appeal. The panel's written determination of the matter shall:

(1) be the MCO's final position in regard to the matter;

(2) include, as applicable, a detailed explanation of the factual, legal, policy, and clinical basis of the panel's determination; and

(3) include notice to the provider of the provider's right to submit to binding arbitration, or other binding resolution procedure to which the MCO and provider mutually agree, the matter that was the subject of the formal claim resolution procedure.

(h) The panel's written determination shall be issued to the provider within forty-five (45) days after the commencement of the formal claim appeal process. In the event the panel fails to issue the panel's written determination within forty-five (45) days after the commencement of the formal claim appeal process, the failure on the part of the panel shall have the effect of a denial by the panel of the provider's claim. The provider shall have the right to submit the matter to binding arbitration if the panel has failed to deliver its written determination to the provider within the required forty-five (45) day period. *(Office of the Secretary of Family and Social Services; 405 IAC 1-1.6-3)*

405 IAC 1-1.6-4 Arbitration

Authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2; IC 12-15-21-3
Affected: IC 12-15; IC 34-57-2

Sec. 4. (a) If the provider is dissatisfied with the decision of the MCO panel, or if the panel fails to issue a determination within forty-five (45) days after the commencement of the formal appeal process, the provider may submit the matter to binding arbitration. The binding arbitration process must be conducted in accordance with the rules and regulations of the American Health Lawyers Association (AHLA), pursuant to the Uniform Arbitration Act as adopted in the state of Indiana at IC 34-57-2, unless:

(1) the provider and MCO mutually agree to some other binding resolution procedure; or

(2) the MCO or providers are subject to statutorily imposed arbitration procedures for the resolution of these claims. In that case, the statutorily imposed arbitration procedures shall be followed.

(b) The arbitration process may include, in a single arbitration proceeding, matters from multiple formal claim resolution procedures involving the MCO and the provider.

(c) The fees and expenses of arbitration or other binding resolution procedure shall be borne by the nonprevailing party. *(Office of the Secretary of Family and Social Services; 405 IAC 1-1.6-4)*

405 IAC 1-1.6-5 Supporting documentation for claims; final determination

Authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2; IC 12-15-21-3
Affected: IC 12-15

Sec. 5. (a) A claim that is finally determined through the claim resolution procedure not to lack sufficient supporting documentation shall be processed by the MCO within thirty (30) days after such final determination.

(b) If it is finally determined that a claim lacks sufficient supporting documentation, the provider shall have thirty (30) days after receipt of written notice of the final determination to submit the requisite supporting documentation. The claim shall be processed by the MCO within thirty (30) days after the provider submits to the MCO the required supporting documentation. *(Office of the Secretary of Family and Social Services; 405 IAC 1-1.6-5)*

405 IAC 1-1.6-6 Record keeping and reporting requirements

Authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2; IC 12-15-21-3
Affected: IC 12-15

Sec. 6. The MCO shall maintain a log of all informal and formal provider objections to determinations involving claims. The logged information shall include the:

(1) provider's name;

(2) date of objection;

(3) nature of the objection; and

(4) disposition.

The MCO shall submit quarterly reports to the office regarding the number and type of provider objections. *(Office of the Secretary of Family and Social Services; 405 IAC 1-1.6-6)*

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on August 24, 2004 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 4, Indianapolis, Indiana the Office of the Secretary of Family and Social Services will hold a public hearing on proposed amendments concerning Medicaid managed care provider reimbursement dispute resolution. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W451 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Cheryl Sullivan
Secretary
Office of the Secretary of Family and Social Services

TITLE 460 DIVISION OF DISABILITY, AGING, AND REHABILITATIVE SERVICES

Proposed Rule
LSA Document #04-76

DIGEST

Adds 460 IAC 2-2.1 to reestablish and maintain a board of interpreter standards that was established by a previous rule that has expired, including composition of the board and its powers and duties that enable the board to determine the necessary competency and proficiency standards for sign language interpreters and oral interpreters. Effective 30 days after filing with the secretary of state.

460 IAC 2-2.1

SECTION 1. 460 IAC 2-2.1 IS ADDED TO READ AS FOLLOWS:

Rule 2.1. Board of Interpreter Standards

460 IAC 2-2.1-1 Purpose

Authority: IC 12-9-2-3; IC 12-12-7-5
Affected: IC 12-12-7

Sec. 1. The purpose of this rule is to protect the public and persons who are deaf or hard of hearing from misrepresentation, by establishing a board of interpreter standards and providing powers and duties to enable the board to determine the necessary competency and proficiency standards for sign language interpreters and oral interpreters. *(Division of Disability, Aging, and Rehabilitative Services; 460 IAC 2-2.1-1)*

460 IAC 2-2.1-2 Definitions

Authority: IC 12-9-2-3; IC 12-12-7-5
Affected: IC 12-9-1-1; IC 12-12-1-2; IC 12-12-7

Sec. 2. The following definitions apply throughout this rule:

(1) "ASL" means American Sign Language.

(2) "ASLTA" means American Sign Language Teacher Association.

(3) "Board" means the board of interpreter standards under the administration of the unit.

(4) "Deaf person" or "hard of hearing person" means a person who meets the following criteria:

(A) Has a hearing loss that prevents the person from receiving and understanding voice communication with or without amplification.

(B) Uses at least one (1) of the following as a primary means of communication:

(i) ASL.

(ii) English-based signed systems.

(iii) Tactile methods.

(iv) Writing.

(v) Reading.

(vi) Speech reading.

(vii) Finger spelling.

(viii) Beneficial assistive devices.

(5) "Division" means the division of disability, aging, and rehabilitative services established under IC 12-9-1-1.

(6) "Educational interpreter" means a person who performs the service of interpreting or transliterating in an educational setting.

(7) "Interpreter" means a person who performs the service of interpreting or transliterating.

(8) "Interpreting" means any method of interfacing communication between a deaf or hard of hearing person and a person who is not deaf or hard of hearing and includes:

(A) oral interpreting;

(B) sign language interpreting; or

(C) transliterating.

(9) "NAD" means the National Association of the Deaf.

(10) "Oral interpreting" means the process of interpreting or transliterating a spoken message from a hearing person to a deaf or hard of hearing person, or from a deaf or hard of hearing person to a hearing person, excluding sign language interpreting, as follows:

(A) Using clear articulation or voiceless repetition.

(B) Using natural facial expressions and natural gestures.

(C) Placing an emphasis on speech reading.

(D) Understanding and repeating the message and the intent of the message.

(E) Understanding and repeating the speech and mouth movements of the deaf or hard of hearing person.

(11) "Registered interpreter" means a person who has met the criteria established by the board in accordance with 460 IAC 2-3 and is registered by the board.

(12) "RID" means the Registry of Interpreters for the Deaf.

(13) "Sign language interpreting" means the process of conveying a message:

(A) produced in ASL into an equivalent message in spoken or written English; or

(B) in spoken or written English into an equivalent message in ASL.

(14) "Transliterating" means the process of presenting:

(A) written or spoken English into an English-based sign system; or

(B) an English-based sign system in written or spoken English.

(15) "Unit" means the unit for the deaf and hard of hearing services established under IC 12-12-1-2.

(Division of Disability, Aging, and Rehabilitative Services; 460 IAC 2-2.1-2)

460 IAC 2-2.1-3 Appointment of the board

Authority: IC 12-9-2-3; IC 12-12-7-5
Affected: IC 12-12-7

Sec. 3. (a) The unit shall make a public announcement to all prospective candidates in Indiana who wish to serve on the board. The prospective candidates shall submit a vita to the unit within thirty (30) days of the date of the public announcement.

(b) The board shall consist of seven (7) members. At least three (3) of the seven (7) members shall be persons who are deaf or hard of hearing.

(c) Board members shall meet at least one (1) of the following:

(1) Knowledge of the interpreting process, which includes having at least three (3) of the following:

(A) RID, NAD, or ASLTA certification.

(B) Membership in a deaf association.

(C) Graduation from an interpreter education program.

(D) One hundred (100) clock hours of attendance in a workshop regarding the interpreting process.

(E) One hundred (100) clock hours of ASL studies.

(2) At least five (5) years of documented experience as a provider or consumer of interpreting services.

(3) Three (3) letters of recommendation attesting to the following:

(A) Knowledge of interpreting.

(B) Fluency in ASL and English.

(d) Original appointments to the board shall be made in the following manner:

(1) Four (4) members for a term of two (2) years.

(2) Three (3) members for a term of three (3) years.

All members subsequently appointed shall serve a term of three (3) years and may be appointed for one (1) additional term. If a member of the board resigns, dies, or is removed, the new appointee shall serve the remainder of the unexpired term. Board members shall not be eligible for reappointment for at least one (1) year after serving two (2) consecutive terms.

(e) The board shall meet as needed and upon request by the board chairperson and board members.

(f) The board members shall elect a chairperson who shall serve a term of two (2) years and shall be eligible for reelection for an additional two (2) years.

(g) The board may request from the unit the purchase of materials for the operation of the board.

(h) The board, in cooperation with the unit, shall annually hold a public meeting to receive recommendations from

consumers on upgrading the qualifications, functions, and registration of interpreters, and on policies concerning registration of interpreters. However, the board may receive program recommendations at any time prior to or after the annual public hearing. *(Division of Disability, Aging, and Rehabilitative Services; 460 IAC 2-2.1-3)*

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on August 23, 2004 at 9:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Room W451 Conference Room A, Indianapolis, Indiana the Division of Disability, Aging, and Rehabilitative Services will hold a public hearing on a proposed new rule concerning the board of interpreter standards for sign language interpreters and oral interpreters. An interpreter will be present at the hearing. If another accommodation is required to allow an individual with a disability to participate in this meeting, please contact Kevin Wild at (317) 233-2582 at least 48 hours prior to the meeting. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W451 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Rachel McGeever
General Counsel
Division of Disability, Aging, and Rehabilitative Services

TITLE 515 PROFESSIONAL STANDARDS BOARD

Proposed Rule
LSA Document #04-141

DIGEST

Adds 515 IAC 12 to provide for certain requirements for the issuance of an accomplished practitioner license by the professional standards board. Effective 30 days after filing with the secretary of state.

515 IAC 12

SECTION 1. 515 IAC 12 IS ADDED TO READ AS FOLLOWS:

ARTICLE 12. ACCOMPLISHED PRACTITIONER LICENSE

Rule 1. Accomplished Practitioner License

515 IAC 12-1-1 Accomplished practitioner instructional license

Authority: IC 20-1-1.4-7
Affected: IC 20-1-1.4; IC 20-6.1

Sec. 1. An accomplished practitioner instructional license is a renewable license that may be issued to a teacher who holds a proficient practitioner instructional license, as noted in:

(1) 515 IAC 8-1-8 through 515 IAC 8-1-15, 515 IAC 8-1-17 through 515 IAC 8-1-34, and 515 IAC 8-1-36 through 515 IAC 8-1-39, and completes either:

(A) a master's degree or higher approved or recognized by the professional standards board and has been recommended for the accomplished practitioner license by the institution granting the degree; or

(B) certification by the National Board for Professional Teaching Standards of a content area recognized by the professional standards board; or

(2) 515 IAC 8-1-16 or 515 IAC 8-1-35 and completes the requirements as outlined in this rule.

(Professional Standards Board; 515 IAC 12-1-1)

515 IAC 12-1-2 Accomplished practitioner administration or school services license

Authority: IC 20-1-1.4-7
Affected: IC 20-1-1.4; IC 20-6.1

Sec. 2. An accomplished practitioner administration or school services license is a renewable license that may be issued to an administrator or school services applicant who holds a proficient practitioner administration or school services license, as noted in 515 IAC 8-1-40 through 515 IAC 8-1-48 and completes the requirements as outlined in this rule. *(Professional Standards Board; 515 IAC 12-1-2)*

515 IAC 12-1-3 Accomplished practitioner license validity period

Authority: IC 20-1-1.4-7
Affected: IC 20-1-1.4; IC 20-6.1

Sec. 3. The accomplished practitioner administration or school services license is valid for ten (10) years from the date the materials are received by the professional standards board. After the initial ten (10) years, all subsequent renewals will be valid for five (5) years. *(Professional Standards Board; 515 IAC 12-1-3)*

515 IAC 12-1-4 Accomplished practitioner application procedures

Authority: IC 20-1-1.4-7
Affected: IC 20-1-1.4; IC 20-6.1

Sec. 4. The application procedures set forth in 515 IAC 9-1-5 and 515 IAC 9-1-6 shall apply to this rule. *(Professional Standards Board; 515 IAC 12-1-4)*

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on August 25, 2004 at 10:30 a.m., at the Professional Standards Board, 101 West Ohio Street, Suite 300, Indianapolis, Indiana the Professional Standards Board will hold a public hearing on a proposed new rule to provide certain requirements for the issuance of an accomplished practitioner's license by the Professional Standards Board. Copies of these rules are now on file at the Professional Standards Board, 101 West Ohio Street and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Marie Theobald
Executive Director
Professional Standards Board

TITLE 888 INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS

Proposed Rule
LSA Document #04-137

DIGEST

Amends 888 IAC 1.1-6-1 concerning applicants who are applying to take the North American Veterinary Licensing Examination (NAVLE). Effective 30 days after filing with the secretary of state.

888 IAC 1.1-6-1

SECTION 1. 888 IAC 1.1-6-1, PROPOSED TO BE AMENDED AT 27 IR 2875, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

888 IAC 1.1-6-1 Application content; examination applicant; application deadline

Authority: IC 15-5-1.1-8
Affected: IC 15-5-1.1-11; IC 15-5-1.1-12

Sec. 1. (a) An applicant for license by examination shall submit the following information:

(1) Official transcripts or a letter from the dean, certified by the school or college, recording the degree earned in a school or college of veterinary medicine accredited under IC 15-5-1.1-11(a) or a notarized copy of the applicant's diploma.

(2) Official score report of the applicant's National Board Examination (NBE) and the Clinical Competency Test (CCT) or the North American Veterinary Licensing Examination (NAVLE) approved under IC 15-5-1.1-12(b) if the applicant is not applying to take these examinations in Indiana.

(3) Two (2) unmounted, duplicate, passport-quality photographs taken not earlier than eight (8) weeks prior to the date of application, dated and signed across the back in the applicant's handwriting, "I certify that this is a true photograph of me.".

(4) A statement from the appropriate agency in each state where the applicant has been licensed, verifying the date the applicant's license was originally issued and certifying whether or not disciplinary proceedings have ever been initiated or are presently pending against the applicant.

(5) The fee required by 888 IAC 1.1-3-2.

(b) An applicant who has not graduated from an accredited school of veterinary medicine and who submits satisfactory proof that he or she is ~~participating~~ **enrolled** in ~~an~~ **the** Educational Commission for Foreign Veterinary Graduates (ECFVG) program of the American Veterinary Medical Association **and has completed ECFVG Step 2 (English proficiency)** may **be approved to** take the NAVLE. The applicant is not eligible for licensure until he or she submits satisfactory proof that he or she holds an ECFVG certificate issued by the American Veterinary Medical Association.

(c) All applications for the NAVLE must be received by the board at least ninety-five (95) days prior to the administration of the NAVLE in which the applicant desires to participate. *(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-6-1; filed Jan 22, 1991, 4:50 p.m.: 14 IR 1284; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1004; filed Aug 7, 2000, 2:19 p.m.: 24 IR 24; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; filed Dec 20, 2002, 12:31 p.m.: 26 IR 1563)*

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on August 25, 2004 at 9:15 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room W064, Indianapolis, Indiana the Indiana Board of Veterinary Medical Examiners will hold a public hearing on proposed amendments concerning the applicants who are taking the North American Veterinary Licensing Examination (NAVLE). Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W066 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Lisa R. Hayes
Executive Director
Health Professions Bureau

Proposed Readopted Rules
Department of Insurance 3706

TITLE 760 DEPARTMENT OF INSURANCE

Proposed Rule
LSA Document #04-143

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that an administrative rule adopted under IC 4-22-2 expires January 1 of the seventh year after the year in which the rule takes effect unless the rule contains an earlier expiration date. Effective 30 days after filing with the secretary of state.

760 IAC 1-60-1
760 IAC 1-60-2
760 IAC 1-60-4

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

760 IAC 1-60-1 Authority
760 IAC 1-60-2 Purpose and scope
760 IAC 1-60-4 Doctors of osteopathy

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on August 26, 2004 at 10:00 a.m., at the Department of Insurance, 311 West Washington Street, Suite 300, Indianapolis, Indiana the Department of Insurance will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

Department of Insurance
Attn.: Amy Strati
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204.

Copies of these rules are now on file at the Department of Insurance, 311 West Washington Street, Suite 300 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Sally McCarty
Commissioner
Department of Insurance

365 Day Notice (IC 4-22-2-25)

TITLE 50 DEPARTMENT OF LOCAL GOVERNMENT FINANCE

LSA Document #04-174

July 7, 2004

The Honorable Jerry Denbo, Chair
Administrative Rules Oversight Committee

Re: Notice of Delay in Adoption of Rule providing for a uniform approval of both a mileage and per diem allowance rates that any new assessing official or county assessor who attends the required new official training -- LSA Document #04-174

Dear Representative Denbo:

Notice of Delay

This is to notify you that pursuant to IC 4-22-2-19(c) the Department of Local Government Finance has determined that it may not be able to adopt, and obtain the Governor's approval of, the proposed rule providing for both mileage and a per diem allowance for any new assessing official or county assessor attending the required new official training pursuant to Indiana Code §6-1.1-35.2-2 within one (1) year of the date of the notice of intent to adopt the rule as published under IC 4-22-2-23.

Reasons for Delay

This rule requires the Department of Local Government Finance to prescribe both a mileage and per diem allowance for new assessing official or county assessor. It was initially published in January 2004 under LSA Document #03-6. However, due to a misinterpretation of IC 4-22-2-25, LSA Document #03-6 was not timely; thus, the rule was recalled. A new notice of intent will be published in the July edition of the Indiana Register.

Expected Adoption Date

The Department of Local Government Finance expects to forward a proposed rule to LSA in the near future. It is anticipated that we will be able to adopt the rule and obtain the Governor's approval, sometime by the end of 2004. Because the stated "expected date" will control the validity of the rule, we present this notice and state that we now expect to adopt and obtain the Governor's approval of the rules governing the mileage and per diem allowance rates for new assessing officials, before December 31, 2004.

Your understanding of these circumstances is greatly appreciated. If you need additional information please do not hesitate to contact me at 233-4361. Thank you.

Sincerely,

Nandita "Toma" Shepherd
Appeals Coordinator

Copy to:
Sen. Luke Kenley
Sarah Burkman, Attorney for the Committee
Chuck Mayfield, Fiscal Analyst for Committee

TITLE 326 AIR POLLUTION CONTROL BOARD

FIRST NOTICE OF COMMENT PERIOD
#04-200(APCB)

DEVELOPMENT OF AMENDMENTS TO RULES CONCERNING NITROGEN OXIDES (NO_x) EMISSION LIMITATIONS FOR THE NO_x SIP CALL, PHASE II RULE

PURPOSE OF NOTICE

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on amendments to rules 326 IAC 10-3 and 326 IAC 10-4 concerning nitrogen oxides (NO_x) state implementation plan (SIP) call, Phase II rule. IDEM seeks comment on the affected citations listed and any other provisions of Title 326 that may be affected by this rulemaking.

CITATIONS AFFECTED: 326 IAC 10-3; 326 IAC 10-4.

AUTHORITY: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11.

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

Basic Purpose and Background

On September 24, 1998, U. S. EPA issued a rule (NO_x SIP Call) that required twenty-two (22) states in the Eastern U.S., including Indiana and the District of Columbia to outline strategies to reduce regional transport of ozone through reductions in nitrogen oxides (NO_x) emissions. NO_x is a primary ingredient in the formation of ground-level ozone pollution (smog). Facilities that emit NO_x in upwind states contribute to smog formation in downwind states. When inhaled, ground-level ozone can cause acute respiratory problems, aggravate asthma, reduce lung capacity, inflame lung tissue, and impair the body's immune system.

The federal rule established an overall cap on NO_x emissions for Indiana based on significant emissions reductions from electric utility boilers, large industrial boilers, cement kilns, and stationary internal combustion engines by 2007. U.S. EPA promulgated the federal rule to address the transport of ozone and ozone-causing pollutants that occurred in this multi-state region because NO_x was significantly contributing to the one hour and eight hour ozone nonattainment areas.

Eight states challenged the rule and on March 3, 2000, the court upheld most of EPA's NO_x SIP Call, but remanded the portion of the rule concerning stationary internal combustion engines to U.S. EPA for further notice and comment. In order to address the Court's decision and move the process forward, U.S. EPA divided the NO_x SIP Call into Phase I and Phase II rule actions.

In response to U.S. EPA's NO_x SIP Call, the Air Pollution Control Board (board) final adopted rules on June 6, 2001, that became effective on September 16, 2001. The rules responded to Phase I of the NO_x SIP Call and were approved by U.S. EPA as a state implementation plan (SIP) amendment on November 8, 2001 (66 FR 56465).

On April 21, 2004 (69 FR 21603), U.S. EPA issued the "Interstate Ozone Transport: Response to Court Decisions on the NO_x SIP Call, NO_x SIP Call Technical Amendments, and Section 126 Rules: Final Rule" that became effective on June 21, 2004. This final rule requires states that submitted Phase I NO_x SIP Call budgets to submit Phase II SIP revisions as needed to achieve the remaining incremental reductions of NO_x. The Phase II SIPs are due to U.S. EPA on April 1, 2005. This final rule amends definitions under 326 IAC 10-4, sets control levels for stationary internal combustion engines, revises statewide emission budgets in the NO_x SIP Call, and sets the compliance date of May 1, 2007 for implementation of control measures. Indiana must submit the NO_x SIP call Phase II amendments to U.S. EPA by April 1, 2005.

This rule applies to any person who owns or operates a large reciprocating stationary internal combustion engine that emitted more than one (1) ton per average ozone season day during the baseline period of May 1, 1995 to September 30, 1995. U.S. EPA developed emission limitations based on low emission combustion (LEC) technology. One hundred (100) internal combustion engines were identified using Indiana's inventory, U.S. EPA's 1995 inventory, and information from pipeline companies, of which seventeen (17) are subject to this rule. These engines are located at compressor stations along pipelines that transport natural gas to residential, commercial, industrial, and electric utility customers. In this final rule, U.S. EPA establishes controls of large natural gas-fired stationary internal combustion (lean burn) engines and diesel and dual fuel stationary internal combustion (rich burn) engines. The seventeen (17) engines affected by this rule in Indiana are lean burn engines.

Alternatives To Be Considered Within the Rulemaking

• Alternative 1. Reduction of NO_x by controlling internal combustion engines (ICEs).

Is this alternative an incorporation of federal standards, either by reference or full text incorporation? No. U.S. EPA is mandating the reduction of an additional 4263 tons of NO_x under the NO_x SIP Call Rule for Indiana, but not mandating how NO_x is to be reduced. The U.S. EPA has stated that controlling ICEs is a cost-effective way to control NO_x emissions.

• Is this alternative imposed by federal law or is there a comparable federal law? This alternative is not imposed by federal law as issued in the April 21, 2004, Federal Register (69 FR 21604); however, the reduction of the amount of NO_x tons is required by federal law by 2007. Federal law allows the states flexibility in achieving the required NO_x reductions. Controlling internal engines is just one possible method of control.

• If it is a federal requirement, is it different from federal law? If the state chooses to regulate ICEs, the rules will incorporate any guidance provided by U.S. EPA.

• If it is different, describe the differences. N/A

• Alternative 2. Reduction of NO_x through control of sources other than internal combustion engines.

• Is this alternative an incorporation of federal standards, either by reference or full text incorporation? No, this alternative is not an incorporation of federal standards.

• Is this alternative imposed by federal law or is there a comparable federal law? This alternative is not imposed by federal law; however, the reduction of the amount of NO_x tons is required by federal law by 2007. Federal law allows the states flexibility in achieving the required NO_x reductions.

• If it is a federal requirement, is it different from federal law? Federal law states that Phase II NO_x reductions must be made by May 1, 2007; however, U.S. EPA has allowed the states flexibility in achieving these reductions.

• If it is different, describe the differences. The state will have to determine which categories of sources to regulate if the rule does not regulate ICEs.

Applicable Federal Law

The NO_x SIP Call Phase II final rule published on April 21, 2004, amended Title 40 CFR 51, 40 CFR 78, and 40 CFR 97. IDEM will amend specific sections of 326 IAC 10-3 and 326 IAC 10-4 to incorporate changes appropriate to the rules.

Potential Fiscal Impact

Alternative 1.

In U.S. EPA's report titled "Stationary Reciprocating Internal

Combustion Engines, Updated Information on NO_x Emissions and Control Techniques", September 1, 2000, the purchased equipment costs are estimated to be $171,000 for 1,000 brake horsepower (bhp) ICE to $444,0000 for 8,000 bhp. Additional costs would include maintenance, overhead, taxes, insurance, and administration, and annual compliance tests. U.S. EPA estimates a cost of $1990 per ton for the control of internal combustion engines using the low emission combustion (LEC) technology.

Alternative 2.

No determination has been made as to the fiscal impact of any other control method.

Public Participation and Workgroup Information

At this time, no workgroup is formed for the rulemaking. If you feel that a workgroup or other informal discussion on the rule is appropriate, please contact Suzanne Whitmer, Rules Section, Office of Air Quality at (317) 232-8229 or (800) 451-6021 (in Indiana).

STATUTORY AND REGULATORY REQUIREMENTS

IC 13-14-8-4 requires the board to consider the following factors in promulgating rules:

(1) All existing physical conditions and the character of the area affected.

(2) Past, present, and probable future uses of the area, including the character of the uses of surrounding areas.

(3) Zoning classifications.

(4) The nature of the existing air quality or existing water quality, as the case may be.

(5) Technical feasibility, including the quality conditions that could reasonably be achieved through coordinated control of all factors affecting the quality.

(6) Economic reasonableness of measuring or reducing any particular type of pollution.

(7) The right of all persons to an environment sufficiently uncontaminated as not to be injurious to human, plant, animal, or aquatic life or to the reasonable enjoyment of life and property.

REQUEST FOR PUBLIC COMMENTS

At this time, IDEM solicits the following:

(1) The submission of alternative ways to achieve the purpose of the rule.

(2) The submission of suggestions for the development of draft rule language.

Mailed comments should be addressed to:

#04-200(APCB)NO_x Phase II
Suzanne Whitmer
c/o Rules Section Administrative Assistant
Rules Section
Office of Air Quality
Indiana Department of Environmental Management
P.O. Box 6015
Indianapolis, Indiana 46206-6015.

Hand delivered comments will be accepted by the IDEM receptionist on duty at the 10th floor reception desk, Office of Air Quality, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana.

Comments may be submitted by facsimile at the IDEM fax number: (317) 233-2342, Monday through Friday, between 8:15 a.m. and 4:45 p.m. Please confirm the timely receipt of faxed comments by calling the Rules Section at (317) 233-0426.

COMMENT PERIOD DEADLINE

Comments must be postmarked, faxed, or hand delivered by August 30, 2004.

Additional information regarding this action may be obtained from Suzanne Whitmer, Rules Section, Office of Air Quality, (317) 232-8229 or (800) 451-6027 (in Indiana).

Janet G. McCabe
Assistant Commissioner
Office of Air Quality

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Office of Water Quality
Notice of Public Hearing
Final 2004 List of Impaired Waters under Section 303(d) of the CWA

Introduction

Section 303(d) of the 1972 Federal Clean Water Act (CWA) requires each state to identify and list those waters that do not or are not expected to meet applicable water quality standards. For these impaired waters, states are required to establish total maximum daily loads (TMDLs).

The final 2004 303(d) list (Category 5) of impaired waterbodies as approved by the United States Environmental Protection Agency (USEPA) on May 18, 2004 is shown at the end of this notice. Changes made to the draft list published in the Indiana Register on October 1, 2003 were based on comments received from the public and USEPA, and on further analysis of existing data.

Changes made to the draft 2004 303(d) list

The table below explains specific changes that were made to the draft 2004 303(d) list. In addition to these changes, the Indiana Department of Environmental Management (IDEM) had proposed to de-list waterbodies that were impaired due to Fish Consumption Advisories for PCBs and/or mercury. The USEPA interprets the definition of Category 5 to include these types of impairments. Therefore, IDEM has restored these to the 303(d) list, but has listed them in a subcategory 5B. All other impairments are listed in subcategory 5A.

Changes made since the draft 2004 list was published in the Indiana Register in October of 2003.

IBC = Impaired biotic communities, TDS = Total Dissolved Solids, DO = Dissolved Oxygen,
USEPA = United States Environmental Protection Agency, QA/QC = Quality Assurance/Quality Control

303(d) Number	Segment ID Number	Waterbody Name	Action Taken
4	INB0611_P1001	CROOKED LAKE	This segment was a misprint and was removed from the list.
23	INK0335_T1004, INK0335_T1005, INK0336_T1002	Little Calumet River	These segments were delisted for IBC. They were listed in 2002 due to a clerical error.
24	INC0142_T1009, INC0143_T1090, INC0143_T1010	Little Calumet River	These segments were delisted for IBC. They were listed in 2002 due to a clerical error.
53	INK019F_T1017	COBB CREEK	This segment has currently been flagged as needing further QA/QC to verify the impairment for IBC. At USEPA's request, it has been restored temporarily to the list until verification is complete.
67	INB0457_T1015	EEL RIVER	This segment was left off the draft list for E. coli (pathogens). It has been restored to the list.
69	INB0475_T1020	Eel River - mainstem	This segment was left off the draft list for E. coli (pathogens). It has been restored to the list.
73	INB07P1003_00	KOKOMO RESERVOIR 2	Nutrients were removed from the parameters of concern due to a change in methodology.
93	INB0813_M1001	WABASH RIVER	This segment was left off the draft list for IBC. It has been restored to the list.
117	INW01P1048_00	GEIST RESERVOIR	Nutrients were removed from the parameters of concern due to a change in methodology.
121	INW01D2_T1058	INDIANAPOLIS TRIBUTARIES	This segment has currently been flagged as needing further QA/QC to verify the impairment for pathogens. At USEPA's request, it has been restored temporarily to the list until verification is complete.
122	INW021A_T1017	BEAN BLOSSOM CREEK-JACK'S DEFEAT CREEK (JACK'S DEFEAT CREEK)	New data indicates that this segment be listed for E. coli (pathogens).
129	INW0189_T1035	LITTLE CICERO CREEK-BENNETT DT/TAYLOR CREEK (LITTLE CICERO CREEK)	New data indicates that this segment be listed for E. coli (pathogens).
134	INW0363_00	EAST FORK MILL CREEK-HEADWATERS	This segment was delisted for IBC due to a lack of supporting data.
134	INW0364_00	EAST FORK MILL CREEK-LOWER	This segment was delisted for IBC due to a lack of supporting data.

135	INW01P1036_00	MORSE RESERVOIR	Nutrients were removed from the parameters of concern due to a change in methodology.
137	INW01D4_T1063	PLEASANT RUN	This segment has currently been flagged as needing further QA/QC to verify the IBC and pathogen impairments. At USEPA's request, it has been restored temporarily to the list until verification is complete.
147	INW0398_T1017	WABASH & ERIE CANAL	This segment was listed for E. coli (pathogens) upon analysis of all available data.
152	INW01G5_00	LAMB'S CREEK-GOOSE CREEK (GOOSE CREEK)	This segment was delisted for IBC and listed for E. coli (pathogens) due to analysis of new data.
176	INW08P1024_00	MONROE RESERVOIR (LOWER)	This segment was listed for TASTE AND ODOR, ALGAE.
197	INP0975_T1024	SOUTH FORK PATOKA RIVER	This segment has currently been flagged as needing further QA/QC to verify the impairment for IBC. At USEPA's request, it has been restored temporarily to the list until verification is complete.
200	INE01G1_T1008	CYPRESS CREEK	This segment has currently been flagged as needing further QA/QC to verify the impairment for TDS and pathogens. At USEPA's request, it has been restored temporarily to the list until verification is complete. However, sulfate was not listed due to a lack of data to support this impairment.
202	INE01E1_T1045	LITTLE PIGEON CREEK-HEADWATERS (LITTLE PIGEON CREEK)	This segment was delisted for IBC, Sulfates, and TDS based on new data.
202	INE01F2_T1004	LITTLE PIGEON CREEK	This segment has currently been flagged as needing further QA/AC to verify the impairment for TDS and pathogens. At USEPA's request, it has been restored temporarily to the list until verification is complete.
202	INE01F5_T1005	LITTLE PIGEON CREEK	This segment has currently been flagged as needing further QA/AC to verify the impairment for sulfates and TDS. At USEPA's request, it has been restored temporarily to the list until verification is complete.
202	INE01F8_T1007	LITTLE PIGEON CREEK	This segment has currently been flagged as needing further QA/AC to verify the impairments for IBC, sulfates, and TDS. At USEPA's request, it has been restored temporarily to the list until verification is complete. However, pathogens was not listed due to a lack of data to support this impairment.
202	INE01EA_T1003	LITTLE PIGEON CREEK	This segment has currently been flagged as needing further QA/AC to verify the impairment for low dissolved oxygen. At USEPA's request, it has been restored temporarily to the list until verification is complete.
202	INE01F6_T1006	LITTLE PIGEON CREEK-RED BUSH	This segment has currently been flagged as needing further QA/AC to verify the impairment for low dissolved oxygen. At USEPA's request, it has been restored temporarily to the list until verification is complete.
241	INK01D8_00	SINGLETON DITCH-BRUCE DITCH/BAILEY DITCH	This segment was delisted for TDS based on recently collected data.
256	INK0157_00	STOCK DITCH-BUNCH BRANCHES (STOCK DITCH-BUNCH BRANCHES)	This segment has currently been flagged as needing further QA/QC to verify the impairment for pathogens. At USEPA's request, it has been restored temporarily to the list until verification is complete. It has also been delisted for IBC based on new data.
322	INB074A_T1048	SOUTH FORK WILDCAT-SPRING CREEK-LICK RUN (HEAVILON DITCH-HEADWATER)	The source of pollution causing the Ammonia and DO impairment has been identified. This segment will remain on the list until the problem has been corrected.
368	INW08G5_T1062, INW08G7_T1064, INW08G8_T1036, INW08G8_T1065	LICK CREEK (SCOTT HOLLOW TO MOUTH), FRENCH LICK CREEK (SAND CREEK TO MOUTH), LOST RIVER-WEST BADEN, LOST RIVER (ABOVE SPRINGS VALLEY INTAKE)	These segments have currently been flagged as needing further QA/QC to verify the impairment for pathogens. At USEPA's request, they have been restored temporarily to the list until verification is complete.

376	INW061C_00, INW061G_00	CLIFTY CREEK - COLUMBUS; CLIFTY CREEK - NEWBERN	This segment was added to the final list for E. coli (pathogens).
378	INW0493_T1050, INW0716_00, INW0716_T1007, INW0717_00, INW0718_00, INW0719_00, INW071A_00, INW071B_00, INW071C_00, INW0731_00, INW0732_00, INW0733_00	BREWER DITCH, BIG CREEK-HARBERTS CREEK, HARBERTS CREEK, LITTLE CREEK-HEADWATERS (JEFFERSON), RAMSEY CREEK, LITTLE CREEK-CHICKEN RUN, BIG CREEK-WALTON CREEK, NEILS CREEK, BIG CREEK-LEWIS CREEK, MUSCATATUCK RIVER-DEPUTY, COFFEE CREEK, MUSCATATUCK-FOWER/SLATE/CROOKED CR	These segments have currently been flagged as needing further QA/QC to verify the impairment for pathogens. At USEPA's request, they have been restored temporarily to the list until verification is complete.
387	INN017A_T1031	OWEN CREEK	This segment was delisted for IBC, ammonia, DO, and E. coli (pathogens). The pollution source has been identified, and the problem is being corrected.
389	INN01EB_T1033	SILVER CREEK-CAMP RUN (SILVER CREEK TRIB)	New data indicates that this segment should be delisted for DO.
489	INP0974_00	HONEY CREEK (SOUTH FORK PATOKA) TRIBUTARIES	This segment was incorrectly listed for sulfates on the draft 2004 303(d) list. It has been removed from the final list.
525	INW02P1111_00	ROUND LAKE	This segment was incorrectly listed for pH on the draft 2004 303(d) list. It has been removed from the final list.
526	INW02P1097	RESERVOIR NUMBER 29	This segment was incorrectly listed for pH on the draft 2004 303(d) list. It has been removed from the final list.

Final 2004 303(d) List

For the development of the 2004 303(d) list, the Indiana Department of Environmental Management (IDEM) has followed, to the degree possible, the 305(b) and 303(d) reporting methods outlined in the United States Environmental Protection Agency's (USEPA) Integrated Water Quality Monitoring and Assessment Report Guidance. This integrated report is designed to satisfy the Clean Water Act (CWA) requirements for both Section 305(b) water-quality reports, and Section 303(d) lists. The 303(d) list was developed using the 305(b) Assessment Database. Interpretation of the data and listing decisions take into account IDEMs assessment methodologies, USEPA guidance, and recommendations outlined by Indiana's TMDL Advisory Group.

A public hearing concerning the final 2004 303(d) list of impaired waterbodies will be held during the Water Pollution Control Board meeting scheduled for 1:30 p.m., E.S.T., August 11, 2004 in Conference Room A in the Indiana Government Center South, 402 W. Washington Street, Indianapolis, Indiana.

2004 303(d) list for Indiana

Category 5A and 5B* - Arranged by 303(d) Number (Column 1)

*Due to the unique issues and questions associated with TMDLs based on fish consumption advisories for polychlorinated biphenyls (PCBs) and mercury, waterbodies with these impairments have been listed separately in subcategory 5B. Category 5A will show all other impairments.

Breakdown of listings (number of impairments) by parameter in relation to 303(d) #: E. coli - 218, Impaired Biotic Communities - 186, Fish Consumption Advisories - 174, Total Dissolved Solids - 27, Dissolved Oxygen - 24, Nutrients - 20, Sulfates - 17, Algae - 16, Taste and Odor - 12, Cyanide - 10, Ammonia - 6, pH - 6, Chlorides - 6, Copper - 3, Oil and Grease - 2, Zinc - 2, Lead - 2, Nickel - 1, Pesticides - 1, Siltation - 1, Dioxin - 1

Category 5A

303(d) #	Major Basin	14 Digit Hydrologic Unit Code	County**	Segment ID Number	Waterbody Name	Parameters of Concern
1	GREAT LAKES	4040001030030	LAKE CO	INC0133_T1005	MAIN BEAVER DAM DT - ABOVE CROWN POINT WWTP	IMPAIRED BIOTIC COMMUNITIES
1	GREAT LAKES	4040001030040	LAKE CO	INC0134_T1006	MAIN BEAVER DAM DITCH ABOVE NILES DT	IMPAIRED BIOTIC COMMUNITIES

2	GREAT LAKES	4040001060040	PORTER CO	INC0164_T1108	PORTAGE BURNS WATERWAY	E. COLI
4	UPPER WABASH	5120106010010	WHITLEY CO	INB06P1001_00	CROOKED LAKE	IMPAIRED BIOTIC COMMUNITIES
5	GREAT LAKES	4040001040020	LAKE CO	INC0142_T1008	DEEP RIVER - BURNS DITCH	IMPAIRED BIOTIC COMMUNITIES
6	GREAT LAKES	4040001080020	PORTER CO	INC0182_T1091	MUNSON DITCH	E. COLI, IMPAIRED BIOTIC COMMUNITIES
6	GREAT LAKES	4040001080020	PORTER CO	INC0182_00	DUNES CREEK	E. COLI, IMPAIRED BIOTIC COMMUNITIES
6	GREAT LAKES	4040001080020	PORTER CO	INC0182_T1089	DUNES CREEK	E. COLI, IMPAIRED BIOTIC COMMUNITIES
7	GREAT LAKES	4050001190010	NOBLE CO	INJ01K1_T1019	ELKHART RIVER	E. COLI
7	GREAT LAKES	4050001190020	ELKHART CO	INJ01K2_T1018	ELKHART RIVER	E. COLI
7	GREAT LAKES	4050001190040	ELKHART CO	INJ01K4_T1017	ELKHART RIVER	E. COLI
7	GREAT LAKES	4050001190070	ELKHART CO	INJ01K7_T1016	ELKHART RIVER	E. COLI
7	GREAT LAKES	4050001210010	ELKHART CO	INJ01N1_T1015	ELKHART RIVER	E. COLI
7	GREAT LAKES	4050001210060	ELKHART CO	INJ01N6_T1013	ELKHART RIVER	E. COLI
8	GREAT LAKES	4040001020020	LAKE CO	INC0122_T1097	GRAND CALUMET RIVER - GARY TO INDIANA HARBOR CANAL	CYANIDE, OIL AND GREASE, IMPAIRED BIOTIC COMMUNITIES, E. COLI
8	GREAT LAKES	4040001020020	LAKE CO	INC0122_00	GRAND CALUMET RIVER - HEADWATERS	CYANIDE, OIL AND GREASE, AMMONIA
9	GREAT LAKES	7120003050010	LAKE CO	INK0351_T1001	GRAND CALUMET RIVER - ILLINOIS TO INDIANA HARBOR CANAL	IMPAIRED BIOTIC COMMUNITIES, AMMONIA, CYANIDE, CHLORIDES, E. COLI
11	GREAT LAKES	4040001020010	LAKE CO	INC0121_T1001	INDIANA HARBOR CANAL MAIN CHANNEL	E. COLI
12	GREAT LAKES	4040001020010	LAKE CO	INC0121_00	INDIANA HARBOR CANAL - LAKE GEORGE BR	IMPAIRED BIOTIC COMMUNITIES, E. COLI, OIL AND GREASE
13	GREAT LAKES	4050001090030	STEUBEN CO	INJ01P1039_00	JIMMERSON LAKE	IMPAIRED BIOTIC COMMUNITIES
14	GREAT LAKES	4050001240050	STEUBEN CO	INJ01T5_T1002	JUDAY CREEK	E. COLI
16	GREAT LAKES	4050001090030	STEUBEN CO	INJ01P1038_00	LAKE JAMES	IMPAIRED BIOTIC COMMUNITIES
17	GREAT LAKES	04040001020010	LAKE CO	INC0121G_G1074	LAKE MICHIGAN SHORELINE EAST OF IHC	E. COLI
17	GREAT LAKES	04040001020010	LAKE CO	INC0121G_G1075	LAKE MICHIGAN SHORELINE WEST OF IHC	E. COLI
17	GREAT LAKES	4040001080010	PORTER CO	INC0181G_G1093	LAKE MICHIGAN SHORELINE-DUNES	E. COLI
17	GREAT LAKES	4040001090010	LAPORTE CO	INC0191G_G1092	LAKE MICHIGAN SHORELINE-LAPORTE	E. COLI
21	GREAT LAKES	4040001060040	PORTER CO	INC0164_T1018	LITTLE CALUMET RIVER - EAST ARM	E. COLI
21	GREAT LAKES	4040001060040	PORTER CO	INC0164_T1086	LITTLE CALUMET RIVER	E. COLI
21	GREAT LAKES	4040001060040	PORTER CO	INC0164_T1086	LITTLE CALUMET RIVER	E. COLI
22	GREAT LAKES	4040001060010	PORTER CO	INC0161_T1023	LITTLE CALUMET RIVER HEADWATERS	E. COLI
22	GREAT LAKES	04040001060020	PORTER CO	INC0162_T1060	LITTLE CALUMET RIVER	E. COLI
22	GREAT LAKES	04040001060020	PORTER CO	INC0162_T1082	LITTLE CALUMET RIVER	E. COLI

22	GREAT LAKES	4040001060030	PORTER CO	INC0163_T1061	LITTLE CALUMET RIVER	E. COLI
22	GREAT LAKES	4040001060030	PORTER CO	INC0163_T1061	LITTLE CALUMET RIVER	E. COLI
23	UPPER ILLI-NOIS	7120003030050	LAKE CO	INK0335_T1004	LITTLE CALUMET RIVER	CYANIDE, E. COLI
23	UPPER ILLI-NOIS	7120003030050	LAKE CO	INK0335_T1005	LITTLE CALUMET RIVER	CYANIDE, E. COLI
23	UPPER ILLI-NOIS	7120003030060	LAKE CO	INK0336_T1002	LITTLE CALUMET RIVER	CYANIDE, E. COLI
24	GREAT LAKES	4040001040020	LAKE CO	INC0142_T1009	LITTLE CALUMET RIVER	CYANIDE, E. COLI
24	GREAT LAKES	4040001040030	PORTER CO	INC0143_T1010	BURNS DITCH	E. COLI
24	GREAT LAKES	4040001040030	LAKE CO	INC0143_T1090	BURNS DITCH	E. COLI
26	GREAT LAKES	4050001090020	STEUBEN CO	INJ01P1037_00	MARSH LAKE	IMPAIRED BIOTIC COMMUNITIES
29	GREAT LAKES	4040001030040	LAKE CO	INC0134_T1068	NILES DITCH	IMPAIRED BIOTIC COMMUNITIES
33	GREAT LAKES	4050001110030	STEUBEN CO	INJ01B3_T1032	PIGEON CREEK	E. COLI
33	GREAT LAKES	4050001110040	STEUBEN CO	INJ01B4_T1297	PIGEON CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
33	GREAT LAKES	4050001110030	STEUBEN CO	INJ01B3_T1033	MUD CREEK	TOTAL DISSOLVED SOLIDS, CHLORIDES
34	GREAT LAKES	4040001050010	PORTER CO	INC0151_T1012	SALT CREEK	E. COLI
34	GREAT LAKES	4040001050020	PORTER CO	INC0152_00	CLARK DITCH AND OTHER TRIBS	E. COLI
34	GREAT LAKES	4040001050020	PORTER CO	INC0152_T1013	SALT CREEK	E. COLI
34	GREAT LAKES	4040001050050	PORTER CO	INC0155_T1017	SALT CREEK	E. COLI
34	GREAT LAKES	4040001050050	PORTER CO	INC0155_T1088	SALT CREEK	E. COLI
34	GREAT LAKES	4040001050030	PORTER CO	INC0153_T1015	SALT CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
35	GREAT LAKES	4050001090020	STEUBEN CO	INJ01P1036_00	SNOW LAKE	IMPAIRED BIOTIC COMMUNITIES
36	GREAT LAKES	4050001240060	ST JOSEPH CO	INJ01T6_M1001	ST. JOSEPH RIVER	E. COLI
36	GREAT LAKES	04050001220010	ST JOSEPH CO / ELKHART CO	INJ01P1_M1007	ST. JOSEPH RIVER	E. COLI
36	GREAT LAKES	04050001240010	ST JOSEPH CO / ELKHART CO	INJ01T1_M1006	ST. JOSEPH RIVER	E. COLI
36	GREAT LAKES	04050001240020	ST JOSEPH CO / ELKHART CO	INJ01T2_M1005	ST. JOSEPH RIVER	E. COLI
36	GREAT LAKES	04050001240030	ST JOSEPH CO / ELKHART CO	INJ01T3_M1004	ST. JOSEPH RIVER	E. COLI
36	GREAT LAKES	04050001240040	ST JOSEPH CO / ELKHART CO	INJ01T4_M1003	ST. JOSEPH RIVER	E. COLI
37	GREAT LAKES	4040001070030	LAPORTE CO	INC0173_T1020	TRAIL CREEK	E. COLI
38	GREAT LAKES	4040001030010	LAKE CO	INC0131_T1003	TURKEY CREEK MAINSTEM	E. COLI
38	GREAT LAKES	4040001030020	LAKE CO	INC0132_T1004	TURKEY CREEK - MERRILLVILLE	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
38	GREAT LAKES	4040001030010	LAKE CO	INC0131_T1003	TURKEY CREEK MAINSTEM	IMPAIRED BIOTIC COMMUNITIES
40	GREAT LAKES	4100004040020	ADAMS CO	INA0442_T1007	BLUE CREEK	E. COLI
40	GREAT LAKES	4100004040050	ADAMS CO	INA0445_T1006	BLUE CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI, AMMONIA, NUTRIENTS

41	GREAT LAKES	4100003090030	DEKALB CO	INA0393_T1033	CEDAR CREEK-MAINSTEM	E. COLI
41	GREAT LAKES	4100003090030	DEKALB CO	INA0393_T1034	CEDAR CREEK	E. COLI
41	GREAT LAKES	4100003090080	ALLEN CO	INA0398_T1036	CEDAR CREEK	E. COLI
41	GREAT LAKES	4100003090090	ALLEN CO	INA0399_T1037	CEDAR CREEK	E. COLI
41	GREAT LAKES	4100003080050	DEKALB CO	INA0385_T1029	CEDAR CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
41	GREAT LAKES	4100003080030	DEKALB CO	INA0383_T1028	CEDAR CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI, NUTRIENTS
42	GREAT LAKES	4100003090030	DEKALB CO	INA0393_T1032	GARRETT CITY DITCH	E. COLI, TOTAL DISSOLVED SOLIDS
43	GREAT LAKES	4100004040030	ADAMS CO	INA0443_T1008	HABEGGER DITCH	IMPAIRED BIOTIC COMMUNITIES, E. COLI, ALGAE
45	GREAT LAKES	4100005010010	ALLEN CO	INA0511_M1007	MAUMEE RIVER	E. COLI
45	GREAT LAKES	4100005010040	ALLEN CO	INA0514_M1006	MAUMEE RIVER	E. COLI
45	GREAT LAKES	4100005010080	ALLEN CO	INA0518_M1004	MAUMEE RIVER	E. COLI
45	GREAT LAKES	4100005010100	ALLEN CO	INA051A_M1003	MAUMEE RIVER	E. COLI
45	GREAT LAKES	4100005010120	ALLEN CO	INA051C_M1002	MAUMEE RIVER	E. COLI
45	GREAT LAKES	04100005010130	ALLEN CO	INA051D_M1001	MAUMEE RIVER	E. COLI
46	GREAT LAKES	4100003100040	ALLEN CO	INA03P1044_00	ST. JOSEPH RESERVOIR	E. COLI, ALGAE
46	GREAT LAKES	4100003070050	ALLEN CO	INA03P1024_00	CEDARVILLE RESERVOIR	E. COLI, ALGAE, TASTE AND ODOR
47	GREAT LAKES	4100004040080	ADAMS CO	INA0448_T1016	ST. MARYS RIVER	E. COLI
47	GREAT LAKES	4100004040090	ADAMS CO	INA0449_T1017	ST. MARYS RIVER	E. COLI
47	GREAT LAKES	4100004050030	ADAMS CO	INA0453_T1018	ST. MARYS RIVER	E. COLI
47	GREAT LAKES	4100004050040	ALLEN CO	INA0454_T1021	ST. MARYS RIVER	E. COLI
47	GREAT LAKES	4100004060010	ALLEN CO	INA0461_T1004	ST. MARYS RIVER	E. COLI
47	GREAT LAKES	4100004060060	ALLEN CO	INA0466_T1022	ST. MARYS RIVER	E. COLI
47	GREAT LAKES	04100004050040	ALLEN CO	INA0454_T1005	ST. MARYS RIVER	E. COLI
47	GREAT LAKES	04100004060030	ALLEN CO	INA0463_T1003	ST. MARYS RIVER	E. COLI
48	GREAT LAKES	4100003070040	ALLEN CO	INA0374_T1021	SWARTZ-CARNAHAN DITCH	IMPAIRED BIOTIC COMMUNITIES
50	UPPER ILLINOIS	7120002150030	NEWTON CO	INK02F3_T1014	BEAVER CREEK	IMPAIRED BIOTIC COMMUNITIES
50	UPPER ILLINOIS	7120002150040	NEWTON CO	INK02F4_T1015	BEAVER CREEK	IMPAIRED BIOTIC COMMUNITIES
51	UPPER ILLINOIS	7120001130070	LAKE CO	INK01D7_T1025	CEDAR CREEK	IMPAIRED BIOTIC COMMUNITIES
53	LOWER WABASH	07120001090150	PORTER CO	INK019F_T1017	COBB CREEK	IMPAIRED BIOTIC COMMUNITIES
53	UPPER ILLINOIS	7120001090150	PORTER CO	INK019F_T1018	BREYFOGEL DITCH	IMPAIRED BIOTIC COMMUNITIES
54	UPPER ILLINOIS	7120001090050	PORTER CO	INK0195_T1013	CROOKED CREEK	IMPAIRED BIOTIC COMMUNITIES
54	UPPER ILLINOIS	7120001090070	PORTER CO	INK0197_T1014	CROOKED CREEK	IMPAIRED BIOTIC COMMUNITIES
55	UPPER ILLINOIS	7120003030030	LAKE CO	INK0333_T1003	DYER DITCH	IMPAIRED BIOTIC COMMUNITIES
56	UPPER ILLINOIS	7120002020030	JASPER CO	INK0223_T1003	IROQUOIS RIVER	E. COLI
56	UPPER ILLINOIS	7120002020060	JASPER CO	INK0226_T1004	IROQUOIS RIVER	E. COLI
56	UPPER ILLINOIS	7120002040040	NEWTON CO	INK0244_T1006	IROQUOIS RIVER	E. COLI

56	UPPER ILLI-NOIS	7120002040060	NEWTON CO	INK0246_T1007	IROQUOIS RIVER	E. COLI
56	UPPER ILLI-NOIS	7120002040070	NEWTON CO	INK0247_T1008	IROQUOIS RIVER	E. COLI
56	UPPER ILLI-NOIS	7120002040080	NEWTON CO	INK0248_T1009	IROQUOIS RIVER	E. COLI
56	UPPER ILLI-NOIS	7120002050010	NEWTON CO	INK0251_T1010	IROQUOIS RIVER	E. COLI
57	UPPER ILLI-NOIS	7120001010100	LAPORTE CO	INK011A_T1001	KANKAKEE RIVER-MAINSTEM	E. COLI
57	UPPER ILLI-NOIS	7120001010130	LAPORTE CO	INK011D_T1002	KANKAKEE RIVER	E. COLI
57	UPPER ILLI-NOIS	7120001030010	LAPORTE CO	INK0131_T1003	KANKAKEE RIVER - MAINSTEM	E. COLI
57	UPPER ILLI-NOIS	7120001030030	LAPORTE CO	INK0133_T1004	KANKAKEE RIVER - MAINSTEM	E. COLI
57	UPPER ILLI-NOIS	7120001030120	LAPORTE CO	INK013C_T1007	KANKAKEE RIVER-MAINSTEM	E. COLI
57	LOWER WABASH	07120001040060	LAKE CO / LAPORTE CO	INK0146_T1008	KANKAKEE RIVER	E. COLI
57	UPPER ILLI-NOIS	7120001040070	LAPORTE CO	INK0147_T1009	KANKAKEE RIVER	E. COLI
57	UPPER ILLI-NOIS	7120001080030	LAPORTE CO	INK0183_M1011	KANKAKEE RIVER-ENG-LISH LAKE	E. COLI
57	UPPER ILLI-NOIS	7120001090150	PORTER CO	INK019F_M1104	KANKAKEE RIVER	E. COLI
57	LOWER WABASH	07120001090150	LAKE CO / LAPORTE CO	INK019F_M1113	KANKAKEE RIVER	E. COLI
57	UPPER ILLI-NOIS	7120001030040	LAPORTE CO	INK0134_T1005	KANKAKEE RIVER-MAINSTEM	IMPAIRED BIOTIC COMMUNITIES, E. COLI
57	UPPER ILLI-NOIS	7120001030080	LAPORTE CO	INK0138_T1006	KANKAKEE RIVER-MAINSTEM	IMPAIRED BIOTIC COMMUNITIES, E. COLI
59	UPPER ILLI-NOIS	7120001050030	ST. JOSEPH CO	INK0153_T1016	UNNAMED DITCH	E. COLI
60	LOWER WABASH	5120108040110	FOUNTAIN CO	INB084B_T1046	BIG PINE CREEK - BROWN DT TO PINE VIL-LAGE	E. COLI, LEAD
61	LOWER WABASH	5120108160020	MONTGOMERY CO	INB08G2_T1035	BIG RACCOON CREEK-NEW ROSS	E. COLI
61	LOWER WABASH	5120108160010	BOONE CO	INB08G1_T1034	BIG RACCOON CREEK	IMPAIRED BIOTIC COMMUNITIES
61	LOWER WABASH	5120108160020	MONTGOMERY CO	INB08G2_T1035	BIG RACCOON CREEK-NEW ROSS	IMPAIRED BIOTIC COMMUNITIES
61	LOWER WABASH	5120108160030	MONTGOMERY CO	INB08G3_T1036	BIG RACCOON CREEK	IMPAIRED BIOTIC COMMUNITIES
61	LOWER WABASH	5120108160070	PUTNAM CO	INB08G7_T1040	BIG RACCOON CREEK	IMPAIRED BIOTIC COMMUNITIES
64	LOWER WABASH	5120108160050	MONTGOMERY CO	INB08G5_T1038	CORNSTALK CREEK	IMPAIRED BIOTIC COMMUNITIES
67	UPPER WABASH	5120104010040	WHITLEY CO	INB0414_T1002	EEL RIVER	E. COLI
67	UPPER WABASH	5120104060020	MIAMI CO	INB0462_T1017	EEL RIVER	E. COLI
67	UPPER WABASH	5120104050070	MIAMI CO	INB0457_T1015	EEL RIVER	E. COLI

69	UPPER WABASH	05120104070050	CASS CO	INB0475_T1020	Eel River - mainstem	E. COLI
69	UPPER WABASH	5120104070060	CASS CO	INB0476_T1021	EEL RIVER	E. COLI
71	LOWER WABASH	5120108020070	TIPPECANOE CO	INB0827_T1013	ELLIOT DITCH	IMPAIRED BIOTIC COMMUNITIES
72	UPPER WABASH	5120107010110	HOWARD CO	INB071B_T1007	KOKOMO CREEK - HEADWATERS	E. COLI
72	UPPER WABASH	5120107010120	HOWARD CO	INB071C_T1026	KOKOMO CREEK - LOWER	E. COLI
73	UPPER WABASH	5120107010090	HOWARD CO	INB07P1003_00	KOKOMO RESERVOIR 2	TASTE AND ODOR, ALGAE
78	UPPER WABASH	5120107020030	HOWARD CO	INB0723_T1010	LITTLE WILDCAT CREEK - MAINSTEM	E. COLI
79	UPPER WABASH	5120103030040	DELAWARE CO	INB0334_T1013	MISSISSINEWA RIVER	E. COLI
79	UPPER WABASH	5120103050010	GRANT CO	INB0351_T1015	MISSISSINEWA RIVER	E. COLI
79	UPPER WABASH	5120103050130	GRANT CO	INB035D_T1019	MISSISSINEWA RIVER	E. COLI
79	UPPER WABASH	5120103060010	GRANT CO	INB0361_T1020	MISSISSINEWA RIVER	E. COLI
79	UPPER WABASH	5120103060020	GRANT CO	INB0362_T1021	MISSISSINEWA RIVER	E. COLI
80	LOWER WABASH	5120108160080	PUTNAM CO	INB08G8_T1041	NORTH RAMP CREEK	IMPAIRED BIOTIC COMMUNITIES
81	LOWER WABASH	5120111030080	VIGO CO	INB1138_T1023	OTTER CREEK	E. COLI, SULFATES, pH, TOTAL DISSOLVED SOLIDS, IMPAIRED BIOTIC COMMUNITIES
83	UPPER WABASH	5120107010100	HOWARD CO	INB071A_T1005	PRAIRIE CREEK DITCH - UPPER	E. COLI
83	UPPER WABASH	5120107010100	HOWARD CO	INB071A_T1032	PRAIRIE CREEK DITCH - LOWER	E. COLI
84	UPPER WABASH	5120107040040	CLINTON CO	INB0744_T1019	SOUTH FORK WILDCAT CREEK - MAINSTEM	E. COLI
84	UPPER WABASH	5120107040100	CLINTON CO	INB074A_T1020	SOUTH FORK WILDCAT CREEK - MAINSTEM	E. COLI
85	LOWER WABASH	5120108160090	PUTNAM CO	INB08G9_T1042	SOUTH RAMP CREEK	IMPAIRED BIOTIC COMMUNITIES
86	LOWER WABASH	5120111050030	VIGO CO	INB1153_00	SUGAR CREEK	IMPAIRED BIOTIC COMMUNITIES
86	LOWER WABASH	5120111050040	VIGO CO	INB1154_T1026	SUGAR CREEK	IMPAIRED BIOTIC COMMUNITIES
86	LOWER WABASH	5120111050050	VIGO CO	INB1155_T1027	SUGAR CREEK - EAST LITTLE SUGAR CR TO MOUTH	IMPAIRED BIOTIC COMMUNITIES
87	LOWER WABASH	5120110020060	MONTGOMERY CO	INB1026_T1001	SUGAR CREEK	E. COLI
87	LOWER WABASH	5120110050010	MONTGOMERY CO	INB1051_T1006	SUGAR CREEK	E. COLI

89	LOWER WABASH	5120111160040	SULLIVAN CO	INB11G4_T1024	SULPHER CREEK	IMPAIRED BIOTIC COMMUNITIES, COPPER, NICKEL, ZINC, SULFATES, pH, DISSOLVED OXYGEN, TOTAL DISSOLVED SOLIDS
90	UPPER WABASH	5120106010080	KOSCIUSKO CO	INB06P1002_00	TIPPECANOE LAKE	IMPAIRED BIOTIC COMMUNITIES
92	UPPER WABASH	5120106030050	KOSCIUSKO CO	INB0635_T1040	TIPPECANOE RIVER	E. COLI
92	UPPER WABASH	5120106040040	MARSHALL CO	INB0644_T1041	TIPPECANOE RIVER AND TRIBUTARY	E. COLI
93	UPPER WABASH	5120101140030	WABASH CO	INB01E3_M1029	WABASH RIVER	COPPER, E. COLI
93	UPPER WABASH	5120101060040	WELLS CO	INB0164_T1001	WABASH RIVER	E. COLI
93	UPPER WABASH	5120101070040	WELLS CO	INB0174_T1005	WABASH RIVER MAINSTEM	E. COLI
93	UPPER WABASH	5120101160010	MIAMI CO	INB01G1_M1018	WABASH RIVER	E. COLI
93	UPPER WABASH	5120105010010	CASS CO	INB0511_M1001	WABASH RIVER	E. COLI
93	UPPER WABASH	5120105030040	CARROLL CO	INB0534_M1005	WABASH RIVER	E. COLI
93	UPPER WABASH	5120105070030	TIPPECANOE CO	INB0573_M1012	WABASH RIVER	E. COLI
93	LOWER WABASH	5120108010030	TIPPECANOE CO	INB0813_M1001	WABASH RIVER	IMPAIRED BIOTIC COMMUNITIES
93	LOWER WABASH	5120108030010	TIPPECANOE CO	INB0831_M1003	WABASH RIVER - D/S WEA CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
93	LOWER WABASH	5120108030030	TIPPECANOE CO	INB0833_M1004	WABASH RIVER - GRANVILLE BRDG TO FLINT CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
94	LOWER WABASH	5120108080040	FOUNTAIN CO	INB0884_M1017	WABASH RIVER	NUTRIENTS, pH
94	LOWER WABASH	5120108080060	FOUNTAIN CO	INB0886_M1018	WABASH RIVER	NUTRIENTS, pH
94	LOWER WABASH	5120108090010	FOUNTAIN CO	INB0891_M1019	WABASH RIVER	NUTRIENTS, pH
94	LOWER WABASH	5120108070010	FOUNTAIN CO	INB0871_M1014	WABASH RIVER - ATTICA	NUTRIENTS, pH, DISSOLVED OXYGEN
94	LOWER WABASH	5120108080010	FOUNTAIN CO	INB0881_M1015	WABASH RIVER	NUTRIENTS, pH, DISSOLVED OXYGEN
96	LOWER WABASH	5120108020090	TIPPECANOE CO	INB0829_T1039	WEA CREEK - ELLIOT DT TO MOUTH	E. COLI
96	LOWER WABASH	5120108020060	TIPPECANOE CO	INB0826_T1045	WEA CREEK	IMPAIRED BIOTIC COMMUNITIES
97	UPPER WABASH	5120107010080	HOWARD CO	INB0718_T1002	WILDCAT CREEK - JEROME	E. COLI
97	UPPER WABASH	5120107010100	HOWARD CO	INB071A_T1025	WILDCAT CREEK - UPSTREAM OF WATER INTAKE	E. COLI
97	UPPER WABASH	5120107010100	HOWARD CO	INB071A_T1033	CANNON - GOYER DITCH	E. COLI
97	UPPER WABASH	5120107020010	HOWARD CO	INB0721_T1008	WILDCAT CREEK - MAINSTEM	E. COLI

97	UPPER WABASH	5120107020070	HOWARD CO	INB0727_T1013	WILDCAT - MAINSTEM	E. COLI
97	UPPER WABASH	5120107020090	CARROLL CO	INB0729_T1015	WILDCAT CREEK - MAINSTEM	E. COLI
97	UPPER WABASH	5120107050010	TIPPECANOE CO	INB0751_T1024	WILDCAT CREEK - OSRW	E. COLI
97	UPPER WABASH	5120107010100	HOWARD CO	INB071A_T1006	WILDCAT CREEK - MAINSTEM	E. COLI, CYANIDE
99	WEST FORK WHITE	5120201130040	MARION CO	INW01D4_T1119	BEAN CREEK	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
100	WEST FORK WHITE	5120202010010	BROWN CO	INW0211_00	BEANBLOSSOM CREEK-HEADWATERS	E. COLI
100	WEST FORK WHITE	5120202010010	BROWN CO	INW0211_T1001	BEANBLOSSOM CREEK	E. COLI
100	WEST FORK WHITE	5120202010020	BROWN CO	INW0212_00	NORTH BEAR FORK	E. COLI
100	WEST FORK WHITE	5120202010030	BROWN CO	INW0213_00	LICK CREEK	E. COLI
100	WEST FORK WHITE	5120202010030	BROWN CO	INW0213_T1002	BEANBLOSSOM CREEK	E. COLI
100	WEST FORK WHITE	5120202010040	MONROE CO	INW0214_T1053	BEANBLOSSOM CREEK	E. COLI
100	WEST FORK WHITE	5120202010050	MONROE CO	INW0215_00	HONEY CREEK	E. COLI
100	WEST FORK WHITE	5120202010050	MONROE CO	INW0215_T1004	BEANBLOSSOM CREEK	E. COLI
100	WEST FORK WHITE	5120202010060	MONROE CO	INW0216_T1005	BEANBLOSSOM CREEK	E. COLI
100	WEST FORK WHITE	5120202010080	MONROE CO	INW0218_T1006	BEANBLOSSOM CREEK	E. COLI
100	WEST FORK WHITE	5120202010090	MONROE CO	INW0219_00	INDIAN CREEK	E. COLI
100	WEST FORK WHITE	5120202010090	MONROE CO	INW0219_T1007	BEANBLOSSOM CREEK	E. COLI
100	WEST FORK WHITE	5120202010100	MONROE CO	INW021A_T1008	BEANBLOSSOM CREEK	E. COLI
101	WEST FORK WHITE	5120203010010	BOONE CO	INW0311_00	WEST FORK BIG WAL-NUT CREEK-HEADWA-TERS	E. COLI
101	WEST FORK WHITE	5120203010020	BOONE CO	INW0312_00	MAIN EDLIN DITCH-SMITH DITCH	E. COLI
101	WEST FORK WHITE	5120203010030	BOONE CO	INW0313_00	MAIN EDLIN DITCH-GRASSY BRANCH	E. COLI
101	WEST FORK WHITE	5120203010040	BOONE CO	INW0314_00	WEST FORK BIG WAL-NUT CREEK-LOWER	E. COLI
101	WEST FORK WHITE	5120203010060	HENDRICKS CO	INW0316_00	EAST FORK BIG WAL-NUT CREEK-ROSS DITCH	E. COLI
101	WEST FORK WHITE	5120203010070	HENDRICKS CO	INW0317_00	EAST FORK BIG WAL-NUT CREEK-LOWER	E. COLI
101	WEST FORK WHITE	5120203020010	PUTNAM CO	INW0321_00	BIG WALNUT-BARNARD TRIBUTARIES	E. COLI
101	WEST FORK WHITE	5120203020010	PUTNAM CO	INW0321_T1001	BIG WALNUT CREEK	E. COLI
101	WEST FORK WHITE	5120203020020	PUTNAM CO	INW0322_T1002	BIG WALNUT CREEK-ERNIE PYLE MEMORIAL	E. COLI
101	WEST FORK WHITE	5120203020030	PUTNAM CO	INW0323_00	BLEDSOE BRANCH BA-SIN	E. COLI

101	WEST FORK WHITE	5120203020030	PUTNAM CO	INW0323_T1003	BIG WALNUT CREEK	E. COLI
101	WEST FORK WHITE	5120203020040	PUTNAM CO	INW0324_00	CLEAR CREEK-HEAD-WATERS (PUTNAM)	E. COLI
101	WEST FORK WHITE	5120203020050	PUTNAM CO	INW0325_00	CLEAR CREEK-MILLER CREEK	E. COLI
101	WEST FORK WHITE	5120203020060	PUTNAM CO	INW0326_T1004	BIG WALNUT CREEK	E. COLI
101	WEST FORK WHITE	5120203020070	PUTNAM CO	INW0327_T1005	BIG WALNUT CREEK	E. COLI
101	WEST FORK WHITE	5120203040010	PUTNAM CO	INW0341_T1006	BIG WALNUT CREEK	E. COLI
101	WEST FORK WHITE	5120203040020	PUTNAM CO	INW0342_00	MILL CREEK	E. COLI
101	WEST FORK WHITE	5120203040020	PUTNAM CO	INW0342_T1007	BIG WALNUT CREEK	E. COLI
101	WEST FORK WHITE	5120203050050	PUTNAM CO	INW0355_00	DEER CREEK-MOSQUITO CREEK	E. COLI
101	WEST FORK WHITE	5120203050060	PUTNAM CO	INW0356_00	DEWEESE CREEK	E. COLI
101	WEST FORK WHITE	5120203050070	PUTNAM CO	INW0357_00	DEER CREEK-LEATHER-WOOD CREEK	E. COLI
101	WEST FORK WHITE	5120203070010	CLAY CO	INW0371_00	CROYS CREEK-VAN BUREN CREEK	E. COLI
101	WEST FORK WHITE	5120203070020	PUTNAM CO	INW0372_00	CROYS CREEK-BILLY CREEK	E. COLI
101	WEST FORK WHITE	5120203070030	CLAY CO	INW0373_00	EEL RIVER-SLATE/AHLEMEYER BRANCHES	E. COLI
102	WEST FORK WHITE	5120201020010	HENRY CO	INW0121_00	BUCK CREEK-LITTLE BUCK CREEK	E. COLI
102	WEST FORK WHITE	5120201020020	DELAWARE CO	INW0122_T1011	BUCK CREEK	E. COLI
102	WEST FORK WHITE	5120201020030	DELAWARE CO	INW0123_00	BELL CREEK-BETHEL BROOK	E. COLI
102	WEST FORK WHITE	5120201020040	DELAWARE CO	INW0124_00	BELL CREEK-WILLIAMS DITCH	E. COLI
102	WEST FORK WHITE	5120201020050	DELAWARE CO	INW0125_00	BELL CREEK-NO NAME CREEK	E. COLI
102	WEST FORK WHITE	5120201020020	DELAWARE CO	INW0122_T1011	BUCK CREEK	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
102	WEST FORK WHITE	5120201020060	DELAWARE CO	INW0126_T1012	BUCK CREEK	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
105	WEST FORK WHITE	5120203090050	CLAY CO	INW0395_T1019	CONNELLY DITCH-HEADWATERS	E. COLI
105	WEST FORK WHITE	5120203090060	CLAY CO	INW0396_00	CLAY CITY TRIB	E. COLI
105	WEST FORK WHITE	5120203090060	CLAY CO	INW0396_T1020	CONNELLY DITCH	E. COLI
106	WEST FORK WHITE	5120201130080	MARION CO	INW01D8_T1074	DOLLAR HIDE CREEK	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
107	WEST FORK WHITE	5120201060020	MADISON CO	INW0162_T1028	DUCK CREEK - ELWOOD TO LTL DUCK CR	E. COLI

107	WEST FORK WHITE	5120201060030	MADISON CO	INW0163_T1029	DUCK CREEK - LTL DUCK CR TO POLYWOG CR	E. COLI
107	WEST FORK WHITE	5120201060040	HAMILTON CO	INW0164_T1030	DUCK CREEK	E. COLI
107	WEST FORK WHITE	5120201060060	HAMILTON CO	INW0166_T1031	DUCK CREEK	E. COLI
108	WEST FORK WHITE	5120201150140	MARION CO	INW01FE_T1107	EAST FORK WHITE LICK CREEK	IMPAIRED BIOTIC COMMUNITIES
108	WEST FORK WHITE	5120201150150	HENDRICKS CO	INW01FF_T1124	EAST FORK WHITE LICK CREEK	IMPAIRED BIOTIC COMMUNITIES
109	WEST FORK WHITE	5120201150140	MARION CO	INW01FE_00	EAST FORK WHITE LICK CREEK-HEADWATERS AND OTHER TRIBUTAR-IES	E. COLI
109	WEST FORK WHITE	5120201150150	HENDRICKS CO	INW01FF_00	EAST FORK WHITE LICK CREEK-STERLING RUN	E. COLI
109	WEST FORK WHITE	5120201150150	HENDRICKS CO	INW01FF_T1108	EAST FORK WHITE LICK CREEK	E. COLI
109	WEST FORK WHITE	5120201150160	MORGAN CO	INW01FG_00	EAST FORK WHITE LICK CREEK-SILON CREEK	E. COLI
109	WEST FORK WHITE	5120201150160	MORGAN CO	INW01FG_T1109	EAST FORK WHITE LICK CREEK	E. COLI
110	WEST FORK WHITE	5120201120010	BOONE CO	INW01C1_00	DIXON BRANCH AND OTHER TRIBUTARIES	E. COLI
110	WEST FORK WHITE	5120201120010	BOONE CO	INW01C1_T1064	EAGLE CREEK	E. COLI
110	WEST FORK WHITE	5120201120020	BOONE CO	INW01C2_00	KREAGER DITCH AND OTHER TRIBUTARIES	E. COLI
110	WEST FORK WHITE	5120201120030	BOONE CO	INW01C3_00	FINLEY CREEK AND OTHER	E. COLI
110	WEST FORK WHITE	5120201120030	BOONE CO	INW01C3_T1066	EAGLE CREEK	E. COLI
110	WEST FORK WHITE	5120201120040	BOONE CO	INW01C4_00	MOUNTS RUN-NEESE DITCH	E. COLI
110	WEST FORK WHITE	5120201120050	BOONE CO	INW01C5_00	JACKSON RUN AND OTHER TRIBUTARIES	E. COLI
110	WEST FORK WHITE	5120201120050	BOONE CO	INW01C5_T1067	EAGLE CREEK	E. COLI
110	WEST FORK WHITE	5120201120060	HAMILTON CO	INW01C6_00	LITTLE EAGLE BRANCH-HEADWATERS	E. COLI
110	WEST FORK WHITE	5120201120070	BOONE CO	INW01C7_00	LITTLE EAGLE BRANCH-WOODRUFF BRANCH	E. COLI
110	WEST FORK WHITE	5120201120080	MARION CO	INW01C8_T1068	EAGLE CREEK	E. COLI
110	WEST FORK WHITE	5120201120090	MARION CO	INW01C9_00	FISHBACK CREEK (EA-GLE CREEK RESERVOIR)	E. COLI
110	WEST FORK WHITE	5120201120020	BOONE CO	INW01C2_T1065	EAGLE CREEK	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
110	WEST FORK WHITE	5120201120110	MARION CO	INW01CB_T1071	EAGLE CREEK-DAM TO LITTLE EAGLE CREEK	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
110	WEST FORK WHITE	5120201120140	MARION CO	INW01CE_T1072	EAGLE CREEK-NEELD DITCH/BLUE LAKE	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
111	WEST FORK WHITE	5120202020100	OWEN CO	INW022A_T1025	EAST FORK FISH CREEK	IMPAIRED BIOTIC COMMUNITIES

111	WEST FORK WHITE	5120202020100	OWEN CO	INW022A_T1060	UNNAMED BRANCH E.F. FISH CREEK	IMPAIRED BIOTIC COMMUNITIES
112	WEST FORK WHITE	5120203090070	CLAY CO	INW0397_T1018	EEL RIVER	E. COLI
112	WEST FORK WHITE	5120203090080	CLAY CO	INW0398_T1015	EEL RIVER	E. COLI
112	WEST FORK WHITE	5120203090090	GREENE CO	INW0399_00	LAGOON CREEK-HOWESVILLE DITCH	E. COLI
112	WEST FORK WHITE	5120203090120	GREENE CO	INW039C_00	NEED/BRUSH CREEK AND OTHER TRIBUTAR-IES	E. COLI
112	WEST FORK WHITE	5120203090120	GREENE CO	INW039C_T1023	LICK CREEK	E. COLI
112	WEST FORK WHITE	5120203090120	GREENE CO	INW039C_T1024	EEL RIVER	E. COLI
112	WEST FORK WHITE	5120203090140	GREENE CO	INW039D_T1025	EEL RIVER	E. COLI
113	WEST FORK WHITE	5120203080040	CLAY CO	INW0384_00	BIRCH CREEK-LITTLE BIRCH CREEK	E. COLI
113	WEST FORK WHITE	5120203080050	CLAY CO	INW0385_00	EAST FORK BIRCH CREEK	E. COLI
113	WEST FORK WHITE	5120203080060	CLAY CO	INW0386_00	BIRCH CREEK-PRAIRIE CREEK	E. COLI
113	WEST FORK WHITE	5120203080070	CLAY CO	INW0387_00	BRUSH CREEK-CROOKED CREEK	E. COLI
113	WEST FORK WHITE	5120203080080	CLAY CO	INW0388_00	BIRCH CREEK-OUTLET (ZION CHURCH)	E. COLI
113	WEST FORK WHITE	5120203090020	CLAY CO	INW0392_00	SPLUNGE CREEK-CUT-OFF/LITTLE SLOUGH	E. COLI
113	WEST FORK WHITE	5120203090030	CLAY CO	INW0393_T1014	EEL RIVER	E. COLI
113	WEST FORK WHITE	5120203090040	CLAY CO	INW0394_T1016	EEL RIVER	E. COLI
114	WEST FORK WHITE	5120201100010	HENRY CO	INW01A1_00	FALL CREEK-HONEY CREEK	E. COLI
114	WEST FORK WHITE	5120201100020	HENRY CO	INW01A2_00	FALL CREEK-SUGAR CREEK/DEER CREEK	E. COLI
114	WEST FORK WHITE	5120201100030	MADISON CO	INW01A3_T1042	FALL CREEK	E. COLI
114	WEST FORK WHITE	5120201100040	MADISON CO	INW01A4_00	SLY FORK-BRANDON DITCH	E. COLI
114	WEST FORK WHITE	5120201100050	MADISON CO	INW01A5_T1043	FALL CREEK	E. COLI
114	WEST FORK WHITE	5120201100060	MADISON CO	INW01A6_T1044	FALL CREEK	E. COLI
114	WEST FORK WHITE	5120201100070	MADISON CO	INW01A7_00	PRAIRIE CREEK (MADI-SON)	E. COLI
114	WEST FORK WHITE	5120201100080	MADISON CO	INW01A8_00	FOSTER BRANCH	E. COLI
114	WEST FORK WHITE	5120201100090	MADISON CO	INW01A9_T1045	FALL CREEK-PENDLETON TO LICK CREEK	E. COLI
115	WEST FORK WHITE	5120201110060	MARION CO	INW01B6_T1051	FALL CREEK	E. COLI
116	WEST FORK WHITE	5120202050060	DAVIESS CO	INW0256_T1030	FIRST CREEK	E. COLI
116	WEST FORK WHITE	5120202050070	GREENE CO	INW0257_00	ROCKY BRANCH AND OTHER TRIBUTARIES	E. COLI

116	WEST FORK WHITE	5120202050070	GREENE CO	INW0257_T1031	FIRST CREEK	E. COLI
117	WEST FORK WHITE	5120201100150	MARION CO	INW01P1048_00	GEIST RESERVOIR	TASTE AND ODOR, ALGAE
118	WEST FORK WHITE	5120202090010	DAVIESS CO	INW0291_T1038	HAWKINS CREEK	IMPAIRED BIOTIC COMMUNITIES
120	WEST FORK WHITE	5120201170010	JOHNSON CO	INW01H1_T1097	INDIAN CREEK HEAD-WATERS (BROWN)	E. COLI
120	WEST FORK WHITE	5120201170020	JOHNSON CO	INW01H2_T1098	INDIAN CREEK	E. COLI
120	WEST FORK WHITE	5120201170030	MORGAN CO	INW01H3_T1099	INDIAN CREEK-BEAR CREEK	E. COLI
120	WEST FORK WHITE	5120201170040	MORGAN CO	INW01H4_T1100	INDIAN CREEK	E. COLI
120	WEST FORK WHITE	5120201170050	MORGAN CO	INW01H5_00	CAMP CREEK	E. COLI
120	WEST FORK WHITE	5120201170050	MORGAN CO	INW01H5_T1101	INDIAN CREEK	E. COLI
120	WEST FORK WHITE	5120201170060	MORGAN CO	INW01H6_T1102	INDIAN CREEK-ROBERT-SON CREEK	E. COLI
120	WEST FORK WHITE	5120201170070	MORGAN CO	INW01H7_00	SAND CREEK	E. COLI
120	WEST FORK WHITE	5120201170070	MORGAN CO	INW01H7_T1103	INDIAN CREEK	E. COLI
121	WEST FORK WHITE	5120201110060	MARION CO	INW01B6_T1057	MINNIE CREEK TRIBU-TARIES	E. COLI
121	WEST FORK WHITE	05120201130020	MARION CO	INW01D2_T1058	INDIANAPOLIS TRIBU-TARIES	E. COLI
122	WEST FORK WHITE	5120202010100	MONROE CO	INW021A_T1017	JACKS DEFEAT CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
123	WEST FORK WHITE	5120203030010	PUTNAM CO	INW0331_00	OWL CREEK	E. COLI
123	WEST FORK WHITE	5120203030020	PUTNAM CO	INW0332_00	LITTLE WALNUT CREEK-HEADWATERS	E. COLI
123	WEST FORK WHITE	5120203030030	PUTNAM CO	INW0333_00	JONES CREEK TRIBU-TARIES	E. COLI
123	WEST FORK WHITE	5120203030040	PUTNAM CO	INW0334_00	LITTLE WALNUT CREEK-LEATHERMAN CREEK	E. COLI
123	WEST FORK WHITE	5120203030050	PUTNAM CO	INW0335_00	LITTLE WALNUT CREEK-LONG BRANCH	E. COLI
123	WEST FORK WHITE	5120203030030	PUTNAM CO	INW0333_T1008	JONES CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
124	WEST FORK WHITE	5120202090040	KNOX CO	INW0294_T1041	KESSINGER DITCH	E. COLI
124	WEST FORK WHITE	5120202090050	KNOX CO	INW0295_00	ROBERSON DITCH-IN-DIAN/FLAT CREEKS	E. COLI
124	WEST FORK WHITE	5120202090060	KNOX CO	INW0296_00	OPOSSUM BRANCH/STEEN DT/REEL CR	E. COLI
124	WEST FORK WHITE	5120202090060	KNOX CO	INW0296_T1042	KESSINGER DITCH	E. COLI
124	WEST FORK WHITE	5120202090070	DAVIESS CO	INW0297_T1043	KESSINGER DITCH	E. COLI
125	WEST FORK WHITE	5120201040050	MADISON CO	INW0145_T1016	KILLBUCK CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI

125	WEST FORK WHITE	5120201040070	MADISON CO	INW0147_T1017	KILLBUCK CREEK - TO MOUTH	IMPAIRED BIOTIC COMMUNITIES, E. COLI
127	WEST FORK WHITE	5120201160040	MORGAN CO	INW01G4_T1095	LAMBS CREEK	E. COLI
127	WEST FORK WHITE	5120201160050	MORGAN CO	INW01G5_T1096	LAMBS CREEK	E. COLI
128	WEST FORK WHITE	5120203090100	OWEN CO	INW039A_T1021	LICK CREEK	E. COLI
128	WEST FORK WHITE	5120203090110	OWEN CO	INW039B_T1022	LICK CREEK	E. COLI
129	WEST FORK WHITE	5120201080080	HAMILTON CO	INW0188_T1034	LITTLE CICERO CREEK	IMPAIRED BIOTIC COMMUNITIES
129	WEST FORK WHITE	5120201080090	HAMILTON CO	INW0189_T1035	LITTLE CICERO CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
130	WEST FORK WHITE	5120203050020	PUTNAM CO	INW0352_T1009	LITTLE DEER CREEK	IMPAIRED BIOTIC COMMUNITIES
131	WEST FORK WHITE	5120203040010	PUTNAM CO	INW0341_T1027	MAIDEN RUN	IMPAIRED BIOTIC COMMUNITIES
133	WEST FORK WHITE	5120202020030	OWEN CO	INW0223_T1018	MCCORMICKS CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
134	WEST FORK WHITE	5120203060010	HENDRICKS CO	INW0361_T1010	MILL CREEK-HEADWA-TERS (HENDRICKS)	E. COLI
134	WEST FORK WHITE	5120203060020	HENDRICKS CO	INW0362_00	CRITTENDEN CREEK	E. COLI
134	WEST FORK WHITE	5120203060020	HENDRICKS CO	INW0362_T1011	MILL CREEK	E. COLI
134	WEST FORK WHITE	5120203060030	HENDRICKS CO	INW0363_00	EAST FORK MILL CREEK-HEADWATERS	E. COLI
134	WEST FORK WHITE	5120203060040	HENDRICKS CO	INW0364_00	EAST FORK MILL CREEK-LOWER	E. COLI
134	WEST FORK WHITE	5120203060050	PUTNAM CO	INW0365_00	SALLUST BRANCH TRIB-UTARIES	E. COLI
134	WEST FORK WHITE	5120203060050	PUTNAM CO	INW0365_T1012	MILL CREEK	E. COLI
134	WEST FORK WHITE	5120203060060	HENDRICKS CO	INW0366_00	MUD CREEK-HEADWA-TERS (HENDRICKS)	E. COLI
134	WEST FORK WHITE	5120203060070	MORGAN CO	INW0367_00	MUD CREEK-LOWER (HENDRICKS)	E. COLI
134	WEST FORK WHITE	5120203060150	OWEN CO	INW036F_00	MILL CREEK-UPSTREAM CAGLES MILL LAKE	E. COLI
135	WEST FORK WHITE	5120201080110	HAMILTON CO	INW01P1036_00	MORSE RESERVOIR	TASTE AND ODOR, ALGAE
136	WEST FORK WHITE	5120201050070	MADISON CO	INW0157_T1024	PIPE CREEK	E. COLI
136	WEST FORK WHITE	5120201050010	DELAWARE CO	INW0151_00	PIPE CREEK-YEAGER FINLEY MENARD DITCH	IMPAIRED BIOTIC COMMUNITIES, E. COLI
136	WEST FORK WHITE	5120201050020	MADISON CO	INW0152_00	PIPE CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
136	WEST FORK WHITE	5120201050020	MADISON CO	INW0152_T1020	PIPE CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI

136	WEST FORK WHITE	5120201050030	MADISON CO	INW0153_T1021	PIPE CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
136	WEST FORK WHITE	5120201050040	MADISON CO	INW0154_T1022	PIPE CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
136	WEST FORK WHITE	5120201050060	MADISON CO	INW0156_T1023	PIPE CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
136	WEST FORK WHITE	5120201050080	MADISON CO	INW0158_T1025	PIPE CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
136	WEST FORK WHITE	5120201050090	HAMILTON CO	INW0159_00	PIPE CREEK - HAMILTON COUNTY	IMPAIRED BIOTIC COMMUNITIES, E. COLI
136	WEST FORK WHITE	5120201050090	MADISON CO	INW0159_T1026	PIPE CREEK - SWANFELT DT TO COUNTY LINE	IMPAIRED BIOTIC COMMUNITIES, E. COLI
137	WEST FORK WHITE	5120201130030	MARION CO	INW01D3_T1062	PLEASANT RUN	IMPAIRED BIOTIC COMMUNITIES, E. COLI
137	WEST FORK WHITE	05120201130040	MARION CO	INW01D4_T1063	PLEASANT RUN	IMPAIRED BIOTIC COMMUNITIES, E. COLI
138	WEST FORK WHITE	5120203020030	PUTNAM CO	INW0323_T1026	PLUM CREEK	IMPAIRED BIOTIC COMMUNITIES
139	WEST FORK WHITE	5120202040060	GREENE CO	INW0246_00	BLACK ANKLE CREEK	E. COLI
139	WEST FORK WHITE	5120202040060	GREENE CO	INW0246_T1023	PLUMMER CREEK	E. COLI
139	WEST FORK WHITE	5120202040090	GREENE CO	INW0249_00	FLYBLOW BR - BURCHAM BR	E. COLI
139	WEST FORK WHITE	5120202040090	GREENE CO	INW0249_T1024	PLUMMER CREEK	E. COLI
140	WEST FORK WHITE	5120201130010	MARION CO	INW01D1_T1061	POGUES RUN	IMPAIRED BIOTIC COMMUNITIES, E. COLI
141	WEST FORK WHITE	5120202080010	DAVIESS CO	INW0281_00	NORTH FORK PRAIRIE CREEK-HEADWATER TRIBUTARIES	E. COLI
141	WEST FORK WHITE	5120202080010	DAVIESS CO	INW0281_T1044	NORTH FORK PRAIRIE CREEK	E. COLI
141	WEST FORK WHITE	5120202080020	DAVIESS CO	INW0282_00	BARNES CREEK AND OTHER TRIBUTARIES	E. COLI
141	WEST FORK WHITE	5120202080020	DAVIESS CO	INW0282_T1046	NORTH FORK PRAIRIE CREEK	E. COLI
141	WEST FORK WHITE	5120202080030	DAVIESS CO	INW0283_00	BETHEL CREEK AND OTHER TRIBUTARIES	E. COLI
141	WEST FORK WHITE	5120202080030	DAVIESS CO	INW0283_T1047	NORTH FORK PRAIRIE CREEK	E. COLI
141	WEST FORK WHITE	5120202080040	DAVIESS CO	INW0284_00	FLAT CREEK AND OTHER TRIBUTARIES	E. COLI
141	WEST FORK WHITE	5120202080040	DAVIESS CO	INW0284_T1049	SOUTH FORK PRAIRIE CREEK	E. COLI
141	WEST FORK WHITE	5120202080050	DAVIESS CO	INW0285_00	DINKIN CREEK AND OTHER TRIBUTARIES	E. COLI
141	WEST FORK WHITE	5120202080050	DAVIESS CO	INW0285_T1050	SOUTH FORK PRAIRIE CREEK	E. COLI

141	WEST FORK WHITE	5120202080060	DAVIESS CO	INW0286_T1051	SOUTH FORK PRAIRIE CREEK	E. COLI
141	WEST FORK WHITE	5120202080060	DAVIESS CO	INW0286_T1166	ANTIOCH CREEK	E. COLI
141	WEST FORK WHITE	5120202080070	DAVIESS CO	INW0287_00	KILLION CANAL AND OTHER TRIBUTARIES	E. COLI
141	WEST FORK WHITE	5120202080010	DAVIESS CO	INW02P1045_00	NORTH FORK PRAIRIE CREEK RESERVOIR #A-4-1(Fisher Dam)	E. COLI
141	WEST FORK WHITE	5120202080060	DAVIESS CO	INW0286_T1167	EAGAN DITCH BASIN	E. COLI, NUTRIENTS
141	WEST FORK WHITE	5120202080030	DAVIESS CO	INW0283_T1047	NORTH FORK PRAIRIE CREEK	IMPAIRED BIOTIC COMMUNITIES
142	WEST FORK WHITE	5120202040010	GREENE CO	INW0241_T1019	RICHLAND CREEK	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
142	WEST FORK WHITE	5120202040030	MONROE CO/ OWEN CO	INW0243_T1020	RICHLAND CREEK	IMPAIRED BIOTIC COMMUNITIES
142	WEST FORK WHITE	05120202040030	MONROE CO/ OWEN CO	INW0243_T1021	RICHLAND CREEK	IMPAIRED BIOTIC COMMUNITIES
142	WEST FORK WHITE	5120202040010	GREENE CO	INW0241_T1164	LITTLE RICHLAND CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
142	WEST FORK WHITE	5120202040020	GREENE CO	INW0242_T1020	RICHLAND CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
142	WEST FORK WHITE	5120202040050	GREENE CO	INW0245_T1022	RICHLAND CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
143	WEST FORK WHITE	5120202010070	MONROE CO	INW0217_T1015	S.F. GRIFFY CR	IMPAIRED BIOTIC COMMUNITIES
144	WEST FORK WHITE	5120201130070	MARION CO	INW01D7_T1073	STATE DITCH	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
144	WEST FORK WHITE	5120201130070	MARION CO	INW01D7_T1120	MARS DITCH	IMPAIRED BIOTIC COMMUNITIES, E. COLI
145	WEST FORK WHITE	5120201070050	HAMILTON CO	INW0175_T1039	STONY CREEK	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
145	WEST FORK WHITE	5120201070060	HAMILTON CO	INW0176_T1040	STONY CREEK	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
145	WEST FORK WHITE	5120201070070	HAMILTON CO	INW0177_T1041	STONY CREEK	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
147	WEST FORK WHITE	5120203090080	CLAY	INW0398_T1017	WABASH & ERIE CANAL	E. COLI
148	WEST FORK WHITE	05120201130020	MARION CO	INW01D2_M1059	WHITE RIVER	E. COLI
148	WEST FORK WHITE	5120201130040	MARION CO	INW01D4_M1060	WHITE RIVER	E. COLI
148	WEST FORK WHITE	05120201130060	MARION CO	INW01D6_M1075	WHITE RIVER	E. COLI
149	WEST FORK WHITE	5120201130100	JOHNSON CO	INW01DA_M1077	WHITE RIVER-MANN CREEK/HARNESS DITCH	CYANIDE, E. COLI, DISSOLVED OXY-GEN

149	WEST FORK WHITE	5120201130080	MARION CO	INW01D8_M1076	WHITE RIVER	E. COLI, IMPAIRED BIOTIC COMMUNITIES
150	WEST FORK WHITE	05120201090080	MARION CO	INW0198_M1118	WHITE RIVER	E. COLI
151	WEST FORK WHITE	5120201090010	HAMILTON CO	INW0191_00	SHOEMAKER DITCH (HAMILTON) AND OTHER TRIBUTARIES	E. COLI
151	WEST FORK WHITE	5120201090010	HAMILTON CO	INW0191_M1038	WHITE RIVER	E. COLI
151	WEST FORK WHITE	5120201090020	HAMILTON CO	INW0192_M1052	WHITE RIVER	E. COLI
151	WEST FORK WHITE	5120201090030	HAMILTON CO	INW0193_00	COOL CREEK BASIN	E. COLI
151	WEST FORK WHITE	5120201090040	MARION CO	INW0194_M1053	WHITE RIVER	E. COLI
151	WEST FORK WHITE	5120201090050	MARION CO	INW0195_M1054	WHITE RIVER-HAVERSTICK CREEK/HOWLAND DITCH TRIBUTARIES	E. COLI
151	WEST FORK WHITE	5120201090080	MARION CO	INW0198_M1055	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES
152	WEST FORK WHITE	5120201140140	MORGAN CO	INW01EE_00	CLEAR CREEK-EAST/WEST/GRASSY FORKS	E. COLI
152	WEST FORK WHITE	5120201160020	MORGAN CO	INW01G2_00	SYCAMORE CREEK	E. COLI
152	WEST FORK WHITE	5120201170030	MORGAN CO	INW01G3_00	HIGHLAND CREEK	E. COLI
152	WEST FORK WHITE	5120201160050	MORGAN CO	INW01G5_00	GOOSE CREEK	E. COLI
152	WEST FORK WHITE	5120201160060	MORGAN CO	INW01G6_M1094	WHITE RIVER	E. COLI, CYANIDE, IMPAIRED BIOTIC COMMUNITIES
152	WEST FORK WHITE	5120201160010	MORGAN CO	INW01G1_M1092	WHITE RIVER	E. COLI, IMPAIRED BIOTIC COMMUNITIES
152	WEST FORK WHITE	5120201170030	MORGAN CO	INW01G3_M1093	WHITE RIVER	E. COLI, IMPAIRED BIOTIC COMMUNITIES
152	WEST FORK WHITE	5120201180030	MORGAN CO	INW01J3_M1104	WHITE RIVER-PARAGON BRIDGE	E. COLI, IMPAIRED BIOTIC COMMUNITIES
152	WEST FORK WHITE	5120201180060	MORGAN CO	INW01J6_M1105	WHITE RIVER	E. COLI, IMPAIRED BIOTIC COMMUNITIES
152	WEST FORK WHITE	05120201180090	MORGAN CO/ MONROE CO	INW01J9_M1106	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES
153	WEST FORK WHITE	5120201070010	HAMILTON CO	INW0171_T1027	WHITE RIVER - PIPE CR TO DUCK CR	E. COLI
153	WEST FORK WHITE	5120201070020	HAMILTON CO	INW0172_T1032	WHITE RIVER - DUCK CR TO RIVERWOOD	E. COLI, IMPAIRED BIOTIC COMMUNITIES
153	WEST FORK WHITE	5120201070030	HAMILTON CO	INW0173_T1033	WHITE RIVER	E. COLI, IMPAIRED BIOTIC COMMUNITIES
154	WEST FORK WHITE	5120201140030	MORGAN CO	INW01E3_M1079	WHITE RIVER	CYANIDE, E. COLI

154	WEST FORK WHITE	5120201140040	MORGAN CO	INW01E4_M1080	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES, E. COLI
154	WEST FORK WHITE	5120201140060	MORGAN CO	INW01E6_M1081	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES, E. COLI
154	WEST FORK WHITE	5120201140130	MORGAN CO	INW01ED_M1082	WHITE RIVER-HENDERSON BRIDGE	E. COLI, IMPAIRED BIOTIC COMMUNITIES
155	WEST FORK WHITE	5120202020040	OWEN CO	INW0224_M1011	WHITE RIVER	E. COLI, IMPAIRED BIOTIC COMMUNITIES, CYANIDE
155	WEST FORK WHITE	5120202020010	OWEN CO	INW0221_M1009	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES, E. COLI
155	WEST FORK WHITE	5120202020030	OWEN CO	INW0223_M1010	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES, E. COLI
155	WEST FORK WHITE	5120202020060	OWEN CO	INW0226_M1012	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES, E. COLI
155	WEST FORK WHITE	5120202020090	OWEN CO	INW0229_M1013	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES, E. COLI
155	WEST FORK WHITE	5120202020150	GREENE CO	INW022F_M1061	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES, E. COLI
156	WEST FORK WHITE	5120202050010	GREENE CO	INW0251_M1028	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES
156	WEST FORK WHITE	5120202050040	GREENE CO	INW0254_M1029	WHITE RIVER-NEWBERRY TRIBS	IMPAIRED BIOTIC COMMUNITIES
156	WEST FORK WHITE	5120202050090	DAVIESS CO	INW0259_M1032	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES
157	WEST FORK WHITE	5120201030030	MADISON CO	INW0133_T1015	WHITE RIVER - CHESTERFIELD TO ANDERSON	E. COLI, IMPAIRED BIOTIC COMMUNITIES
157	WEST FORK WHITE	5120201040080	MADISON CO	INW0148_T1018	WHITE RIVER	E. COLI, IMPAIRED BIOTIC COMMUNITIES
157	WEST FORK WHITE	5120201040100	HAMILTON CO	INW014A_T1019	WHITE RIVER-PERKINSVILLE	E. COLI, CYANIDE
158	WEST FORK WHITE	5120201020060	DELAWARE CO	INW0126_T1010	WHITE RIVER	E. COLI
158	WEST FORK WHITE	5120201030010	DELAWARE CO	INW0131_T1013	WHITE RIVER	E. COLI
158	WEST FORK WHITE	5120201030020	MADISON CO	INW0132_T1014	WHITE RIVER	E. COLI
160	WEST FORK WHITE	5120202050100	DAVIESS CO	INW025A_M1033	WHITE RIVER - ELNORA TO SMOTHERS CR CUTOFF	IMPAIRED BIOTIC COMMUNITIES
160	WEST FORK WHITE	5120202060070	DAVIESS CO	INW0267_M1034	WHITE RIVER - SMOTHER CR CUTOFF TO BLACK CR	IMPAIRED BIOTIC COMMUNITIES
160	WEST FORK WHITE	5120202070010	KNOX CO	INW0271_M1035	WHITE RIVER - BLACK CR EDWARDSPORT	IMPAIRED BIOTIC COMMUNITIES
160	WEST FORK WHITE	5120202070020	KNOX CO	INW0272_M1036	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES

160	WEST FORK WHITE	5120202070050	KNOX CO	INW0275_M1037	WHITE RIVER - WHEATLAND	IMPAIRED BIOTIC COMMUNITIES
161	WEST FORK WHITE	5120202090010	DAVIESS CO	INW0291_M1039	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES
161	WEST FORK WHITE	5120202090070	DAVIESS CO	INW0297_M1040	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES
162	WEST FORK WHITE	5120201010010	RANDOLPH CO	INW0111_T1001	WHITE RIVER	E. COLI
162	WEST FORK WHITE	5120201010010	RANDOLPH CO	INW0111_T1221	OWL CREEK AND TRIBUTARY	E. COLI
162	WEST FORK WHITE	5120201010010	RANDOLPH CO	INW0111_T1222	WHITE RIVER HEADWATER TRIBUTARIES	E. COLI
162	WEST FORK WHITE	5120201010020	RANDOLPH CO	INW0112_T1002	WHITE RIVER	E. COLI, IMPAIRED BIOTIC COMMUNITIES
162	WEST FORK WHITE	5120201010030	RANDOLPH CO	INW0113_T1003	WHITE RIVER	E. COLI
162	WEST FORK WHITE	5120201010040	RANDOLPH CO	INW0114_T1004	WHITE RIVER	E. COLI
162	WEST FORK WHITE	5120201010050	RANDOLPH CO	INW0115_T1005	WHITE RIVER	E. COLI
162	WEST FORK WHITE	5120201010060	RANDOLPH CO	INW0116_00	CABIN CREEK-LAMB CREEK	E. COLI
162	WEST FORK WHITE	5120201010070	RANDOLPH CO	INW0117_00	STONEY CREEK-LITTLE STONEY CREEK	E. COLI
162	WEST FORK WHITE	5120201010080	RANDOLPH CO	INW0118_00	LITTLE WHITE RIVER	E. COLI
162	WEST FORK WHITE	5120201010090	DELAWARE CO	INW0119_00	STONEY CREEK AND OTHER TRIBUTARIES	E. COLI
162	WEST FORK WHITE	5120201010090	DELAWARE CO	INW0119_T1006	WHITE RIVER	E. COLI
162	WEST FORK WHITE	5120201010100	DELAWARE CO	INW011A_00	MUD CREEK AND OTHER TRIBUTARIES	E. COLI
162	WEST FORK WHITE	5120201010100	DELAWARE CO	INW011A_T1007	WHITE RIVER	E. COLI
162	WEST FORK WHITE	5120201010120	DELAWARE CO	INW011C_T1008	WHITE RIVER	E. COLI
162	WEST FORK WHITE	5120201010130	DELAWARE CO	INW011D_00	MUNCIE CREEK - OTHER TRIBUTARIES	E. COLI
162	WEST FORK WHITE	5120201010130	DELAWARE CO	INW011D_T1009	WHITE RIVER	E. COLI, IMPAIRED BIOTIC COMMUNITIES
163	WEST FORK WHITE	5120201150040	HENDRICKS CO	INW01F4_00	TILDEN	E. COLI
163	WEST FORK WHITE	5120201150040	HENDRICKS CO	INW01F4_T1085	WHITE LICK CREEK	E. COLI
163	WEST FORK WHITE	5120201150050	HENDRICKS CO	INW01F5_T1086	WHITE LICK CREEK	E. COLI
163	WEST FORK WHITE	5120201150070	HENDRICKS CO	INW01F7_T1087	WHITE LICK CREEK-PLAINFIELD	E. COLI
163	WEST FORK WHITE	5120201150100	HENDRICKS CO	INW01FA_T1224	WEST FORK WHITE LICK CREEK	E. COLI
163	WEST FORK WHITE	5120201150110	MORGAN CO	INW01FB_00	WEST FORK WHITE LICK CREEK-MAIN STEM	E. COLI
163	WEST FORK WHITE	5120201150120	MORGAN CO	INW01FC_T1088	WHITE LICK CREEK	E. COLI
163	WEST FORK WHITE	5120201150130	MORGAN CO	INW01FD_T1089	WHITE LICK CREEK-MOORSEVILLE	E. COLI

163	WEST FORK WHITE	05120201150170	HENDRICKS CO/ MORGAN CO	INW01FH_T1090	WHITE LICK CREEK	E. COLI
163	WEST FORK WHITE	5120201150180	MORGAN CO	INW01FJ_T1091	WHITE LICK CREEK	E. COLI
164	EAST FORK WHITE	5120204010040	HENRY CO	INW0414_T1003	BIG BLUE RIVER	E. COLI
164	EAST FORK WHITE	5120204010050	HENRY CO	INW0415_T1004	BIG BLUE RIVER	E. COLI
164	EAST FORK WHITE	5120204010080	HENRY CO	INW0418_T1005	BIG BLUE RIVER	E. COLI
164	EAST FORK WHITE	5120204010110	RUSH CO	INW041B_T1006	BIG BLUE RIVER	E. COLI
164	EAST FORK WHITE	5120204010120	RUSH CO	INW041C_T1007	BIG BLUE RIVER	E. COLI
164	EAST FORK WHITE	5120204010130	RUSH CO	INW041D_T1008	BIG BLUE RIVER	E. COLI
164	EAST FORK WHITE	5120204010140	HANCOCK CO	INW041E_T1009	BIG BLUE RIVER	E. COLI
166	EAST FORK WHITE	5120208090010	MONROE CO	INW0891_T1020	CLEAR CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
166	EAST FORK WHITE	5120208090030	MONROE CO	INW0893_T1022	CLEAR CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
168	EAST FORK WHITE	5120208090010	MONROE CO	INW0891_T1019	EAST FORK JACKSON CREEK	IMPAIRED BIOTIC COMMUNITIES
172	EAST FORK WHITE	5120205050150	BARTHOLOMEW, DECATUR, HENRY, RUSH, SHELBY CO'S	INW055F_T1014	FLATROCK RIVER	E. COLI
172	EAST FORK WHITE	05120205040010	SHELBY CO	INW0541_T1010	FLATROCK RIVER-ST. OMER	E. COLI
172	EAST FORK WHITE	05120205040030	SHELBY CO	INW0543_T1011	FLATROCK RIVER-GER-MANTOWN (GAGE)	E. COLI
173	EAST FORK WHITE	5120208090010	MONROE CO	INW0891_T1018	JACKSON CREEK	IMPAIRED BIOTIC COMMUNITIES
173	EAST FORK WHITE	5120208090010	MONROE CO	INW0891_00	UNNAMED TRIBUTARY OF JACKSON CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
174	EAST FORK WHITE	5120204030050	SHELBY CO	INW0435_T1016	LITTLE BLUE RIVER	E. COLI
174	EAST FORK WHITE	5120204030060	SHELBY CO	INW0436_T1015	LITTLE BLUE RIVER	E. COLI
176	EAST FORK WHITE	05120208170060	MONROE CO	INW08P1024_00	MONROE RESERVOIR (LOWER)	TASTE AND ODOR, ALGAE
183	EAST FORK WHITE	5120204060010	HANCOCK CO	INW0461_T1028	SUGAR CREEK	E. COLI
183	EAST FORK WHITE	5120204060020	HANCOCK CO	INW0462_T1029	SUGAR CREEK	E. COLI
183	EAST FORK WHITE	5120204060030	HANCOCK CO	INW0463_T1030	SUGAR CREEK	E. COLI
183	EAST FORK WHITE	5120204060040	HANCOCK CO	INW0464_T1031	SUGAR CREEK	E. COLI
183	EAST FORK WHITE	5120204060050	SHELBY CO	INW0465_T1032	SUGAR CREEK SMITH-JOHNSON DITCH	E. COLI
184	EAST FORK WHITE	5120204080050	JOHNSON CO	INW0485_T1035	SUGAR CREEK-NEEDHAM	E. COLI

187	EAST FORK WHITE	05120204090020	JOHNSON CO	INW0492_T1039	YOUNGS CREEK	E. COLI
187	EAST FORK WHITE	05120204090020	JOHNSON CO	INW0492_T1096	YOUNGS CREEK	E. COLI
187	EAST FORK WHITE	05140202090030	JOHNSON CO	INW0493_T1040	YOUNGS CREEK	E. COLI
187	EAST FORK WHITE	05140202090040	JOHNSON CO	INW0494_T1041	YOUNGS CREEK	E. COLI
187	EAST FORK WHITE	5120204090050	JOHNSON CO	INW0496_T1042	YOUNGS CREEK	E. COLI
187	EAST FORK WHITE	5120204090060	JOHNSON CO	INW0497_T1043	YOUNGS CREEK	E. COLI
188	WEST FORK WHITE	5120202100030	KNOX CO	INW02A3_M1052	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES
188	WEST FORK WHITE	5120202100100	KNOX CO	INW02AA_M1055	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES
188	WEST FORK WHITE	5120202100120	KNOX CO	INW02AC_M1056	WHITE RIVER	IMPAIRED BIOTIC COMMUNITIES
190	GREAT MIAMI	5080003070050	WAYNE CO	ING0375_T1023	WHITEWATER RIVER, WF OF EAST FORK	E. COLI
190	GREAT MIAMI	5080003070060	WAYNE CO	ING0376_T1013	WHITEWATER RIVER, EAST FORK	E. COLI
194	GREAT MIAMI	5080003070040	WAYNE CO	ING03P1012_00	MIDDLE FORK RESER-VOIR	TASTE AND ODOR, ALGAE
197	PATOKA	5120209070010	PIKE CO	INP0971_T1021	SOUTH FORK PATOKA RIVER	IMPAIRED BIOTIC COMMUNITIES
197	PATOKA	5120209070020	PIKE CO	INP0972_T1022	SOUTH FORK PATOKA RIVER	IMPAIRED BIOTIC COMMUNITIES
197	PATOKA	5120209070030	PIKE CO	INP0973_T1023	SOUTH FORK PATOKA RIVER	IMPAIRED BIOTIC COMMUNITIES
197	PATOKA	05120209070050		INP0975_T1024	SOUTH FORK PATOKA RIVER	IMPAIRED BIOTIC COMMUNITIES
199	OHIO TRIBU-TARIES	5140104140010	HARRISON CO	INN04E1_T1001	BLUE RIVER	E. COLI
199	OHIO TRIBU-TARIES	5140104150010	HARRISON CO	INN04F1_T1003	BLUE RIVER	E. COLI
199	OHIO TRIBU-TARIES	5140104150020	HARRISON CO	INN04F2_T1004	BLUE RIVER	E. COLI
199	OHIO TRIBU-TARIES	5140104150060	HARRISON CO	INN04F6_T1007	BLUE RIVER	E. COLI
199	OHIO TRIBU-TARIES	5140104150060	HARRISON CO	INN04F6_T1039	BLUE RIVER	E. COLI
199	OHIO TRIBU-TARIES	05140104140010	HARRISON CO	INN04E1_T1040	BLUE RIVER	E. COLI
199	OHIO TRIBU-TARIES	05140104140050	HARRISON CO	INN04E5_T1002	BLUE RIVER	E. COLI
199	OHIO TRIBU-TARIES	5140104150070	HARRISON CO	INN04F7_T1008	BLUE RIVER	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
200	OHIO TRIBU-TARIES	5140201160020	WARRICK CO	INE01G2_T1009	CYPRESS CREEK	E. COLI, PESTICIDES, SULFATES, TOTAL DISSOLVED SOLIDS
200	OHIO TRIBU-TARIES	5140201160010	WARRICK CO	INE01G1_T1008	CYPRESS CREEK	SULFATES, TOTAL DISSOLVED SOLIDS, E. COLI

202	OHIO TRIBUTARIES	5140201150080	WARRICK CO	INE01F8_T1007	LITTLE PIGEON CREEK	IMPAIRED BIOTIC COMMUNITIES, SULFATES, TOTAL DISSOLVED SOLIDS, E. COLI
202	OHIO TRIBUTARIES	05140201140100	SPENCER CO	INE01EA_T1003	LITTLE PIGEON CREEK	LOW DISSOLVED OXYGEN
202	OHIO TRIBUTARIES	5140201150060	WARRICK CO	INE01F6_T1006	LITTLE PIGEON CREEK-RED BUSH	LOW DISSOLVED OXYGEN
202	OHIO TRIBUTARIES	05140201150050	SPENCER CO	INE01F5_T1005	LITTLE PIGEON CREEK	SULFATES, TOTAL DISSOLVED SOLIDS
202	OHIO TRIBUTARIES	05140201150020	WARRICK CO	INE01F2_T1004	LITTLE PIGEON CREEK	TOTAL DISSOLVED SOLIDS, E. COLI
205	OHIO RIVER	5140201	VANDERBURGH CO	INH7_00	OHIO RIVER - NEWBURGH TO GREEN R	DIOXIN
205	OHIO RIVER	5090203	SWITZERLAND CO	INH2_00	OHIO RIVER - MARKLAND TO KENTUCKY RIVER	E. COLI
205	OHIO RIVER	5140101	CLARK CO	INH3_00	OHIO RIVER - KENTUCKY R TO BATTLE CR	E. COLI
205	OHIO RIVER	5140101	CLARK CO	INH3_M01	OHIO RIVER - BATTLE CR TO MCALPINE DAM	E. COLI
205	OHIO RIVER	5140101	HARRISON CO	INH4_00	OHIO RIVER - MCALPINE TO GREENWOOD, KY	E. COLI
205	OHIO RIVER	5140202	VANDERBURGH CO	INH8_00	OHIO RIVER - GREEN RIVER TO EVANSVILLE	E. COLI
205	OHIO RIVER	5140202	POSEY CO	INH8_M01	OHIO RIVER - EVANSVILLE TO UNIONTOWN	E. COLI
205	OHIO RIVER	5140202	POSEY CO	INH9_00	OHIO RIVER - UNIONTOWN TO WABASH R	E. COLI
205	OHIO RIVER	5090203	SWITZERLAND CO	INH1_00	OHIO RIVER - OHIO STATE LINE TO MARKLAND DAM	E. COLI, DIOXIN
205	OHIO RIVER	5140101	HARRISON CO	INH4_M01	OHIO RIVER - GREENWOOD, KY TO SALT CR	E. COLI, DIOXIN
205	OHIO RIVER	5140201	PERRY CO	INH5_00	OHIO RIVER - SALT CR TO CANNELTON	E. COLI, DIOXINS
206	OHIO TRIBUTARIES	5140202040080	VANDERBURGH CO	INE0248_T1002	PIGEON CREEK-HARPER DITCH	E. COLI, DISSOLVED OXYGEN, TOTAL DISSOLVED SOLIDS
206	OHIO TRIBUTARIES	5140202040100	VANDERBURGH CO	INE024A_T1003	PIGEON CREEK-KLEYMEYER PARK	E. COLI, SULFATES, TOTAL DISSOLVED SOLIDS, LOW DISSOLVED OXYGEN
209	GREAT LAKES	4040001070010	LAPORTE CO	INC0171_T1072	EAST BRANCH TRAIL CREEK	E. COLI
210	GREAT LAKES	4040001100050	LAPORTE CO	INC01A5_T1071	GALENA RIVER	E. COLI, IMPAIRED BIOTIC COMMUNITIES
211	GREAT LAKES	4040001070030	LAPORTE CO	INC0173_T1096	TRAIL CREEK TRIBUTARY BASIN	IMPAIRED BIOTIC COMMUNITIES
212	GREAT LAKES	4040001070030	LAPORTE CO	INC0172_00	WEST BRANCH TRAIL CREEK AND OTHER TRIBS	E. COLI
212	GREAT LAKES	4040001070030	LAPORTE CO	INC0172_T1073	WEST BRANCH TRAIL CREEK - WATERFORD CR	E. COLI

213	GREAT LAKES	4040001080040	PORTER CO	INC0184_00	KINTZELE DITCH AND TRIBS	E. COLI
214	GREAT LAKES	4040001060020	PORTER CO	INC0162_T1104	RICE LAKE TRIB AND OUTLET STREAMS	E. COLI
215	GREAT LAKES	4040001060030	PORTER CO	INC0163_T1105	COFFEE CREEK BASIN	E. COLI
216	GREAT LAKES	4040001050040	PORTER CO	INC0154_00	DAMON RUN - SWANSON LAMPORTE DITCH	E. COLI
217	GREAT LAKES	4040001050040	PORTER CO	INC0154_T1095	DAMON RUN AND TRIB-UTARY	IMPAIRED BIOTIC COMMUNITIES, E. COLI
218	GREAT LAKES	4040001030050	LAKE CO	INC0135_T1094	DEEP RIVER TRIBUTARY MERRILLVILLE	IMPAIRED BIOTIC COMMUNITIES, SILT-ATION
219	GREAT LAKES	4040001030050	LAKE CO	INC0135_T1069	DEEP RIVER U/S US30	E. COLI
219	GREAT LAKES	4040001030060	LAKE CO	INC0136_T1070	DEEP RIVER	E. COLI
220	GREAT LAKES	4050001090050	STEUBEN CO	INJ0195_00	FAWN RIVER-ORLAND	E. COLI
221	GREAT LAKES	4050001110100	STEUBEN CO	INJ01BA_T1309	TURKEY CREEK - STUMP DITCH	E. COLI
222	GREAT LAKES	4050001110120	LAGRANGE CO	INJ01BC_T1298	PIGEON CREEK	E. COLI
222	GREAT LAKES	4050001120010	LAGRANGE CO	INJ01C1_T1300	PIGEON RIVER	E. COLI
223	GREAT LAKES	4050001120020	LAGRANGE CO	INJ01C2_00	FLY CREEK-HEADWA-TERS (LAGRANGE)	E. COLI
225	GREAT LAKES	4050001140010	LAGRANGE CO	INJ01E1_T1301	EMMA CREEK TRIB	IMPAIRED BIOTIC COMMUNITIES, AM-MONIA
226	GREAT LAKES	4050001180040	NOBLE CO	INJ01J4_T1313	CROFT DITCH	E. COLI
226	GREAT LAKES	4050001180050	NOBLE CO	INJ01J5_T1314	SOUTH BRANCH ELKHART RIVER	E. COLI
226	GREAT LAKES	4050001180060	NOBLE CO	INJ01J6_T1315	SOUTH BRANCH ELKHART RIVER	E. COLI
227	GREAT LAKES	4050001170080	NOBLE CO	INJ01H8_T1312	NORTH BRANCH ELKHART RIVER AND TRIBS	E. COLI
228	GREAT LAKES	4050001200030	KOSCIUSKO CO	INJ01M3_00	TURKEY CREEK-SKIN-NER/HOOPINGARNER DITCHES	E. COLI
228	GREAT LAKES	4050001200050	KOSCIUSKO CO	INJ01M5_T1318	TURKEY CREEK	E. COLI
228	GREAT LAKES	4050001200060	KOSCIUSKO CO	INJ01M6_T1319	TURKEY CREEK	E. COLI
228	GREAT LAKES	4050001200080	ELKHART CO	INJ01M8_T1320	TURKEY CREEK	E. COLI
228	GREAT LAKES	4050001200100	ELKHART CO	INJ01MA_T1321	TURKEY CREEK	E. COLI
229	GREAT LAKES	4050001230010	ELKHART CO	INJ01R1_T1305	WISLER DITCH AND TRIBS	IMPAIRED BIOTIC COMMUNITIES, NU-TRIENTS
230	GREAT LAKES	4050001190060	ELKHART CO	INJ01K6_T1317	SOLOMON CREEK AND TRIBS	E. COLI
231	GREAT LAKES	4050001190030	ELKHART CO	INJ01K3_T1316	STONEY CREEK AND TRIB	E. COLI
232	GREAT LAKES	4050001230040	ELKHART CO	INJ01R4_T1307	BAUGO CREEK AND TRIBS	E. COLI
232	GREAT LAKES	4050001230040	ELKHART CO	INJ01R4_T1323	BAUGO CREEK	E. COLI
233	GREAT LAKES	4050001210030	ELKHART CO	INJ01N3_T1322	ROCK RUN CREEK AND TRIBS	E. COLI
234	GREAT LAKES	4050001210020	ELKHART CO	INJ01N2_00	ROCK RUN CREEK-HOO-VER DITCH-BOYER DITCH	IMPAIRED BIOTIC COMMUNITIES

235	GREAT LAKES	4050001150030	ELKHART CO	INJ01F3_00	PINE CREEK-NORTH/SOUTH FORKS	E. COLI
236	GREAT LAKES	4050001140060	ELKHART CO	INJ01E6_T1303	LITTLE ELKHART RIVER	E. COLI, IMPAIRED BIOTIC COMMUNI-TIES
236	GREAT LAKES	4050001140040	ELKHART CO	INJ01E4_T1302	LITTLE ELKHART RIVER	IMPAIRED BIOTIC COMMUNITIES
237	GREAT LAKES	4050001240020	ST JOSEPH CO	INJ01T2_T1324	WILLOW CREEK AND TRIB	E. COLI
238	GREAT LAKES	4050001240060	ST JOSEPH CO	INJ01T6_T1308	ST. JOSEPH RIVER TRIB	IMPAIRED BIOTIC COMMUNITIES
239	UPPER ILLI-NOIS	7120001140010	LAKE CO	INK01E1_T1108	BULL RUN BASIN	IMPAIRED BIOTIC COMMUNITIES
240	UPPER ILLI-NOIS	7120001130010	LAKE CO	INK01D1_T1107	EAST BRANCH STONY RUN	NUTRIENTS, TOTAL DISSOLVED SOLIDS, CHLORIDES
241	UPPER ILLI-NOIS	7120001130080	LAKE CO	INK01D8_00	SINGLETON DITCH-BRUCE DITCH/BAILEY DITCH	IMPAIRED BIOTIC COMMUNITIES
242	UPPER ILLI-NOIS	7120001130030	LAKE CO	INK01D3_00	SINGLETON DITCH-BRYANT DITCH	E. COLI
243	UPPER ILLI-NOIS	7120001090100	PORTER CO	INK019A_00	COBB DITCH-SIEVERS CREEK	IMPAIRED BIOTIC COMMUNITIES
244	UPPER ILLI-NOIS	7120001100030	JASPER CO	INK01A3_00	HODGE DITCH-DELEHANTY/ SCHATZLEY DITCHES	IMPAIRED BIOTIC COMMUNITIES
245	UPPER ILLI-NOIS	7120001030090	LAPORTE CO	INK0139_00	SALISBURY DITCH	IMPAIRED BIOTIC COMMUNITIES
246	UPPER ILLI-NOIS	7120001030080	LAPORTE CO	INK0138_00	KANKAKEE RIVER-LONG DITCH	E. COLI
247	UPPER ILLI-NOIS	7120001010120	LAPORTE CO	INK011C_00	LITTLE KANKAKEE RIVER-BYRON	E. COLI
248	UPPER ILLI-NOIS	7120001010130	LAPORTE CO	INK011D_00	LITTLE KANKAKEE RIVER-MILL CREEK-FISH LAKES	IMPAIRED BIOTIC COMMUNITIES
250	UPPER ILLI-NOIS	7120001020050	ST JOSEPH CO	INK0125_00	POTATO CREEK-KARTOFFEL CREEK	E. COLI
250	UPPER ILLI-NOIS	7120001020060	LAPORTE CO	INK0126_00	PINE CREEK-HORACE MILLER DITCH	E. COLI
251	UPPER ILLI-NOIS	7120001050040	MARSHALL CO	INK0154_00	ARMEY DITCH - HEAD-WATERS	E. COLI
251	UPPER ILLI-NOIS	7120001050060	MARSHALL CO	INK0155_00	YELLOW RIVER - ARMEY DITCH - ALBERT ZEIGER DITCH	E. COLI
251	UPPER ILLI-NOIS	7120001050080	MARSHALL CO	INK0158_00	YELLOW RIVER - RIVER-SIDE CHURCH	E. COLI
251	UPPER ILLI-NOIS	7120001050150	MARSHALL CO	INK015F_00	YELLOW RIVER - MILNER SELTENRIGHT DITCH	E. COLI
251	UPPER ILLI-NOIS	7120001060050	MARSHALL CO	INK0165_00	YELLOW RIVER - LISTENBERGER/CLIFFTO N DITCHES	E. COLI
251	UPPER ILLI-NOIS	7120001060060	STARKE CO	INK0166_00	YELLOW RIVER - OBER	E. COLI
251	UPPER ILLI-NOIS	7120001060100	STARKE CO	INK016A_00	YELLOW RIVER-KNOX	E. COLI
252	UPPER ILLI-NOIS	7120001060040	MARSHALL CO	INK0164_T1102	MEYERS DITCH BASIN	IMPAIRED BIOTIC COMMUNITIES

254	UPPER ILLINOIS	7120001050160	MARSHALL CO	INK015G_T1101	ELMER-SELTENRIGHT DITCH HEADWATERS	IMPAIRED BIOTIC COMMUNITIES
255	UPPER ILLINOIS	7120001010020	ST JOSEPH CO	INK0112_00	ALDRICH DITCH - SCHANG DITCH	E. COLI
256	UPPER ILLINOIS	7120001050070	MARSHALL CO	INK0157_00	STOCK DITCH - BUNCH BRANCHES	E. COLI
257	GREAT LAKES	4100003090080	ALLEN CO	INA0398_T1077	WILLOW CREEK AND TRIB	E. COLI
258	GREAT LAKES	4100003090020	DEKALB CO	INA0392_T1075	DIEHL DITCH	E. COLI
258	GREAT LAKES	4100003090050	DEKALB CO	INA0395_T1062	LITTLE CEDAR CREEK	E. COLI, IMPAIRED BIOTIC COMMUNITIES
258	GREAT LAKES	4100003090060	DEKALB CO	INA0396_T1069	LITTLE CEDAR CREEK	E. COLI
258	GREAT LAKES	4100003090030	DEKALB CO	INA0393_T1060	DOSCH DITCH	IMPAIRED BIOTIC COMMUNITIES
261	GREAT LAKES	4100003070010	DEKALB CO	INA0371_T1059	ST. JOSEPH RIVER	E. COLI
262	GREAT LAKES	4100003060060	DEKALB CO	INA0366_T1057	METCALF DITCH AND TRIBS	IMPAIRED BIOTIC COMMUNITIES
263	GREAT LAKES	4100003050060	DEKALB CO	INA0356_T1056	FISH CR TRIB/OUTLET OF BURDICK LK	IMPAIRED BIOTIC COMMUNITIES
264	GREAT LAKES	4100003050040	STEUBEN CO	INA0354_T1076	BLACK CREEK	IMPAIRED BIOTIC COMMUNITIES
265	GREAT LAKES	4100003050010	STEUBEN CO	INA0351_T1064	FISH CREEK AND TRIBS	E. COLI
265	GREAT LAKES	4100003050020	STEUBEN CO	INA0352_T1065	WEST BRANCH FISH CREEK AND TRIBS	E. COLI
265	GREAT LAKES	4100003050050	DEKALB CO	INA0355_T1072	HERMAN SWEET DITCH	E. COLI
265	GREAT LAKES	4100003050060	DEKALB CO	INA0356_T1073	FISH CREEK TRIBS	E. COLI
265	GREAT LAKES	4100003050060	DEKALB CO	INA0356_T1074	FISH CREEK AND TRIBS	E. COLI
266	GREAT LAKES	4100005010040	ALLEN CO	INA0514_00	BULLERMAN DITCH AND OTHER TRIBUTARIES	IMPAIRED BIOTIC COMMUNITIES
267	GREAT LAKES	4100005010090	ALLEN CO	INA0519_T1008	BOTERN DITCH AND TRIBUTARIES	IMPAIRED BIOTIC COMMUNITIES
268	GREAT LAKES	4100005010110	ALLEN CO	INA051B_00	BLACK CREEK (ALLEN)	IMPAIRED BIOTIC COMMUNITIES, NUTRIENTS, ALGAE
269	GREAT LAKES	4100005010140	ALLEN CO	INA051E_00	HAM INTERCEPTOR DITCH	IMPAIRED BIOTIC COMMUNITIES, NUTRIENTS
270	GREAT LAKES	4100007120040	ALLEN CO	INA07C4_T1001	GROMEAUX DITCH	IMPAIRED BIOTIC COMMUNITIES
271	GREAT LAKES	4100007120020	ALLEN CO	INA07C2_00	FLATROCK CREEK-BROWN DITCH	E. COLI, IMPAIRED BIOTIC COMMUNITIES, NUTRIENTS
272	GREAT LAKES	4100004040040	ADAMS CO	INA0444_00	LITTLE BLUE CREEK	E. COLI
273	GREAT LAKES	4100004040030	ADAMS CO	INA0443_T1014	GATES DITCH	E. COLI
274	GREAT LAKES	4100004040070	ADAMS CO	INA0447_00	YELLOW CREEK-MARTZ CREEK	IMPAIRED BIOTIC COMMUNITIES, NUTRIENTS, TOTAL DISSOLVED SOLIDS
275	GREAT LAKES	4100004050020	ADAMS CO	INA0452_00	HOLTHOUSE DITCH-KOHNE DITCH	IMPAIRED BIOTIC COMMUNITIES
276	GREAT LAKES	4100004050040	ALLEN CO	INA0454_T1012	ST. MARYS RIVER TRIB	IMPAIRED BIOTIC COMMUNITIES
278	GREAT LAKES	4100004060060	ALLEN CO	INA0466_T1013	SPY RUN BASIN	IMPAIRED BIOTIC COMMUNITIES
282	UPPER WABASH	5120104050050	MIAMI CO	INB0455_00	BOLLEY DITCH - LUKENS LAKE	IMPAIRED BIOTIC COMMUNITIES

282	UPPER WABASH	5120104050060	WABASH CO	INB0456_00	SQUIRREL CREEK - BERGER DITCH	IMPAIRED BIOTIC COMMUNITIES
284	UPPER WABASH	5120106110110	WHITE CO	INB06BB_00	BIG MONON DITCH - OUTLET	E. COLI
288	UPPER WABASH	5120106050060	FULTON CO	INB0656_00	MUD CREEK - SMITH DITCH	IMPAIRED BIOTIC COMMUNITIES
288	UPPER WABASH	5120106050070	FULTON CO	INB0657_00	MUD CREEK - NEFF/ BAKER DITCHES	IMPAIRED BIOTIC COMMUNITIES
290	UPPER ILLI-NOIS	7120002070020	BENTON CO	INK0272_00	SUGAR CREEK-EARL PARK	E. COLI
291	UPPER ILLI-NOIS	7120002050070	NEWTON CO	INK0257_00	MONTGOMERY DITCH-MORRISON DITCH NO. 2 DITCH	NUTRIENTS, DIS-SOLVED OXYGEN
292	UPPER ILLI-NOIS	7120002050030	NEWTON CO	INK0253_00	THOMPSON DITCH-HAMBRIDGE DITCH	IMPAIRED BIOTIC COMMUNITIES
293	UPPER ILLI-NOIS	7120002050020	NEWTON CO	INK0252_00	THOMPSON DITCH-CLARK DITCH	NUTRIENTS, DIS-SOLVED OXYGEN
294	UPPER ILLI-NOIS	7120002040060	NEWTON CO	INK0246_00	MOSQUITO CREEK-SIMONIN DITCH	DISSOLVED OXY-GEN
295	UPPER ILLI-NOIS	7120002040030	JASPER CO	INK0243_00	CURTIS CREEK-YEOMAN DITCH	NUTRIENTS, DIS-SOLVED OXYGEN, TOTAL DISSOLVED SOLIDS, CHLORIDES
296	UPPER ILLI-NOIS	7120002030050	JASPER CO	INK0235_T1019	SLOUGH CREEK	E. COLI
296	UPPER ILLI-NOIS	7120002030080	JASPER CO	INK0238_00	SLOUGH CREEK-CAR-PENTER CREEK (LOWER)	E. COLI
297	UPPER ILLI-NOIS	7120002030020	JASPER CO	INK0232_T1018	RINGEISEN DITCH BASIN	IMPAIRED BIOTIC COMMUNITIES
298	UPPER ILLI-NOIS	7120002020010	JASPER CO	INK0221_T1017	ROWAN DITCH TRIBU-TARY	NUTRIENTS, DIS-SOLVED OXYGEN
301	UPPER WABASH	5120105050030	CASS CO	INB0553_T1006	DEER CREEK U/S OF BROWN DITCH	E. COLI
301	UPPER WABASH	5120105050030	CASS CO	INB0553_T1014	MUNSON DITCH AND NEXT TRIBUTARY D/S ON LEFT BANK	E. COLI
303	UPPER WABASH	5120101170030	GRANT CO	INB01H3_00	PIPE CREEK - UPPER	IMPAIRED BIOTIC COMMUNITIES
304	UPPER WABASH	5120101170110	CASS CO	INB01HB_T1030	PIPE CREEK	E. COLI
306	UPPER WABASH	5120101150070	WABASH CO	INB01F7_00	MILL CREEK BASIN	IMPAIRED BIOTIC COMMUNITIES
307	UPPER WABASH	5120101140010	HUNTINGTON CO	INB01E1_00	SILVER CREEK BASIN	COPPER
308	UPPER WABASH	5120101120040	HUNTINGTON CO	INB01C4_00	LITTLE RIVER - MUD CREEK	E. COLI
309	UPPER WABASH	5120101120040	HUNTINGTON CO	INB01C4_T1031	MUD CREEK	IMPAIRED BIOTIC COMMUNITIES
310	UPPER WABASH	5120101110020	WELLS CO	INB01B2_00	EIGHTMILE CREEK - UP-PER MIDDLE	IMPAIRED BIOTIC COMMUNITIES
311	UPPER WABASH	5120101060030	ADAMS CO	INB0163_00	WABASH RIVER - THREEMILE CREEK	E. COLI
311	UPPER WABASH	5120101060040	WELLS CO	INB0164_00	WABASH RIVER AND TRIBUTARY	E. COLI
312	UPPER WABASH	5120101060010	ADAMS CO	INB0161_T1025	WABASH RIVER	IMPAIRED BIOTIC COMMUNITIES, TO-TAL DISSOLVED SOLIDS, CHLORIDES

313	UPPER WABASH	5120101040010	JAY CO	INB0141_T1023	WABASH RIVER	E. COLI
314	UPPER WABASH	5120101050060	JAY CO	INB0156_T1024	LIMBERLOST CREEK AND TRIBUTARIES ABOVE TRIBUTARY 2	IMPAIRED BIOTIC COMMUNITIES
315	UPPER WABASH	5120102020040	BLACKFORD CO	INB0224_00	SALAMONIE RIVER - EAST CREEK	E. COLI
315	UPPER WABASH	5120102030010	WELLS CO	INB0231_00	SALAMONIE RIVER - RHOTON DITCH	E. COLI
316	UPPER WABASH	5120102040040	HUNTINGTON CO	INB0244_00	MAJENCIA CREEK - HEADWATERS	IMPAIRED BIOTIC COMMUNITIES, NUTRIENTS
317	UPPER WABASH	5120102040020	HUNTINGTON CO	INB0242_T1002	SALAMONIE RIVER-LANCASTER	E. COLI
318	UPPER WABASH	5120103060010	GRANT CO	INB0361_00	HUMMEL CREEK	IMPAIRED BIOTIC COMMUNITIES
319	UPPER WABASH	5120107040120	TIPPECANOE CO	INB074C_00	LAURAMIE CREEK	E. COLI
320	UPPER WABASH	5120107030070	TIPPECANOE CO	INB0737_00	MIDDLE FORK WILDCAT CREEK - PETTIT	E. COLI
320	UPPER WABASH	5120107040130	TIPPECANOE CO	INB074D_T1022	SOUTH FORK WILDCAT CREEK	E. COLI
321	UPPER WABASH	5120107040130	TIPPECANOE CO	INB074D_T1050	UNNAMED TRIBUTARY BASIN	IMPAIRED BIOTIC COMMUNITIES
322	UPPER WABASH	5120107040100	CLINTON CO	INB074A_T1048	HEAVILON DITCH - HEADWATER	AMMONIA, DISSOLVED OXYGEN
323	UPPER WABASH	5120107040020	CLINTON CO	INB0742_T1047	UNNAMED TRIBUTARY BASIN	IMPAIRED BIOTIC COMMUNITIES
324	UPPER WABASH	5120107040090	CLINTON CO	INB0749_00	KILMORE CREEK - BOYLES DITCH	E. COLI
325	UPPER WABASH	5120107030040	CLINTON CO	INB0734_T1045	CAMPBELLS RUN - MAINSTEM	E. COLI
325	UPPER WABASH	5120107030050	CLINTON CO	INB0735_T1046	CAMPBELLS RUN - MAINSTEM	E. COLI
326	UPPER WABASH	5120107030020	CARROLL CO	INB0732_T1042	WILDCAT CREEK, MIDDLE FORK - MAINSTEM	E. COLI
327	UPPER WABASH	5120107020040	HOWARD CO	INB0724_00	WEST HONEY CREEK	E. COLI
328	UPPER WABASH	5120107020010	HOWARD CO	INB0721_00	KITTY RUN AND OTHER TRIBUTARIES	E. COLI
328	UPPER WABASH	5120107020020	HOWARD CO	INB0722_00	LITTLE WILDCAT CREEK - EAST FORK	E. COLI
328	UPPER WABASH	5120107020020	TIPTON CO	INB0722_T1035	UNNAMED TRIBUTARY	E. COLI, TOTAL DISSOLVED SOLIDS
329	UPPER WABASH	5120107010110	HOWARD CO	INB071B_00	FINN DITCH AND OTHER TRIBUTARIES	E. COLI
329	UPPER WABASH	5120107010120	HOWARD CO	INB071C_00	MARTIN - YOUNGMAN DITCH BASIN	E. COLI
332	UPPER WABASH	5120107010030	TIPTON CO	INB0713_00	MUD CREEK - HEADWATERS (TIPTON)	E. COLI
332	UPPER WABASH	5120107010040	TIPTON CO	INB0714_00	MUD CREEK - NORTH CREEK	E. COLI, IMPAIRED BIOTIC COMMUNITIES
332	UPPER WABASH	5120107010060	TIPTON CO	INB0716_T1030	TURKEY CREEK	E. COLI
332	UPPER WABASH	5120107010070	HOWARD CO	INB0717_T1031	MUD CREEK - IRWIN CREEK	E. COLI

333	UPPER WABASH	5120107010010	HOWARD CO	INB0711_00	GRASSY FORK DITCH - HARPER DITCH	E. COLI
334	LOWER WABASH	5120108180020	PARKE CO	INB08J2_00	LITTLE RACCOON CREEK-MOORE LAKE/GUION	pH, TOTAL DISSOLVED SOLIDS
335	LOWER WABASH	5120109100070	VERMILLION CO	INB09A7_00	VERMILLION RIVER-WHIPPOORWILL BRANCH	E. COLI, LEAD
336	LOWER WABASH	5120108100040	FOUNTAIN CO	INB08A4_00	COAL CREEK-STONE BLUFF	E. COLI
336	LOWER WABASH	5120108100050	FOUNTAIN CO	INB08A5_00	COAL CREEK-DRY RUN	E. COLI
336	LOWER WABASH	5120108110010	FOUNTAIN CO	INB08B1_00	COAL CREEK-COPPER CHAPEL	E. COLI
337	LOWER WABASH	5120108070030	FOUNTAIN CO	INB0873_00	SHAWNEE CREEK-KELLDT/LITTLE SHAWNEE CREEK	E. COLI
338	LOWER WABASH	5120108030090	FOUNTAIN CO	INB0839_T1049	OPOSSUM HOLLOW BASIN	IMPAIRED BIOTIC COMMUNITIES
339	LOWER WABASH	5120108030040	TIPPECANOE CO	INB0834_00	FLINT CREEK - FLINT RUN	NUTRIENTS, DISSOLVED OXYGEN
341	LOWER WABASH	5120108040010	WHITE CO	INB0841_00	BIG PINE CREEK-ROUDEBUSH DITCH	IMPAIRED BIOTIC COMMUNITIES, DISSOLVED OXYGEN, ALGAE
342	LOWER WABASH	5120110060080	PARKE CO	INB1068_00	RUSH CREEK-EAST/WEST FORKS	IMPAIRED BIOTIC COMMUNITIES
343	LOWER WABASH	5120110040060	MONTGOMERY CO	INB1046_00	WALNUT FORK - ABOVE LITTLE SUGAR CREEK	IMPAIRED BIOTIC COMMUNITIES
345	LOWER WABASH	5120110010080	BOONE CO	INB1018_00	BROWN'S WONDER CREEK-ROSS DITCH	IMPAIRED BIOTIC COMMUNITIES
345	LOWER WABASH	5120110010090	BOONE CO	INB1019_00	SUGAR CREEK-BROWN'S WONDER CREEK (LOWER)	IMPAIRED BIOTIC COMMUNITIES
346	LOWER WABASH	5120110010070	BOONE CO	INB1017_00	SUGAR CREEK-DAVIS/BARNES DITCH	E. COLI
347	WEST FORK WHITE	5120201140080	MORGAN CO	INW01E8_00	HENDERSON CREEK	E. COLI
347	WEST FORK WHITE	5120201140090	JOHNSON CO	INW01E9_00	SOUTH PRONG STOTTS CREEK-HEADWATERS	E. COLI
347	WEST FORK WHITE	5120201140100	MORGAN CO	INW01EA_00	KASTS CREEK	E. COLI
347	WEST FORK WHITE	5120201140110	MORGAN CO	INW01EB_00	LOST CREEK	E. COLI
347	WEST FORK WHITE	5120201140110	MORGAN CO	INW01EB_T1123	SOUTH PRONG STOTTS CREEK	E. COLI
347	WEST FORK WHITE	5120201140120	MORGAN CO	INW01EC_00	STOTTS CREEK-EXCHANGE	E. COLI
347	WEST FORK WHITE	5120201140070	MORGAN CO	INW01E7_00	NORTH PRONG STOTTS CREEK-HEADWATERS	IMPAIRED BIOTIC COMMUNITIES, E. COLI
347	WEST FORK WHITE	5120201140070	MORGAN CO	INW01E7_T1115	NORTH PRONG STOTTS CREEK LMTD USE WATERS	IMPAIRED BIOTIC COMMUNITIES, E. COLI
347	WEST FORK WHITE	5120201140080	MORGAN CO	INW01E8_T1121	NORTH PRONG STOTTS CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI

347	WEST FORK WHITE	5120201140100	MORGAN CO	INW01EA_T1122	SOUTH PRONG STOTTS CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
349	EAST FORK WHITE	5120204080060	JOHNSON CO	INW0488_00	LITTLE SUGAR CREEK	E. COLI
355	LOWER WABASH	5120111160100	SULLIVAN CO	INB11GA_00	BUSSERON CREEK-ROBBINS CREEK	NUTRIENTS
356	LOWER WABASH	5120111160050	SULLIVAN CO	INB11G5_T1034	BIG BRANCH TRIBUTARY - GILMOUR	SULFATES, TOTAL DISSOLVED SOLIDS
356	LOWER WABASH	5120111160060	SULLIVAN CO	INB11G6_00	BIG BRANCH-MUD CREEK	SULFATES, TOTAL DISSOLVED SOLIDS
356	LOWER WABASH	5120111160070	SULLIVAN CO	INB11G7_T1035	BUSSERON CREEK - HYMERA	SULFATES, TOTAL DISSOLVED SOLIDS
356	LOWER WABASH	5120111160080	SULLIVAN CO	INB11G8_T1036	BUSSERON CREEK	SULFATES, TOTAL DISSOLVED SOLIDS
356	LOWER WABASH	5120111160090	SULLIVAN CO	INB11G9_00	BUTTERMILK CREEK	SULFATES, TOTAL DISSOLVED SOLIDS
356	LOWER WABASH	5120111160110	SULLIVAN CO	INB11GB_T1037	BUSSERON CREEK - PAXTON	SULFATES, TOTAL DISSOLVED SOLIDS
356	LOWER WABASH	5120111160130	SULLIVAN CO	INB11GD_00	BUSSERON CREEK-TANYARD BRANCH	SULFATES, TOTAL DISSOLVED SOLIDS
361	LOWER WABASH	5120111160070	SULLIVAN CO	INB11G7_00	KETTLE CREEK	DISSOLVED OXYGEN
363	LOWER WABASH	5120111060050	VIGO CO	INB1165_00	HONEY CREEK-ALLENDALE	IMPAIRED BIOTIC COMMUNITIES
363	LOWER WABASH	5120111060070	VIGO CO	INB1167_00	HONEY CREEK - THOMPSON DITCH TO MOUTH	IMPAIRED BIOTIC COMMUNITIES
364	LOWER WABASH	5120111040040	VIGO CO	INB1144_00	LOST CREEK-NORTH TRIBUTARY	IMPAIRED BIOTIC COMMUNITIES
365	LOWER WABASH	5120111030060	VIGO CO	INB1136_T1033	SULPHUR CREEK UNNAMED TRIBUTARY 2 BASIN	SULFATES
366	LOWER WABASH	5120111030040	VIGO CO	INB1134_T1031	NORTH BRANCH OTTER CREEK - DIAMOND CR TO LITTLE CR	ZINC
366	LOWER WABASH	5120111030050	VIGO CO	INB1135_T1032	NORTH BRANCH OTTER CR - LITTLE CR TO MOUTH	ZINC
367	WEST FORK WHITE	5120202020050	OWEN CO	INW0225_T1059	RATTLESNAKE CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
368	EAST FORK WHITE	5120208160050	ORANGE CO	INW08G5_T1062	LOST RIVER AND TRIBS	E. COLI
368	WEST FORK WHITE	05120208160070	ORANGE CO	INW08G7_T1064	FRENCH LICK CREEK (SAND CREEK TO MOUTH)	E. COLI
368	WEST FORK WHITE	05120208160080	ORANGE CO	INW08G8_T1036	LOST RIVER-WEST BADEN	E. COLI
368	WEST FORK WHITE	05120208160080	ORANGE CO	INW08G8_T1065	LOST RIVER (ABOVE SPRINGS VALLEY INTAKE)	E. COLI
369	EAST FORK WHITE	5120208120030	MARTIN CO	INW08C3_T1059	BEAVER CREEK	IMPAIRED BIOTIC COMMUNITIES
375	EAST FORK WHITE	5120206050070	JACKSON CO	INW0657_T1024	UNNAMED TRIBUTARY	TOTAL DISSOLVED SOLIDS, DISSOLVED OXYGEN, CHLORIDES

376	EAST FORK WHITE	5120206010120	BARTHOLOMEW	INW061C_00	CLIFTY CREEK - COLUMBUS	E. COLI
376	EAST FORK WHITE	5120206010160	DECATUR	INW061G_00	CLIFTY CREEK - NEWBERN	E. COLI
378	WEST FORK WHITE	05140202090030	JOHNSON CO	INW0493_T1050	BREWER DITCH	E. COLI
378	EAST FORK WHITE	5120207010050	JEFFERSON, JENNINGS, SCOTT, JACKSON CO'S	INW0715_00	BIG CREEK - HENSLEY CREEK	E. COLI
378	WEST FORK WHITE	05120207010060	JEFFERSON CO	INW0716_00	BIG CREEK-HARBERTS CREEK	E. COLI
378	WEST FORK WHITE	05120207010060	JEFFERSON CO	INW0716_T1007	HARBERTS CREEK	E. COLI
378	WEST FORK WHITE	05120207010070	JEFFERSON CO	INW0717_00	LITTLE CREEK-HEADWATERS (JEFFERSON)	E. COLI
378	WEST FORK WHITE	05120207010080	JEFFERSON CO	INW0718_00	RAMSEY CREEK	E. COLI
378	WEST FORK WHITE	05120207010090	JEFFERSON CO	INW0719_00	LITTLE CREEK-CHICKEN RUN	E. COLI
378	WEST FORK WHITE	05120207010100	JEFFERSON CO	INW071A_00	BIG CREEK-WALTON CREEK	E. COLI
378	WEST FORK WHITE	05120207010110	JEFFERSON CO	INW071B_00	NEILS CREEK	E. COLI
378	WEST FORK WHITE	05120207010120	JEFFERSON CO	INW071C_00	BIG CREEK-LEWIS CREEK	E. COLI
378	WEST FORK WHITE	05120207030010	SCOTT CO	INW0731_00	MUSCATATUCK RIVER-DEPUTY	E. COLI
378	WEST FORK WHITE	05120207030020	JENNINGS CO	INW0732_00	COFFEE CREEK	E. COLI
378	WEST FORK WHITE	05120207030030	SCOTT CO	INW0733_00	MUSCATATUCK-FOWER/SLATE/CROOKED CR	E. COLI
381	OHIO TRIBUTARIES	5090203080030	OHIO CO	INV0383_00	SOUTH FORK LAUGHERY CREEK-LOWER	E. COLI
382	OHIO TRIBUTARIES	5090203040080	DEARBORN CO	INV0348_T1025	WHITAKER CREEK	E. COLI, IMPAIRED BIOTIC COMMUNITIES
382	OHIO TRIBUTARIES	5090203040070	RIPLEY CO	INV0347_T1026	SOUTH HOGAN CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
382	OHIO TRIBUTARIES	5090203040090	DEARBORN CO	INV0349_T1027	SOUTH HOGAN CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
383	OHIO TRIBUTARIES	5090203060110	RIPLEY CO	INV036B_T1029	LAUGHERY CREEK	E. COLI
383	OHIO TRIBUTARIES	5090203060130	RIPLEY CO	INV036D_T1030	LAUGHERY CREEK	E. COLI
383	OHIO TRIBUTARIES	5090203060140	RIPLEY CO	INV036E_T1031	LAUGHERY CREEK	E. COLI
384	OHIO TRIBUTARIES	5090203030090	DEARBORN CO	INV0339_T1024	TANNERS CREEK	IMPAIRED BIOTIC COMMUNITIES
385	OHIO TRIBUTARIES	5140101030040	JEFFERSON CO	INN0134_T1034	INDIAN KENTUCK CREEK	IMPAIRED BIOTIC COMMUNITIES
386	OHIO TRIBUTARIES	5140101030060	JEFFERSON CO	INN0136_00	WEST FORK INDIAN KENTUCK-HEADWATERS	IMPAIRED BIOTIC COMMUNITIES

387	OHIO TRIBUTARIES	5140101070090	CLARK CO	INN0179_00	FOURTEEN MILE CREEK-DRY BRANCH	E. COLI
387	OHIO TRIBUTARIES	5140101070100	CLARK CO	INN017A_00	YANKEE CREEK	E. COLI
389	OHIO TRIBUTARIES	5140101140110	CLARK CO	INN01EB_T1033	SILVER CREEK TRIB	IMPAIRED BIOTIC COMMUNITIES
390	OHIO TRIBUTARIES	5140104210030	PERRY CO	INN04N3_00	BIG POISON CREEK	DISSOLVED OXYGEN
391	OHIO TRIBUTARIES	5140104200080	PERRY CO	INN04M8_00	LITTLE OIL CREEK	E. COLI, DISSOLVED OXYGEN
392	OHIO TRIBUTARIES	5140104200070	PERRY CO	INN04M7_00	OIL CREEK-WEBB BRANCH	IMPAIRED BIOTIC COMMUNITIES
393	OHIO TRIBUTARIES	5140104180070	CRAWFORD CO	INN04J7_T1046	BOGARD CREEK	IMPAIRED BIOTIC COMMUNITIES
394	OHIO TRIBUTARIES	5140104180040	CRAWFORD CO	INN04J4_T1048	OTTER CREEK TRIB	IMPAIRED BIOTIC COMMUNITIES
395	OHIO TRIBUTARIES	5140104180030	CRAWFORD CO	INN04J3_T1047	LITTLE BLUE RIVER	IMPAIRED BIOTIC COMMUNITIES, SULFATES, TOTAL DISSOLVED SOLIDS
396	OHIO TRIBUTARIES	5140104180050	CRAWFORD CO	INN04J5_00	LITTLE BLUE RIVER-GRANTSBURG	E. COLI
397	OHIO TRIBUTARIES	5140104050070	HARRISON CO	INN0457_00	BUCK CREEK-MAIN STEM	E. COLI, IMPAIRED BIOTIC COMMUNITIES
398	OHIO TRIBUTARIES	5140104100030	HARRISON CO	INN04A3_00	INDIAN CREEK-DEVILS BACKBONE	E. COLI, DISSOLVED OXYGEN
399	OHIO TRIBUTARIES	5140104090040	HARRISON CO	INN0494_00	INDIAN CREEK-CRANDALL BRANCH	E. COLI
399	OHIO TRIBUTARIES	5140104090060	HARRISON CO	INN0496_T1051	INDIAN CREEK	E. COLI
400	OHIO TRIBUTARIES	5140104130080	WASHINGTON CO	INN04D8_T1041	SOUTH FORK BLUE RIVER	IMPAIRED BIOTIC COMMUNITIES
400	OHIO TRIBUTARIES	5140104130080	WASHINGTON CO	INN04D8_T1044	SOUTH FORK BLUE RIVER	IMPAIRED BIOTIC COMMUNITIES
401	OHIO TRIBUTARIES	5140104080020	FLOYD CO	INN0482_00	LITTLE INDIAN CREEK (NORTH)	IMPAIRED BIOTIC COMMUNITIES
402	OHIO TRIBUTARIES	5140201150020	WARRICK CO	INE01F2_00	OTTER CREEK (LOWER)	SULFATES, TOTAL DISSOLVED SOLIDS
403	OHIO TRIBUTARIES	5140201140020	WARRICK CO	INE01E2_T1048	N. F. LITTLE PIGEON CR AND TRIB	IMPAIRED BIOTIC COMMUNITIES
404	OHIO TRIBUTARIES	5140201090050	SPENCER CO	INE0195_00	LITTLE SANDY CREEK	IMPAIRED BIOTIC COMMUNITIES, SULFATES, DISSOLVED OXYGEN, TOTAL DISSOLVED SOLIDS
405	OHIO TRIBUTARIES	5140201080030	SPENCER CO	INE0183_00	CROOKED CREEK-LIBERAL	E. COLI, DISSOLVED OXYGEN
405	OHIO TRIBUTARIES	5140201080050	SPENCER CO	INE0185_00	CROOKED CREEK-CEDAR CREST LAKE	E. COLI, DISSOLVED OXYGEN
406	OHIO TRIBUTARIES	5140201070100	SPENCER CO	INE017A_T1047	ANDERSON RIVER AND TRIBS	IMPAIRED BIOTIC COMMUNITIES, DISSOLVED OXYGEN, E. COLI
407	OHIO TRIBUTARIES	5140201070040	PERRY CO	INE0174_T1046	ROCKHOUSE BRANCH	IMPAIRED BIOTIC COMMUNITIES
408	OHIO TRIBUTARIES	5140201060050	PERRY CO	INE0165_T1053	MIDDLE FORK ANDERSON R	E. COLI, DISSOLVED OXYGEN

409	OHIO TRIBUTARIES	5140201040040	PERRY CO	INE0144_00	DEER CREEK-MAIN STEM	DISSOLVED OXYGEN
410	OHIO TRIBUTARIES	5140202030050	WARRICK CO	INE0235_00	SQUAW CREEK	SULFATES, TOTAL DISSOLVED SOLIDS
411	OHIO TRIBUTARIES	5140202020070	GIBSON CO	INE0227_T1030	SMITH FORK	IMPAIRED BIOTIC COMMUNITIES, SULFATES, TOTAL DISSOLVED SOLIDS
412	LOWER WABASH	5120113110120	POSEY CO	INB13BC_00	LITTLE CREEK-LOWER	NUTRIENTS, PH
413	LOWER WABASH	5120113110100	POSEY CO	INB13BA_00	LITTLE CREEK-WOLF CREEK	IMPAIRED BIOTIC COMMUNITIES
414	LOWER WABASH	5120113110160	POSEY CO	INB13BG_00	BIG CREEK-ALEXANDER CREEK	IMPAIRED BIOTIC COMMUNITIES
415	UPPER ILLINOIS	7120002030070	JASPER CO	INK0237_T1020	CARPENTER CREEK TRIBUTARY	IMPAIRED BIOTIC COMMUNITIES, NUTRIENTS, DISSOLVED OXYGEN
416	GREAT LAKES	4050001090020	STEUBEN CO	INJ01P1050_00	BIG OTTER LAKE	IMPAIRED BIOTIC COMMUNITIES
417	GREAT LAKES	4050001090020	STEUBEN CO	INJ01P1053_00	SEVEN SISTERS LAKES	IMPAIRED BIOTIC COMMUNITIES
420	GREAT LAKES	4050001110040	STEUBEN CO	INJ01P1083_00	MESERVE LAKE	IMPAIRED BIOTIC COMMUNITIES
421	GREAT LAKES	4050001090060	STEUBEN CO	INJ01P1144_00	LIME LAKE	IMPAIRED BIOTIC COMMUNITIES
423	GREAT LAKES	4050001110110	STEUBEN CO	INJ01P1093_00	LAKE OF THE WOODS	IMPAIRED BIOTIC COMMUNITIES
424	GREAT LAKES	4050001120050	LAGRANGE CO	INJ01P1157_00	NORTH TWIN LAKE	IMPAIRED BIOTIC COMMUNITIES
425	GREAT LAKES	4050001120030	LAGRANGE CO	INJ01P1132_00	ROYER LAKE	IMPAIRED BIOTIC COMMUNITIES
426	GREAT LAKES	4050001120030	LAGRANGE CO	INJ01P1133_00	FISH LAKE	IMPAIRED BIOTIC COMMUNITIES
427	GREAT LAKES	4050001170030	LAGRANGE CO	INJ01P1261_00	MESSICK LAKE	IMPAIRED BIOTIC COMMUNITIES
428	GREAT LAKES	4050001170030	LAGRANGE CO	INJ01P1262_00	HACKENBURG LAKE	IMPAIRED BIOTIC COMMUNITIES
429	GREAT LAKES	4050001170020	LAGRANGE CO	INJ01P1263_00	DALLAS LAKE	IMPAIRED BIOTIC COMMUNITIES
430	GREAT LAKES	4050001170020	LAGRANGE CO	INJ01P1267_00	WITMER LAKE	IMPAIRED BIOTIC COMMUNITIES
435	UPPER ILLINOIS	7120001060080	MARSHALL CO	INK01P1037_00	LAWRENCE LAKE	IMPAIRED BIOTIC COMMUNITIES
436	UPPER ILLINOIS	7120001060080	MARSHALL CO	INK01P1038_00	MYERS LAKE	IMPAIRED BIOTIC COMMUNITIES
438	UPPER WABASH	5120106010070	KOSCIUSKO CO	INB06P1067_00	SECHRIST LAKE	IMPAIRED BIOTIC COMMUNITIES
440	UPPER WABASH	5120106010080	KOSCIUSKO CO	INB06P1063_00	OSWEGO LAKE	IMPAIRED BIOTIC COMMUNITIES
441	UPPER WABASH	5120106010080	KOSCIUSKO CO	INB06P1056_00	JAMES LAKE	IMPAIRED BIOTIC COMMUNITIES
448	GREAT LAKES	4050001200010	NOBLE CO	INJ01P1193_00	KNAPP LAKE	IMPAIRED BIOTIC COMMUNITIES
449	GREAT LAKES	4050001200010	NOBLE CO	INJ01P1195_00	HINDMAN LAKE	IMPAIRED BIOTIC COMMUNITIES
450	GREAT LAKES	4050001200010	NOBLE CO	INJ01P1196_00	GORDY LAKE	IMPAIRED BIOTIC COMMUNITIES

451	GREAT LAKES	4050001200010	NOBLE CO	INJ01P1198_00	VILLAGE LAKE	IMPAIRED BIOTIC COMMUNITIES
457	UPPER WABASH	5120104020030	WHITLEY CO	INB04P1035_00	SHRINER LAKE	IMPAIRED BIOTIC COMMUNITIES
464	WEST FORK WHITE	5120201120100	MARION CO	INW01P1069_00	EAGLE CREEK RESER-VOIR	TASTE AND ODOR, ALGAE
470	EAST FORK WHITE	5120208080040	MONROE CO	INW08P1140_00	MONROE RESERVOIR (UPPER)	TASTE AND ODOR, ALGAE
476	OHIO TRIBU-TARIES	5140104120040	WASHINGTON CO	INN04P1029_00	LAKE SALINDIA	TASTE AND ODOR, ALGAE
477	EAST FORK WHITE	5120208010050	WASHINGTON CO	INW08P1051_00	JOHN HAYS LAKE	TASTE AND ODOR, ALGAE
479	OHIO TRIBU-TARIES	5140201140040	DUBOIS CO	INE01P1021_00	HOLLAND LAKE 1	TASTE AND ODOR, ALGAE
480	OHIO TRIBU-TARIES	5140201140040	DUBOIS CO	INE01P1054_00	HOLLAND LAKE 2	TASTE AND ODOR, ALGAE
484	GREAT LAKES	4040001050050	PORTER CO	INC0155_00	GUSTAFSON DITCH - OTHER TRIBUTARIES	E. COLI
485	WEST FORK WHITE	5120201080120	HAMILTON CO	INW018C_00	SLY RUN AND TRIBS	E. COLI
486	PATOKA	5120209030010	DUBOIS CO	INP0931_00	HALL CREEK-HEADWA-TERS	E. COLI
487	PATOKA	5120209050030	PIKE CO	INP0953_00	FLAT CREEK	E. COLI
487	PATOKA	5120209050030	PIKE CO	INP0953_T1066	UNNAMED TRIBUTARY (HOBBS CEMETERY)	E. COLI
487	PATOKA	5120209050010	PIKE CO	INP0951_00	FLAT CREEK HEADWA-TERS	IMPAIRED BIOTIC COMMUNITIES, E. COLI, SULFATES, TO-TAL DISSOLVED SOLIDS
487	PATOKA	5120209050020	PIKE CO	INP0952_00	FLAT CREEK-BUCK CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI, SULFATES, TO-TAL DISSOLVED SOLIDS
487	PATOKA	5120209050030	PIKE CO	INP0953_T1065	LITTLE FLAT CREEK	TOTAL DISSOLVED SOLIDS
488	PATOKA	5120209060050	PIKE CO	INP0965_00	PATOKA RIVER-LICK MILL CREEKS	IMPAIRED BIOTIC COMMUNITIES, SUL-FATES, TOTAL DIS-SOLVED SOLIDS
489	PATOKA	5120209070020	PIKE CO	INP0972_00	HOUCHIN DITCH	TOTAL DISSOLVED SOLIDS
489	PATOKA	5120209070030	PIKE CO	INP0973_00	SOUTH FORK PATOKA R-SPURGEON TRIBUTAR-IES	TOTAL DISSOLVED SOLIDS
489	PATOKA	5120209070040	PIKE CO	INP0974_00	HONEY CREEK (SOUTH FORK PATOKA) TRIBU-TARIES	TOTAL DISSOLVED SOLIDS
489	PATOKA	5120209070050	GIBSON CO	INP0975_00	SOUTH FORK PATOKA R-WHEELER/LICK CREEKS	TOTAL DISSOLVED SOLIDS
490	PATOKA	5120209080020	PIKE CO	INP0982_00	EAST FORK KEG CREEK	E. COLI
491	WEST FORK WHITE	5120202100050	PIKE CO	INW02A5_00	CONGER CREEK-LITTLE CONGER CREEK	E. COLI
491	WEST FORK WHITE	5120202100060	KNOX CO	INW02A6_00	HARBIN CREEK	E. COLI

492	WEST FORK WHITE	5120202090040	KNOX CO	INW0294_00	UNNAMED TRIBUTARY NW OF OLD WHEATLAND RD	PH, DISSOLVED OXYGEN, TOTAL DISSOLVED SOLIDS
493	WEST FORK WHITE	5120202090020	DAVIESS CO	INW0292_00	VEALE CREEK SLOUGH	E. COLI
493	WEST FORK WHITE	5120202090030	DAVIESS CO	INW0293_00	VEALE CREEK-LOWER	E. COLI
494	WEST FORK WHITE	5120202080070	DAVIESS CO	INW0287_T1063	PRAIRIE CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
494	WEST FORK WHITE	5120202080080	DAVIESS CO	INW0288_T1064	PRAIRIE CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
495	WEST FORK WHITE	5120202060050	DAVIESS CO	INW0265_00	BLACK CREEK-RAMSEY/CALICO SLASH DITCHES	E. COLI
495	WEST FORK WHITE	5120202060060	DAVIESS CO	INW0266_00	SINGER DITCH(UPPER)-HILL DITCH	E. COLI
495	WEST FORK WHITE	5120202060070	KNOX CO	INW0267_00	BLACK CREEK-SINGER DITCH-WHITE R OX-BOWS TRIBUTARIES	E. COLI
496	WEST FORK WHITE	5120202060020	GREENE CO	INW0262_00	BLACK CREEK-BREWER DITCH	IMPAIRED BIOTIC COMMUNITIES, SULFATES, TOTAL DISSOLVED SOLIDS
497	WEST FORK WHITE	5120202060030	GREENE CO	INW0263_00	BUCK CREEK (GREENE)	SULFATES, TOTAL DISSOLVED SOLIDS, E. COLI
498	WEST FORK WHITE	5120202040040	GREENE CO	INW0244_00	BEECH CREEK	E. COLI
498	WEST FORK WHITE	5120202040050	GREENE CO	INW0245_00	ORE BRANCH TRIBUTARIES	E. COLI
499	WEST FORK WHITE	5120202020100	OWEN CO	INW022A_00	EAST FORK FISH CREEK	E. COLI
499	WEST FORK WHITE	5120202020110	OWEN CO	INW022B_00	WEST FORK FISH CREEK	E. COLI
499	WEST FORK WHITE	5120202020120	OWEN CO	INW022C_00	FISH CREEK-SAND LICK CREEK	E. COLI
499	WEST FORK WHITE	5120202020130	OWEN CO	INW022D_00	FISH CREEK-WEST FORK	E. COLI
499	WEST FORK WHITE	5120202020140	OWEN CO	INW022E_00	FISH CREEK-MACK CREEK	E. COLI
500	WEST FORK WHITE	5120202020050	OWEN CO	INW0225_00	RATTLESNAKE CREEK	E. COLI
501	WEST FORK WHITE	5120202020070	OWEN CO	INW0227_00	RACCOON CREEK-LITTLE RACCOON CREEK	E. COLI
501	WEST FORK WHITE	5120202020080	OWEN CO	INW0228_00	RACCOON CREEK-LICK CREEK	E. COLI
502	WEST FORK WHITE	5120203070060	OWEN CO	INW0376_00	NORTH FORK JORDAN CREEK	E. COLI
502	WEST FORK WHITE	5120203070070	CLAY CO	INW0377_00	JORDAN CREEK-LOWER	E. COLI
503	WEST FORK WHITE	5120203070050	OWEN CO	INW0375_00	JORDON CREEK-HEADWATERS (OWEN)	E. COLI
504	WEST FORK WHITE	5120203060160	PUTNAM CO	INW036G_00	DOE CREEK-FERGUSON BRANCH	E. COLI
505	WEST FORK WHITE	5120201140050	MORGAN CO	INW01E5_00	CROOKED CREEK-BANTA CREEK	E. COLI

506	WEST FORK WHITE	5120201130110	JOHNSON CO	INW01DB_00	PLEASANT RUN CREEK-BUFFALO CREEK	E. COLI
507	WEST FORK WHITE	5120201150080	HENDRICKS CO	INW01F8_00	WEST FORK WHITE LICK CREEK-HEADWATERS	E. COLI
507	WEST FORK WHITE	5120201150090	HENDRICKS CO	INW01F9_00	WEST FORK WHITE LICK CREEK-THOMPSON CREEK	E. COLI
508	WEST FORK WHITE	5120201090080	MARION CO	INW0198_T1056	BROADRIPPLE TRIBU-TARIES	E. COLI
509	WEST FORK WHITE	5120201120130	MARION CO	INW01CD_00	LITTLE EAGLE CREEK-FALCON CREEK/DRY RUN	E. COLI
510	WEST FORK WHITE	5120201120120	MARION CO	INW01CC_00	LITTLE EAGLE CREEK-GUION CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
511	WEST FORK WHITE	5120201080090	HAMILTON CO	INW0189_00	BENNETT DT/TAYLOR CREEK AND OTHER TRIBUTARIES	E. COLI
512	WEST FORK WHITE	5120201070040	MADISON CO	INW0174_00	STONEY CREEK-HEAD-WATERS	E. COLI
512	WEST FORK WHITE	5120201070050	HAMILTON CO	INW0175_00	STONY CREEK - WIL-LIAM LOCK DITCH TRIB-UTARIES	E. COLI
512	WEST FORK WHITE	5120201070060	HAMILTON CO	INW0176_00	WILLIAM LEHR DITCH AND OTHER TRIBUTAR-IES	E. COLI
512	WEST FORK WHITE	5120201070070	HAMILTON CO	INW0177_00	NORTH TRIB (NOBLESVILLE)	E. COLI
513	WEST FORK WHITE	5120201100100	MADISON CO	INW01AA_00	LICK CREEK HEADWA-TERS (MARKLEVILLE)	IMPAIRED BIOTIC COMMUNITIES, E. COLI
513	WEST FORK WHITE	5120201100110	MADISON CO	INW01AB_00	LICK CREEK-MANI-FOLD/MCFADDEN DITCHES	IMPAIRED BIOTIC COMMUNITIES, E. COLI
514	WEST FORK WHITE	5120201100030	HENRY CO	INW01A3_00	FALL CREEK-MUD CREEK/LITTLE CREEK TRIBUTARIES	IMPAIRED BIOTIC COMMUNITIES, E. COLI
515	WEST FORK WHITE	5120201070030	HAMILTON CO	INW0173_00	MALLORY GRANGER DITCH/ INGERMAN DITCH BASINS	E. COLI
516	WEST FORK WHITE	5120201060010	MADISON CO	INW0161_00	DUCK CREEK-TODD DITCH	E. COLI
516	WEST FORK WHITE	5120201060020	MADISON CO	INW0162_00	LITTLE DUCK CREEK BASIN	E. COLI
516	WEST FORK WHITE	5120201060020	MADISON CO	INW0162_T1228	BIG DUCK CREEK	E. COLI
516	WEST FORK WHITE	5120201060030	MADISON CO	INW0163_00	POLYWOG CREEK	E. COLI
516	WEST FORK WHITE	5120201060050	HAMILTON CO	INW0165_00	BEAR CREEK-WEST FORK BEAR CREEK	E. COLI
516	WEST FORK WHITE	5120201060060	HAMILTON CO	INW0166_00	DUCK CREEK	E. COLI
516	WEST FORK WHITE	5120201060060	HAMILTON CO	INW0166_T1227	LONG BRANCH	E. COLI
516	WEST FORK WHITE	5120201070020	HAMILTON CO	INW0172_00	SUGAR RUN AND OTHER TRIBUTARIES	E. COLI

517	WEST FORK WHITE	5120201060040	HAMILTON CO	INW0164_00	LAMBERSON DITCH	IMPAIRED BIOTIC COMMUNITIES, E. COLI
518	WEST FORK WHITE	5120201080040	TIPTON CO	INW0184_00	CICERO CREEK-CAMP-BELL DITCH	E. COLI
518	WEST FORK WHITE	5120201080050	TIPTON CO	INW0185_00	CICERO CREEK-TOBIN DITCH	E. COLI
518	WEST FORK WHITE	5120201080060	HAMILTON CO	INW0186_00	CICERO CREEK-BACON PRAIRIE CR/BUSCHER DT	E. COLI
519	WEST FORK WHITE	5120201080010	TIPTON CO	INW0181_00	COX DITCH-CHRISTY/KIGIN DITCHES	IMPAIRED BIOTIC COMMUNITIES, NU-TRIENTS, ALGAE
520	WEST FORK WHITE	5120201040030	DELAWARE CO	INW0143_00	JAKES CREEK-EAGLE BRANCH	E. COLI
520	WEST FORK WHITE	5120201040050	DELAWARE CO	INW0145_00	KILLBUCK CREEK	E. COLI
520	WEST FORK WHITE	5120201040060	MADISON CO	INW0146_00	LITTLE KILLBUCK CREEK-NELSON BROOK	E. COLI
520	WEST FORK WHITE	5120201040090	MADISON CO	INW0149_00	INDIAN CREEK (MADI-SON)	E. COLI
520	WEST FORK WHITE	5120201040010	DELAWARE CO	INW0141_00	KILLBUCK CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
520	WEST FORK WHITE	5120201040020	DELAWARE CO	INW0142_00	KILLBUCK CREEK-THRUSTON DITCH	IMPAIRED BIOTIC COMMUNITIES, E. COLI
520	WEST FORK WHITE	5120201040040	DELAWARE CO	INW0144_00	KILLBUCK CREEK-PLEASANT RUN CREEK	IMPAIRED BIOTIC COMMUNITIES, E. COLI
521	WEST FORK WHITE	5120201030010	DELAWARE CO	INW0131_00	YORK PRAIRIE CREEK AND OTHER TRIBUTAR-IES	E. COLI
521	WEST FORK WHITE	5120201030020	MADISON CO	INW0132_00	SHOEMAKER DITCH AND OTHER TRIBUTAR-IES	E. COLI
522	UPPER WABASH	5120104050070	MIAMI CO	INB0457_00	SQUIRREL CREEK (LOWER)	E. COLI
523	UPPER WABASH	5120106080020	PULASKI CO	INB0682_00	TIPPECANOE RIVER - AGNEW DITCH - MOSS DITCH	E. COLI
524	OHIO TRIBU-TARIES	5140201140110	WARRICK CO	INE01EB_T1051	UNNAMED TRIB BAR-REN FORK	AMMONIA, SUL-FATES, TOTAL DIS-SOLVED SOLIDS
527	OHIO TRIBU-TARIES	5090203180030	SWITZERLAND CO	INV03J3_T1040	THURSTON CREEK	E. COLI

**The county is listed to provide general waterbody locations. Exact locations may be generated using the segment ID number.

Category 5B

Parameters of Concern are abbreviated as follows: FCA - Fish Consumption Advisory; PCBs - Polychlorinated biphenyls; Hg - Mercury

303(d) #	Major Basin	14 Digit Hydrologic Unit Code	County**	Segment ID Number	Waterbody Name	Parameters of Concern
2	GREAT LAKES	04040001060040	PORTER CO	INC0164_T1108	Portage Burns Waterway	FCA for PCBs and Hg
4	UPPER WABASH	05120106010010	WHITLEY CO	INB06P1001_00	CROOKED LAKE	FCA for Hg
7	GREAT LAKES	04050001190020	ELKHART CO	INJ01K2_T1018	ELKHART RIVER	FCA for PCBs and Hg

7	GREAT LAKES	04050001190040	ELKHART CO	INJ01K4_T1017	ELKHART RIVER	FCA for PCBs and Hg
7	GREAT LAKES	04050001190070	ELKHART CO	INJ01K7_T1016	ELKHART RIVER	FCA for PCBs and Hg
7	GREAT LAKES	04050001210010	ELKHART CO	INJ01N1_T1015	ELKHART RIVER	FCA for PCBs and Hg
7	GREAT LAKES	04050001210040	ELKHART CO	INJ01N4_T1014	ELKHART RIVER	FCA for PCBs and Hg
7	GREAT LAKES	04050001210060	ELKHART CO	INJ01N6_T1013	ELKHART RIVER	FCA for PCBs and Hg
8	GREAT LAKES	04040001020020	LAKE CO	INC0122_00	Grand Calumet River - headwaters	FCA for PCBs and Hg
8	GREAT LAKES	04040001020020	LAKE CO	INC0122_T1097	Grand Calumet River - Gary to Indiana Harbor Canal	FCA for PCBs and Hg
9	LOWER WABASH	07120003050010	LAKE CO	INK0351_T1001	Grand Calumet River - Illinois to Indiana Harbor Canal	FCA for PCBs and Hg
10	GREAT LAKES	04040001020020	LAKE CO	INC01P1002_00	MARQUETTE PARK LAGOONS (WEST)	FCA for PCBs
10	GREAT LAKES	04040001020020	LAKE CO	INC01P1083_00	MARQUETTE PARK LAGOONS (EAST)	FCA for PCBs
11	GREAT LAKES	04040001020010	LAKE CO	INC0121_T1001	Indiana Harbor Canal main channel	FCA for PCBs and Hg
12	GREAT LAKES	04040001020010	LAKE CO	INC0121_00	Indiana Harbor Canal - Lake George Br	FCA for PCBs and Hg
13	GREAT LAKES	04050001090030	STEUBEN CO	INJ01P1039_00	JIMMERSON LAKE	FCA for Hg
14	GREAT LAKES	04050001240050	STEUBEN CO	INJ01T5_T1002	JUDAY CREEK	FCA for PCBs
15	GREAT LAKES	04040001030060	LAKE CO	INC01P1007_00	LAKE GEORGE	FCA for PCBs
16	GREAT LAKES	4050001090030	STEUBEN CO	INJ01P1038_00	LAKE JAMES	FCA for Hg
17	GREAT LAKES	04040001020010	LAKE CO	INC0121G_G1074	LAKE MICHIGAN SHORELINE EAST OF IHC	FCA for PCBs and Hg
17	GREAT LAKES	04040001020010	LAKE CO	INC0121G_G1075	LAKE MICHIGAN SHORELINE WEST OF IHC	FCA for PCBs and Hg
18	GREAT LAKES	04050001120070	LAGRANGE CO	INJ01P1022_00	SHIPSHEWANA LAKE	FCA for PCBs
19	GREAT LAKES	04050001200040	KOSCIUSKO CO	INJ01P1024_00	WAUBEE LAKE	FCA for Hg
20	GREAT LAKES	04050001200020	KOSCIUSKO CO	INJ01P1023_00	LAKE WAWASEE	FCA for PCBs and Hg
21	GREAT LAKES	04040001060040	PORTER CO	INC0164_T1018	Little Calumet River - East Arm	FCA for PCBs and Hg
21	GREAT LAKES	04040001060040	PORTER CO	INC0164_T1086	LITTLE CALUMET RIVER	FCA for PCBs and Hg
22	GREAT LAKES	04040001060010	LAPORTE CO	INC0161_T1023	LITTLE CALUMET RIVER HEADWATERS	FCA for PCBs and Hg
22	GREAT LAKES	04040001060020	PORTER CO	INC0162_T1060	LITTLE CALUMET RIVER	FCA for PCBs and Hg
22	GREAT LAKES	04040001060020	PORTER CO	INC0162_T1082	LITTLE CALUMET RIVER	FCA for PCBs and Hg
22	GREAT LAKES	04040001060030	PORTER CO	INC0163_T1061	LITTLE CALUMET RIVER	FCA for PCBs and Hg
23	LOWER WABASH	07120003030050	LAKE CO	INK0335_T1004	LITTLE CALUMET RIVER	FCA for PCBs and Hg
23	LOWER WABASH	07120003030050	LAKE CO	INK0335_T1005	LITTLE CALUMET RIVER	FCA for PCBs and Hg
23	LOWER WABASH	07120003030060	LAKE CO	INK0336_T1002	LITTLE CALUMET RIVER	FCA for PCBs and Hg
24	GREAT LAKES	04040001040020	LAKE CO	INC0142_T1009	Little Calumet River	FCA for PCBs and Hg
24	GREAT LAKES	04040001040030	LAKE CO	INC0143_T1010	BURNS DITCH	FCA for PCBs and Hg
25	GREAT LAKES	04050001110040	STEUBEN CO	INJ01P1080_00	LONG LAKE	FCA for Hg
26	GREAT LAKES	04050001090020	STEUBEN CO	INJ01P1037_00	MARSH LAKE	FCA for Hg
30	GREAT LAKES	04050001170030	LAGRANGE CO	INJ01P1026_00	OLIN LAKE	FCA for Hg
31	GREAT LAKES	04050001170030	LAGRANGE CO	INJ01P1025_00	OLIVER LAKE	FCA for Hg
33	GREAT LAKES	04050001110010	STEUBEN CO	INJ01B1_T1035	PIGEON CREEK	FCA for PCBs and Hg
33	GREAT LAKES	04050001110020	STEUBEN CO	INJ01B2_T1034	PIGEON CREEK	FCA for PCBs and Hg
33	GREAT LAKES	04050001110030	STEUBEN CO	INJ01B3_T1032	PIGEON CREEK	FCA for PCBs and Hg
33	GREAT LAKES	04050001110040	STEUBEN CO	INJ01B4_T1031	PIGEON CREEK	FCA for PCBs and Hg
33	GREAT LAKES	04050001110040	STEUBEN CO	INJ01B4_T1297	PIGEON CREEK	FCA for PCBs and Hg
33	GREAT LAKES	04050001110050	STEUBEN CO	INJ01B5_T1030	PIGEON CREEK	FCA for PCBs and Hg

33	GREAT LAKES	04050001110060	STEUBEN CO	INJ01B6_T1029	PIGEON CREEK	FCA for PCBs and Hg
33	GREAT LAKES	04050001110070	STEUBEN CO	INJ01B7_T1028	PIGEON CREEK	FCA for PCBs and Hg
33	GREAT LAKES	04050001110080	STEUBEN CO	INJ01B8_T1027	PIGEON CREEK	FCA for PCBs and Hg
35	GREAT LAKES	04050001090020	STEUBEN CO	INJ01P1036_00	SNOW LAKE	FCA for Hg
36	GREAT LAKES	04050001130030	ST JOSEPH CO / ELKHART CO	INJ01D3_M1012	ST. JOSEPH RIVER	FCA for PCBs and Hg
36	GREAT LAKES	04050001150010	ST JOSEPH CO / ELKHART CO	INJ01F1_M1011	ST. JOSEPH RIVER	FCA for PCBs and Hg
36	GREAT LAKES	04050001150020	ST JOSEPH CO / ELKHART CO	INJ01F2_M1010	ST. JOSEPH RIVER	FCA for PCBs and Hg
36	GREAT LAKES	04050001150050	ST JOSEPH CO / ELKHART CO	INJ01F5_M1009	ST. JOSEPH RIVER	FCA for PCBs and Hg
36	GREAT LAKES	04050001210060	ST JOSEPH CO / ELKHART CO	INJ01N6_M1008	ST. JOSEPH RIVER	FCA for PCBs and Hg
36	GREAT LAKES	04050001220010	ST JOSEPH CO / ELKHART CO	INJ01P1_M1007	ST. JOSEPH RIVER	FCA for PCBs and Hg
36	GREAT LAKES	04050001240010	ST JOSEPH CO / ELKHART CO	INJ01T1_M1006	ST. JOSEPH RIVER	FCA for PCBs and Hg
36	GREAT LAKES	04050001240020	ST JOSEPH CO / ELKHART CO	INJ01T2_M1005	ST. JOSEPH RIVER	FCA for PCBs and Hg
36	GREAT LAKES	04050001240030	ST JOSEPH CO / ELKHART CO	INJ01T3_M1004	ST. JOSEPH RIVER	FCA for PCBs and Hg
36	GREAT LAKES	04050001240040	ST JOSEPH CO / ELKHART CO	INJ01T4_M1003	ST. JOSEPH RIVER	FCA for PCBs and Hg
36	GREAT LAKES	04050001240060	ST JOSEPH CO / ELKHART CO	INJ01T6_M1001	ST. JOSEPH RIVER	FCA for PCBs and Hg
37	GREAT LAKES	04040001070030	LAPORTE CO	INC0173_T1020	TRAIL CREEK	FCA for PCBs and Hg
39	GREAT LAKES	04040001020010	LAKE CO	INC01P1019_00	WOLF LAKE	FCA for PCBs
41	GREAT LAKES	04100003090030	ALLEN CO	INA0393_T1034	CEDAR CREEK	FCA for PCBs
44	GREAT LAKES	04100003050040	STEUBEN CO	INA03P1011_00	HAMILTON LAKE	FCA for Hg
45	GREAT LAKES	04100005010010	ALLEN CO	INA0511_M1007	MAUMEE RIVER	FCA for PCBs and Hg
45	GREAT LAKES	04100005010040	ALLEN CO	INA0514_M1006	MAUMEE RIVER	FCA for PCBs and Hg
45	GREAT LAKES	04100005010060	ALLEN CO	INA0516_M1005	MAUMEE RIVER	FCA for PCBs and Hg
45	GREAT LAKES	04100005010080	ALLEN CO	INA0518_M1004	MAUMEE RIVER	FCA for PCBs and Hg
45	GREAT LAKES	04100005010100	ALLEN CO	INA051A_M1003	MAUMEE RIVER	FCA for PCBs and Hg
45	GREAT LAKES	04100005010120	ALLEN CO	INA051C_M1002	MAUMEE RIVER	FCA for PCBs and Hg
45	GREAT LAKES	04100005010130	ALLEN CO	INA051D_M1001	MAUMEE RIVER	FCA for PCBs and Hg
46	GREAT LAKES	04100003070040	ALLEN CO	INA0374_T1022	ST. JOSEPH RIVER-MAINSTEM	FCA for PCBs and Hg
46	GREAT LAKES	04100003070050	ALLEN CO	INA0375_T1025	ST. JOSEPH RIVER-MAINSTEM	FCA for PCBs and Hg
46	GREAT LAKES	04100003100010	ALLEN CO	INA03A1_M1038	St Joseph River - mainstem	FCA for PCBs and Hg
46	GREAT LAKES	04100003100010	ALLEN CO	INA03A2_M1040	St Joseph River - mainstem	FCA for PCBs and Hg
46	GREAT LAKES	04100003100040	ALLEN CO	INA03A4_M1042	ST. JOSEPH RIVER	FCA for PCBs and Hg
46	GREAT LAKES	04100003070050	ALLEN CO	INA03P1024_00	Cedarville Reservoir - lower	FCA for PCBs and Hg
46	GREAT LAKES	4100003100040	ALLEN CO	INA03P1044_00	ST. JOSEPH RESERVOIR	FCA for PCBs and Hg
47	GREAT LAKES	04100004050040	ALLEN CO	INA0454_T1005	ST. MARYS RIVER	FCA for PCBs and Hg
47	GREAT LAKES	04100004060010	ALLEN CO	INA0461_T1004	ST. MARYS RIVER	FCA for PCBs and Hg
47	GREAT LAKES	04100004060030	ALLEN CO	INA0463_T1003	ST. MARYS RIVER	FCA for PCBs and Hg
47	GREAT LAKES	04100004060050	ALLEN CO	INA0465_T1002	ST. MARYS RIVER	FCA for PCBs and Hg
47	GREAT LAKES	04100004060060	ALLEN CO	INA0466_T1022	ST. MARYS RIVER	FCA for PCBs and Hg
52	LOWER WABASH	07120001130060	LAKE CO	INK01P1022_00	CEDAR LAKE	FCA for PCBs
56	LOWER WABASH	07120002020010	JASPER CO / NEWTON CO	INK0221_T1001	IROQUOIS RIVER HEAD-WATERS	FCA for PCBs

56	LOWER WABASH	07120002020020	JASPER CO / NEWTON CO	INK0222_T1002	IROQUOIS RIVER	FCA for PCBs
56	LOWER WABASH	07120002040030	JASPER CO / NEWTON CO	INK0243_T1005	IROQUOIS RIVER	FCA for PCBs
56	LOWER WABASH	07120002050040	JASPER CO / NEWTON CO	INK0254_T1011	IROQUOIS RIVER	FCA for PCBs
56	LOWER WABASH	07120002050100	JASPER CO / NEWTON CO	INK025A_T1012	IROQUOIS RIVER-SOUTH CONCORD BRANCH (ILL)	FCA for PCBs
56	LOWER WABASH	07120002020030	JASPER CO / NEWTON CO	INK0223_T1003	IROQUOIS RIVER	FCA for PCBs
56	LOWER WABASH	07120002020060	JASPER CO / NEWTON CO	INK0226_T1004	IROQUOIS RIVER	FCA for PCBs
56	LOWER WABASH	07120002040040	JASPER CO / NEWTON CO	INK0244_T1006	IROQUOIS RIVER	FCA for PCBs
56	LOWER WABASH	07120002040060	JASPER CO / NEWTON CO	INK0246_T1007	IROQUOIS RIVER	FCA for PCBs
56	LOWER WABASH	07120002040070	JASPER CO / NEWTON CO	INK0247_T1008	IROQUOIS RIVER	FCA for PCBs
56	LOWER WABASH	07120002040080	JASPER CO / NEWTON CO	INK0248_T1009	IROQUOIS RIVER	FCA for PCBs
56	LOWER WABASH	07120002050010	JASPER CO / NEWTON CO	INK0251_T1010	Iroquois River	FCA for PCBs
57	LOWER WABASH	07120001010100	LAKE CO / LAPORTE CO	INK011A_T1001	KANKAKEE RIVER-MAINSTEM	FCA for PCBs and Hg
57	LOWER WABASH	07120001010130	LAKE CO / LAPORTE CO	INK011D_T1002	Kankakee River	FCA for PCBs and Hg
57	LOWER WABASH	07120001030010	LAKE CO / LAPORTE CO	INK0131_T1003	Kankakee River - mainstem	FCA for PCBs and Hg
57	LOWER WABASH	07120001030030	LAKE CO / LAPORTE CO	INK0133_T1004	Kankakee river - mainstem	FCA for PCBs and Hg
57	LOWER WABASH	07120001030040	LAKE CO / LAPORTE CO	INK0134_T1005	KANKAKEE RIVER-MAINSTEM	FCA for PCBs and Hg
57	LOWER WABASH	07120001030080	LAKE CO / LAPORTE CO	INK0138_T1006	KANKAKEE RIVER-MAINSTEM	FCA for PCBs and Hg
57	LOWER WABASH	07120001030120	LAKE CO / LAPORTE CO	INK013C_T1007	KANKAKEE RIVER-MAINSTEM	FCA for PCBs and Hg
57	LOWER WABASH	07120001040060	LAKE CO / LAPORTE CO	INK0146_T1008	Kankakee River	FCA for PCBs and Hg
57	LOWER WABASH	07120001040070	LAKE CO / LAPORTE CO	INK0147_T1009	Kankakee River	FCA for PCBs and Hg
57	LOWER WABASH	07120001080030	LAKE CO / LAPORTE CO	INK0183_M1011	KANKAKEE RIVER-ENG-LISH LAKE	FCA for PCBs and Hg
57	LOWER WABASH	07120001080070	LAPORTE CO	INK0187_M1012	KANKAKEE RIVER	FCA for PCBs and Hg
57	LOWER WABASH	07120001090150	LAKE CO / LAPORTE CO	INK019F_M1113	KANKAKEE RIVER	FCA for PCBs and Hg
57	LOWER WABASH	07120001110020	LAKE CO / LAPORTE CO	INK01B2_M1019	KANKAKEE RIVER	FCA for PCBs and Hg
57	LOWER WABASH	07120001110030	LAKE CO / LAPORTE CO	INK01B3_M1020	Kankakee River	FCA for PCBs and Hg
57	LOWER WABASH	07120001120040	LAKE CO / LAPORTE CO	INK01C4_M1021	Kankakee River	FCA for PCBs and Hg
60	LOWER WABASH	05120108040090	WARREN CO	INB0849_T1008	BIG PINE CREEK	FCA for PCBs and Hg
60	LOWER WABASH	05120108040110	WARREN CO	INB084B_T1009	BIG PINE CREEK	FCA for PCBs and Hg
60	LOWER WABASH	05120108040110	WARREN CO	INB084B_T1046	Big Pine Creek - Brown Dt to Pine Village	FCA for PCBs and Hg

60	LOWER WABASH	05120108040120	WARREN CO	INB084C_T1010	BIG PINE CREEK	FCA for PCBs and Hg
60	LOWER WABASH	05120108060010	WARREN CO	INB0861_T1011	BIG PINE CREEK	FCA for PCBs and Hg
60	LOWER WABASH	05120108060030	WARREN CO	INB0863_T1012	Big Pine Creek EXC	FCA for PCBs and Hg
62	LOWER WABASH	05120108170010	PARKE CO	INB08H1_T1025	BIG RACCOON CREEK	FCA for PCBs and Hg
62	LOWER WABASH	05120108170030	PARKE CO	INB08H3_T1026	BIG RACCOON CREEK	FCA for PCBs and Hg
62	LOWER WABASH	05120108170040	PARKE CO	INB08H4_T1027	BIG RACCOON	FCA for PCBs and Hg
62	LOWER WABASH	05120108190010	PARKE CO	INB08K1_T1028	BIG RACCOON CREEK	FCA for PCBs and Hg
62	LOWER WABASH	05120108190020	PARKE CO	INB08K2_T1029	Big Raccoon Creek - Mecca	FCA for PCBs and Hg
62	LOWER WABASH	05120108190050	PARKE CO	INB08K5_T1030	Big Raccoon Creek - Mecca to mouth	FCA for PCBs and Hg
63	UPPER WABASH	05120106020080	KOSCIUSKO CO	INB06P1008_00	CENTER LAKE	FCA for PCBs
65	UPPER WABASH	05120105050030	CARROLL CO	INB0553_T1015	Deer Creek D/S of Brown Ditch	FCA for PCBs and Hg
65	UPPER WABASH	05120105050080	CARROLL CO	INB0558_T1007	Deer Creek	FCA for PCBs and Hg
65	UPPER WABASH	05120105050110	CARROLL CO	INB055B_T1008	Deer Creek	FCA for PCBs and Hg
65	UPPER WABASH	05120105050120	CARROLL CO	INB055C_T1009	Deer Creek	FCA for PCBs and Hg
66	LOWER WABASH	05120111160090	SULLIVAN CO	INB11P1121_00	DUGGER LAKE	FCA for PCBs
67	UPPER WABASH	05120104010030	WHITLEY CO / MIAMI CO	INB0413_T1001	Eel River - mainstem	FCA for PCBs and Hg
67	UPPER WABASH	05120104010040	WHITLEY CO / MIAMI CO	INB0414_T1002	Eel River - mainstem	FCA for PCBs and Hg
67	UPPER WABASH	05120104030010	WHITLEY CO / MIAMI CO	INB0431_T1003	Eel River - mainstem	FCA for PCBs and Hg
67	UPPER WABASH	05120104030020	WHITLEY CO / MIAMI CO	INB0432_T1004	Eel River - mainstem	FCA for PCBs and Hg
67	UPPER WABASH	05120104030050	WHITLEY CO / MIAMI CO	INB0435_T1005	Eel River - mainstem	FCA for PCBs and Hg
67	UPPER WABASH	05120104040010	WHITLEY CO / MIAMI CO	INB0441_T1006	Eel River - mainstem	FCA for PCBs and Hg
67	UPPER WABASH	05120104050070	WHITLEY CO / MIAMI CO	INB0457_T1015	Eel River - mainstem	FCA for PCBs and Hg
67	UPPER WABASH	05120104060010	WHITLEY CO / MIAMI CO	INB0461_T1016	Eel River - mainstem	FCA for PCBs and Hg
67	UPPER WABASH	05120104060020	WHITLEY CO / MIAMI CO	INB0462_T1017	Eel River - mainstem	FCA for PCBs and Hg
67	UPPER WABASH	05120104060040	WHITLEY CO / MIAMI CO	INB0464_T1018	Eel River - mainstem	FCA for PCBs and Hg
68	UPPER WABASH	05120104050010	WABASH CO / MIAMI CO	INB0451_T1013	Eel River - mainstem	FCA for PCBs
68	UPPER WABASH	05120104050030	WABASH CO / MIAMI CO	INB0453_T1014	Eel River - mainstem	FCA for PCBs
69	UPPER WABASH	05120104070010	CASS CO	INB0471_T1019	Eel River - mainstem	FCA for Hg
69	UPPER WABASH	05120104070050	CASS CO	INB0475_T1020	Eel River - mainstem	FCA for Hg

69	UPPER WABASH	05120104070060	CASS CO	INB0476_T1021	Eel River - mainstem	FCA for Hg
69	UPPER WABASH	05120104070060	CASS CO	INB0476_T1027	Eel River - mainstem	FCA for Hg
69	UPPER WABASH	05120104070070	CASS CO	INB0477_T1022	Eel River - Logansport water intake	FCA for Hg
69	UPPER WABASH	05120104070070	CASS CO	INB0477_T1023	Eel River - mainstem	FCA for Hg
70	UPPER WABASH	05120104040040	WABASH CO	INB0444_T1009	Eel River - mainstem	FCA for PCBs
70	UPPER WABASH	05120104040050	WABASH CO	INB0445_T1010	Eel River - mainstem	FCA for PCBs
70	UPPER WABASH	05120104040070	WABASH CO	INB0447_T1011	Eel river - mainstem	FCA for PCBs
70	UPPER WABASH	05120104040080	WABASH CO	INB0448_T1012	Eel River - mainstem	FCA for PCBs
71	LOWER WABASH	05120108020070	TIPPECANOE CO	INB0827_T1013	ELLIOT DITCH	FCA for PCBs
72	UPPER WABASH	05120107010110	HOWARD CO	INB071B_T1007	Kokomo Creek - mainstem headwaters	FCA for PCBs
72	UPPER WABASH	05120107010120	HOWARD CO	INB071C_T1026	Kokomo Creek - lower	FCA for PCBs
73	UPPER WABASH	05120107010090	HOWARD CO	INB07P1003_00	KOKOMO RESERVOIR 2	FCA for Hg
74	UPPER WABASH	05120106050020	FULTON CO	INB06P1016_00	LAKE MANITOU	FCA for Hg
75	UPPER WABASH	05120106060010	MARSHALL CO	INB06P1019_00	LAKE MAXINKUCKEE	FCA for PCBs and Hg
76	UPPER WABASH	05120103010020	RANDOLPH CO	INB0312_T1002	Little Mississinewa River mainstem	FCA for PCBs
77	LOWER WABASH	05120110040030	MONTGOMERY CO	INB1043_T1005	Little Sugar Creek	FCA for PCBs and Hg
79	UPPER WABASH	05120103010010	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0311_T1001	Mississinewa River - mainstem above Ltl Mississinewa R	FCA for PCBs
79	UPPER WABASH	05120103010030	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0313_T1003	Mississinewa River - mainstem	FCA for PCBs
79	UPPER WABASH	05120103010050	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0315_T1004	Mississinewa River - mainstem	FCA for PCBs
79	UPPER WABASH	05120103010060	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0316_T1005	Mississinewa River - mainstem	FCA for PCBs
79	UPPER WABASH	05120103010070	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0317_T1006	Mississinewa River - mainstem	FCA for PCBs
79	UPPER WABASH	05120103020010	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0321_T1007	Mississinewa River - mainstem	FCA for PCBs
79	UPPER WABASH	05120103020020	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0322_T1008	Mississinewa River - mainstem	FCA for PCBs
79	UPPER WABASH	05120103020040	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0324_T1009	Mississinewa River - mainstem	FCA for PCBs

79	UPPER WABASH	05120103020060	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0326_T1010	Mississinewa River - mainstem	FCA for PCBs
79	UPPER WABASH	05120103020070	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0327_T1011	Mississinewa River - mainstem	FCA for PCBs and Hg
79	UPPER WABASH	05120103030020	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0332_T1012	Mississinewa River - mainstem	FCA for PCBs and Hg
79	UPPER WABASH	05120103030040	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0334_T1013	Mississinewa River - mainstem	FCA for PCBs and Hg
79	UPPER WABASH	05120103030050	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0335_T1014	Mississinewa River - mainstem	FCA for PCBs and Hg
79	UPPER WABASH	05120103050010	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0351_T1015	Mississinewa River - mainstem	FCA for PCBs and Hg
79	UPPER WABASH	05120103050020	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0352_T1016	Mississinewa River - mainstem	FCA for PCBs and Hg
79	UPPER WABASH	05120103050040	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0354_T1017	Mississinewa River - mainstem	FCA for PCBs and Hg
79	UPPER WABASH	05120103050070	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0357_T1024	Mississinewa River - mainstem	FCA for PCBs and Hg
79	UPPER WABASH	05120103050100	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB035A_T1018	Mississinewa River - mainstem	FCA for PCBs and Hg
79	UPPER WABASH	05120103050130	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB035D_T1019	Mississinewa River - mainstem	FCA for PCBs and Hg
79	UPPER WABASH	05120103060010	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0361_T1020	Mississinewa River	FCA for PCBs and Hg
79	UPPER WABASH	05120103060020	RANDOLPH CO/DELAWARE CO/ GRANT CO	INB0362_T1021	Mississinewa River - mainstem	FCA for PCBs and Hg
81	LOWER WABASH	05120111030020	VIGO CO	INB1132_T1021	OTTER CREEK	FCA for PCBs and Hg
81	LOWER WABASH	05120111030030	VIGO CO	INB1133_T1022	OTTER CREEK	FCA for PCBs and Hg
81	LOWER WABASH	05120111030080	VIGO CO	INB1138_T1023	Otter Creek	FCA for PCBs and Hg
82	UPPER WABASH	05120106020040	05120106	INB06P1005_00	PIKE LAKE	FCA for PCBs and Hg
87	LOWER WABASH	05120110020060	MONTGOMERY CO	INB1026_T1001	SUGAR CREEK	FCA for PCBs and Hg
87	LOWER WABASH	05120110020070	MONTGOMERY CO	INB1027_T1002	SUGAR CREEK	FCA for PCBs and Hg
87	LOWER WABASH	05120110040010	MONTGOMERY CO	INB1041_T1003	Sugar Creek - Garfield	FCA for PCBs and Hg
87	LOWER WABASH	05120110050010	MONTGOMERY CO	INB1051_T1006	SUGAR CREEK	FCA for PCBs and Hg
87	LOWER WABASH	05120110050040	MONTGOMERY CO	INB1054_T1007	SUGAR CREEK	FCA for PCBs and Hg

87	LOWER WABASH	05120110050060	MONTGOMERY CO	INB1056_T1008	SUGAR CREEK	FCA for PCBs and Hg
87	LOWER WABASH	05120110050070	MONTGOMERY CO	INB1057_T1009	SUGAR CREEK	FCA for PCBs and Hg
88	LOWER WABASH	05120110050090	PARKE CO	INB1059_T1010	SUGAR CREEK	FCA for PCBs
88	LOWER WABASH	05120110050100	PARKE CO	INB105A_T1011	SUGAR CREEK	FCA for PCBs
88	LOWER WABASH	05120110060070	PARKE CO	INB1067_T1012	SUGAR CREEK	FCA for PCBs
88	LOWER WABASH	05120110060090	PARKE CO	INB1069_T1013	SUGAR CREEK-MAIN STEM	FCA for PCBs
90	UPPER WABASH	05120106010080	KOSCIUSKO CO	INB06P1002_00	TIPPECANOE LAKE	FCA for Hg
92	UPPER WABASH	05120106040040	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0644_T1041	Tippecanoe River and tributary	FCA for Hg
92	UPPER WABASH	05120106020010	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0621_T1004	TIPPECANOE RIVER	FCA for PCBs
92	UPPER WABASH	05120106020010	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0621_T1037	TIPPECANOE RIVER	FCA for PCBs
92	UPPER WABASH	05120106020040	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0624_T1006	TIPPECANOE RIVER	FCA for PCBs
92	UPPER WABASH	05120106030010	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0631_T1009	TIPPECANOE RIVER	FCA for PCBs
92	UPPER WABASH	05120106030020	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0632_T1010	TIPPECANOE RIVER	FCA for PCBs
92	UPPER WABASH	05120106030050	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0635_T1011	TIPPECANOE RIVER	FCA for PCBs
92	UPPER WABASH	05120106030080	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0638_T1012	TIPPECANOE RIVER	FCA for PCBs
92	UPPER WABASH	05120106030050	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0635_T1040	TIPPECANOE RIVER	FCA for PCBs
92	UPPER WABASH	05120106010070	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0618_T1003	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106040080	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0648_T1014	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106040080	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0648_T1042	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106040090	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0649_T1015	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106050030	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0653_T1017	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106050040	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0654_T1018	TIPPECANOE RIVER	FCA for PCBs and Hg

92	UPPER WABASH	05120106060020	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0662_T1020	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106060030	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0663_T1021	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106060060	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0666_T1022	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106060070	PULASKI CO	INB0667_T1023	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106060090	PULASKI CO	INB0669_T1024	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106060110	PULASKI CO	INB066B_T1025	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106080020	KOSCIUSKO CO/ FULTON CO/ PULASKI CO	INB0682_M1026	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106080040	PULASKI CO	INB0684_T1027	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106080060	PULASKI CO	INB0686_T1028	TIPPECANOE RIVER	FCA for PCBs and Hg
92	UPPER WABASH	05120106100010	PULASKI CO	INB06A1_M1029	TIPPECANOE RIVER	FCA for PCBs and Hg
93	UPPER WABASH	05120101060040	WABASH CO - KNOX CO	INB0164_T1001	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101070010	WABASH CO - KNOX CO	INB0171_T1002	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101070020	WABASH CO - KNOX CO	INB0172_T1003	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101070030	WABASH CO - KNOX CO	INB0173_T1004	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101070040	WABASH CO - KNOX CO	INB0174_T1005	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101070050	WABASH CO - KNOX CO	INB0175_T1006	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101070060	WABASH CO - KNOX CO	INB0176_T1007	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101090020	WABASH CO - KNOX CO	INB0192_T1009	Wabash River - below Huntington Lake dam	FCA for PCBs and Hg
93	UPPER WABASH	05120101140010	WABASH CO - KNOX CO	INB01E1_M1010	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101140030	WABASH CO - KNOX CO	INB01E3_M1011	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101140030	WABASH CO - KNOX CO	INB01E3_M1029	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101150010	WABASH CO - KNOX CO	INB01F1_M1012	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101150020	WABASH CO - KNOX CO	INB01F2_M1013	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101150050	WABASH CO - KNOX CO	INB01F5_M1014	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101150080	WABASH CO - KNOX CO	INB01F8_M1015	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101150090	WABASH CO - KNOX CO	INB01F9_M1016	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101150100	WABASH CO - KNOX CO	INB01FA_M1017	Wabash River mainstem	FCA for PCBs and Hg

93	UPPER WABASH	05120101160010	WABASH CO - KNOX CO	INB01G1_M1018	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101160030	WABASH CO - KNOX CO	INB01G3_M1019	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101160040	WABASH CO - KNOX CO	INB01G4_M1020	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101180020	WABASH CO - KNOX CO	INB01J2_M1021	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120101180040	WABASH CO - KNOX CO	INB01J4_M1022	Wabash River mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120105010010	WABASH CO - KNOX CO	INB0511_M1001	Wabash River - mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120105020010	WABASH CO - KNOX CO	INB0521_M1002	Wabash River - mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120105030020	WABASH CO - KNOX CO	INB0532_M1003	Wabash River - mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120105030030	WABASH CO - KNOX CO	INB0533_M1004	Wabash River - mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120105030040	WABASH CO - KNOX CO	INB0534_M1005	Wabash River - mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120105060010	WABASH CO - KNOX CO	INB0561_M1010	Wabash River - mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120105060020	WABASH CO - KNOX CO	INB0562_M1011	Wabash River - mainstem	FCA for PCBs and Hg
93	UPPER WABASH	05120105070030	WABASH CO - KNOX CO	INB0573_M1012	Wabash River - mainstem	FCA for PCBs and Hg
93	LOWER WABASH	05120108010030	WABASH CO - KNOX CO	INB0813_M1001	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120108010040	WABASH CO - KNOX CO	INB0814_M1002	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120108030010	WABASH CO - KNOX CO	INB0831_M1003	Wabash River - D/S Wea Creek	FCA for PCBs and Hg
93	LOWER WABASH	05120108030030	WABASH CO - KNOX CO	INB0833_M1004	Wabash River - Granville Brdg to Flint Creek	FCA for PCBs and Hg
93	LOWER WABASH	05120108030110	WABASH CO - KNOX CO	INB083B_M1007	Wabash River - below Inde-pendence	FCA for PCBs and Hg
93	LOWER WABASH	05120111030080	WABASH CO - KNOX CO	INB1138_M1001	Wabash River - Spring Creek to Otter Creek	FCA for PCBs and Hg
93	LOWER WABASH	05120111040020	WABASH CO - KNOX CO	INB1142_M1002	Wabash River - Otter Creek to above Wabash Gen Sta outfall	FCA for PCBs and Hg
93	LOWER WABASH	05120111040020	WABASH CO - KNOX CO	INB1142_M1025	Wabash River - Wabash Gen Sta to Lost Creek	FCA for PCBs and Hg
93	LOWER WABASH	05120111040050	WABASH CO - KNOX CO	INB1145_M1003	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120111050060	WABASH CO - KNOX CO	INB1156_M1004	WABASH RIVER-TERRE HAUTE AREA	FCA for PCBs and Hg
93	LOWER WABASH	05120111070040	WABASH CO - KNOX CO	INB1174_M1005	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120111070060	WABASH CO - KNOX CO	INB1176_M1006	WABASH RIVER-ASHMORE CREEK (ILL)	FCA for PCBs and Hg
93	LOWER WABASH	05120111090040	WABASH CO - KNOX CO	INB1194_M1007	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120111100050	WABASH CO - KNOX CO	INB11A5_M1008	WABASH RIVER-RIVERVIEW	FCA for PCBs and Hg
93	LOWER WABASH	05120111120040	WABASH CO - KNOX CO	INB11C4_M1009	WABASH RIVER	FCA for PCBs and Hg

93	LOWER WABASH	05120111150010	WABASH CO - KNOX CO	INB11F1_M1010	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120111150030	WABASH CO - KNOX CO	INB11F3_M1011	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120111150040	WABASH CO - KNOX CO	INB11F4_M1012	WABASH RIVER-BUZ-ZARD POND	FCA for PCBs and Hg
93	LOWER WABASH	05120111170010	WABASH CO - KNOX CO	INB11H1_M1014	Wabash River	FCA for PCBs and Hg
93	LOWER WABASH	05120111170020	KNOX CO	INB11H2_M1015	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120111180010	WABASH CO - KNOX CO	INB11J1_M1017	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120111190040	WABASH CO - KNOX CO	INB11K4_M1018	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120111200010	WABASH CO - KNOX CO	INB11M1_M1019	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120111200030	WABASH CO - KNOX CO	INB11M3_M1020	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113010010	WABASH CO - KNOX CO	INB1311_M1001	Wabash River	FCA for PCBs and Hg
93	LOWER WABASH	05120113010050	WABASH CO - KNOX CO	INB1315_M1002	Wabash River	FCA for PCBs and Hg
93	LOWER WABASH	05120113010060	WABASH CO - KNOX CO	INB1316_M1003	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113030010	WABASH CO - KNOX CO	INB1331_M1004	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113030030	WABASH CO - KNOX CO	INB1333_M1005	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113040010	WABASH CO - KNOX CO	INB1341_M1006	WABASH RIVER-GREATHOUSE CREEK (ILL)	FCA for PCBs and Hg
93	LOWER WABASH	05120113050040	WABASH CO - KNOX CO	INB1354_M1007	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113060010	WABASH CO - KNOX CO	INB1361_M1008	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113080010	WABASH CO - KNOX CO	INB1381_M1009	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113080020	WABASH CO - KNOX CO	INB1382_M1010	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113100010	WABASH CO - KNOX CO	INB13A1_M1011	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113100030	WABASH CO - KNOX CO	INB13A3_M1012	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113100040	WABASH CO - KNOX CO	INB13A4_M1013	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113100050	WABASH CO - KNOX CO	INB13A5_M1014	WABASH RIVER-WABASH LEVEE DITCH (ILL)	FCA for PCBs and Hg
93	LOWER WABASH	05120113120020	WABASH CO - KNOX CO	INB13C2_M1016	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113130010	WABASH CO - KNOX CO	INB13D1_M1017	WABASH RIVER	FCA for PCBs and Hg
93	LOWER WABASH	05120113130020	WABASH CO - KNOX CO	INB13D2_M1018	WABASH RIVER	FCA for PCBs and Hg
94	LOWER WABASH	05120108030050	FOUNTAIN CO/ VERMILLION CO	INB0835_M1005	Wabash River - county line to Little Pine Creek	FCA for PCBs

94	LOWER WABASH	05120108030090	FOUNTAIN CO/ VERMILLION CO	INB0839_M1006	WABASH RIVER	FCA for PCBs
94	LOWER WABASH	05120108080020	FOUNTAIN CO/ VERMILLION CO	INB0882_M1016	WABASH RIVER	FCA for PCBs
94	LOWER WABASH	05120108090040	FOUNTAIN CO/ VERMILLION CO	INB0894_M1020	WABASH RIVER	FCA for PCBs
94	LOWER WABASH	05120108140010	FOUNTAIN CO/ VERMILLION CO	INB08E1_M1021	Wabash River - Vermillion R to Cayuga Gen Sta	FCA for PCBs
94	LOWER WABASH	05120108140010	FOUNTAIN CO/ VERMILLION CO	INB08E1_M1050	Wabash River - Cayuga Gen Sta to Mill Cr	FCA for PCBs
94	LOWER WABASH	05120108140060	FOUNTAIN CO/ VERMILLION CO	INB08E6_M1022	Wabash River - Mill Cr to below Ltl Vermillion R	FCA for PCBs
94	LOWER WABASH	05120108140060	FOUNTAIN CO/ VERMILLION CO	INB08E6_M1051	Wabash River - Ltl Vermillion R to Sugar Cr	FCA for PCBs
94	LOWER WABASH	05120108150010	FOUNTAIN CO/ VERMILLION CO	INB08F1_M1023	Wabash River - Sugar Cr to Ltl Raccoon Cr (Vermillion)	FCA for PCBs
94	LOWER WABASH	05120108150020	FOUNTAIN CO/ VERMILLION CO	INB08F2_M1024	WABASH RIVER	FCA for PCBs
94	LOWER WABASH	05120108200010	FOUNTAIN CO/ VERMILLION CO	INB08M1_M1031	WABASH RIVER	FCA for PCBs
94	LOWER WABASH	05120108200030	FOUNTAIN CO/ VERMILLION CO	INB08M3_M1032	WABASH RIVER	FCA for PCBs
94	LOWER WABASH	05120108200040	FOUNTAIN CO/ VERMILLION CO	INB08M4_M1033	WABASH RIVER	FCA for PCBs
94	LOWER WABASH	05120108070010	FOUNTAIN CO/ VERMILLION CO	INB0871_M1014	Wabash River - Attica	FCA for PCBs
94	LOWER WABASH	05120108080010	FOUNTAIN CO/ VERMILLION CO	INB0881_M1015	WABASH RIVER	FCA for PCBs
94	LOWER WABASH	05120108080040	FOUNTAIN CO/ VERMILLION CO	INB0884_M1017	WABASH RIVER	FCA for PCBs
94	LOWER WABASH	05120108080060	FOUNTAIN CO/ VERMILLION CO	INB0886_M1018	WABASH RIVER	FCA for PCBs
94	LOWER WABASH	05120108090010	FOUNTAIN CO/ VERMILLION CO	INB0891_M1019	WABASH RIVER	FCA for PCBs
96	LOWER WABASH	05120108020030	TIPPECANOE CO	INB0823_T1044	WEA CREEK	FCA for PCBs
96	LOWER WABASH	05120108020060	TIPPECANOE CO	INB0826_T1045	WEA CREEK	FCA for PCBs
96	LOWER WABASH	05120108020090	TIPPECANOE CO	INB0829_T1039	Wea Creek - Elliot Dt to mouth	FCA for PCBs

97	UPPER WABASH	05120107010100	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB071A_T1034	Wildcat Creek - mainstem	FCA for PCBs
97	UPPER WABASH	05120107020050	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB0725_T1011	Wildcat Creek - mainstem	FCA for PCBs
97	UPPER WABASH	05120107020060	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB0726_T1012	Wildcat Creek - mainstem	FCA for PCBs
97	UPPER WABASH	05120107020070	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB0727_T1040	Wildcat Creek - mainstem	FCA for PCBs
97	UPPER WABASH	05120107020080	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB0728_T1014	Wildcat Creek - mainstem	FCA for PCBs
97	UPPER WABASH	05120107020100	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB072A_T1016	Wildcat Creek - mainstem	FCA for PCBs
97	UPPER WABASH	05120107010100	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB071A_T1006	Wildcat Creek - mainstem	FCA for PCBs
97	UPPER WABASH	05120107010100	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB071A_T1025	Wildcat Creek - upstream of water intake	FCA for PCBs
97	UPPER WABASH	05120107020010	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB0721_T1008	Wildcat Creek - mainstem	FCA for PCBs
97	UPPER WABASH	05120107020070	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB0727_T1013	Wildcat - mainstem	FCA for PCBs
97	UPPER WABASH	05120107020090	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB0729_T1015	Wildcat Creek - mainstem	FCA for PCBs
97	UPPER WABASH	05120107050010	HOWARD CO/ CARROLL CO/ TIPPECANOE CO	INB0751_T1024	Wildcat Creek - mainstem - OSRW	FCA for PCBs
98	UPPER WABASH	05120106020060	KOSCIUSKO CO	INB06P1007_00	WINONA LAKE	FCA for PCBs
101	WEST FORK WHITE	05120203020010	PUTNAM CO	INW0321_T1001	BIG WALNUT CREEK	FCA for Hg
101	WEST FORK WHITE	05120203020020	PUTNAM CO	INW0322_T1002	BIG WALNUT CREEK-ERNIE PYLE MEMORIAL	FCA for Hg
101	WEST FORK WHITE	05120203020030	PUTNAM CO	INW0323_T1003	BIG WALNUT CREEK	FCA for Hg
101	WEST FORK WHITE	05120203020060	PUTNAM CO	INW0326_T1004	BIG WALNUT CREEK	FCA for Hg
101	WEST FORK WHITE	05120203020070	PUTNAM CO	INW0327_T1005	BIG WALNUT CREEK	FCA for Hg
101	WEST FORK WHITE	05120203040010	PUTNAM CO	INW0341_T1006	BIG WALNUT CREEK	FCA for Hg
101	WEST FORK WHITE	05120203040020	PUTNAM CO	INW0342_T1007	BIG WALNUT CREEK	FCA for Hg
102	WEST FORK WHITE	05120201020020	DELAWARE CO	INW0122_T1011	Buck Creek	FCA for PCBs and Hg
102	WEST FORK WHITE	05120201020060	DELAWARE CO	INW0126_T1012	BUCK CREEK	FCA for PCBs and Hg
103	WEST FORK WHITE	05120203060170	PUTNAM CO	INW03P1013_00	CAGLES MILL LAKE	FCA for Hg

109	WEST FORK WHITE	05120201150140	HENDRICKS CO	INW01FE_T1107	EAST FORK WHITE LICK CREEK	FCA for PCBs
109	WEST FORK WHITE	05120201150150	HENDRICKS CO	INW01FF_T1108	EAST FORK WHITE LICK CREEK	FCA for PCBs
109	WEST FORK WHITE	05120201150150	HENDRICKS CO	INW01FF_T1124	EAST FORK WHITE LICK CREEK	FCA for PCBs
109	WEST FORK WHITE	05120201150160	HENDRICKS CO	INW01FG_T1109	EAST FORK WHITE LICK CREEK	FCA for PCBs
113	WEST FORK WHITE	05120203090030	GREENE CO	INW0393_T1014	EEL RIVER	FCA for PCBs and Hg
113	WEST FORK WHITE	05120203090040	GREENE CO	INW0394_T1016	EEL RIVER	FCA for PCBs and Hg
113	WEST FORK WHITE	05120203090070	CLAY CO	INW0397_T1018	EEL RIVER	FCA for PCBs and Hg
113	WEST FORK WHITE	05120203090080	GREENE CO	INW0398_T1015	EEL RIVER	FCA for PCBs and Hg
113	WEST FORK WHITE	05120203090120	GREENE CO	INW039C_T1024	EEL RIVER	FCA for PCBs and Hg
113	WEST FORK WHITE	05120203090140	GREENE CO	INW039D_T1025	EEL RIVER	FCA for PCBs and Hg
114	WEST FORK WHITE	05120201100030	MADISON CO/ HAMILTON CO	INW01A3_T1042	FALL CREEK	FCA for PCBs and Hg
114	WEST FORK WHITE	05120201100050	MADISON CO/ HAMILTON CO	INW01A5_T1043	FALL CREEK-SUGAR FORK	FCA for PCBs and Hg
114	WEST FORK WHITE	05120201100060	MADISON CO/ HAMILTON CO	INW01A6_T1044	FALL CREEK	FCA for PCBs and Hg
114	WEST FORK WHITE	05120201100090	MADISON CO/ HAMILTON CO	INW01A9_T1045	FALL CREEK-PENDLETON TO LICK CREEK	FCA for PCBs and Hg
114	WEST FORK WHITE	05120201100120	MADISON CO/ HAMILTON CO	INW01AC_T1046	FALL CREEK	FCA for PCBs and Hg
114	WEST FORK WHITE	05120201100150	MADISON CO/ HAMILTON CO	INW01AF_T1047	FALL CREEK	FCA for PCBs and Hg
114	WEST FORK WHITE	05120201110020	MADISON CO/ HAMILTON CO	INW01B2_T1049	FALL CREEK	FCA for PCBs and Hg
114	WEST FORK WHITE	05120201110050	MADISON CO/ HAMILTON CO	INW01B5_T1050	FALL CREEK-DEVON CREEK	FCA for PCBs and Hg
117	WEST FORK WHITE	05120201100150	MARION CO / HAMILTON CO	INW01P1048_00	GEIST RESERVOIR	FCA for PCBs and Hg
125	WEST FORK WHITE	05120201040050	MADISON CO	INW0145_T1016	KILLBUCK CREEK	FCA for PCBs and Hg
125	WEST FORK WHITE	05120201040070	MADISON CO	INW0147_T1017	Killbuck Creek - to mouth	FCA for PCBs and Hg
126	WEST FORK WHITE	5120202010040	MONROE CO / BROWN CO	INW02P1003_00	LAKE LEMON	FCA for PCBs and Hg
135	WEST FORK WHITE	05120201080110	HAMILTON CO	INW01P1036_00	MORSE RESERVOIR	FCA for Hg
136	WEST FORK WHITE	05120201050020	MADISON CO	INW0152_T1020	PIPE CREEK	FCA for PCBs and Hg
136	WEST FORK WHITE	05120201050030	MADISON CO	INW0153_T1021	PIPE CREEK	FCA for PCBs and Hg
136	WEST FORK WHITE	05120201050040	MADISON CO	INW0154_T1022	PIPE CREEK	FCA for PCBs and Hg
136	WEST FORK WHITE	05120201050060	MADISON CO	INW0156_T1023	PIPE CREEK	FCA for PCBs and Hg
136	WEST FORK WHITE	05120201050070	MADISON CO	INW0157_T1024	PIPE CREEK	FCA for PCBs and Hg

136	WEST FORK WHITE	05120201050080	MADISON CO	INW0158_T1025	PIPE CREEK	FCA for PCBs and Hg
136	WEST FORK WHITE	05120201050090	MADISON CO	INW0159_T1026	PIPE CREEK - Swanfelt Dt to county line	FCA for PCBs and Hg
142	WEST FORK WHITE	05120202040010	MONROE CO/ OWEN CO	INW0241_T1019	RICHLAND CREEK	FCA for PCBs and Hg
142	WEST FORK WHITE	05120202040020	MONROE CO/ OWEN CO	INW0242_T1020	RICHLAND CREEK	FCA for PCBs and Hg
142	WEST FORK WHITE	05120202040030	MONROE CO/ OWEN CO	INW0243_T1021	RICHLAND CREEK	FCA for PCBs and Hg
142	WEST FORK WHITE	05120202040050	GREENE CO	INW0245_T1022	RICHLAND CREEK	FCA for PCBs and Hg
145	WEST FORK WHITE	05120201070050	HAMILTON CO	INW0175_T1039	STONY CREEK	FCA for PCBs
145	WEST FORK WHITE	05120201070060	HAMILTON CO	INW0176_T1040	STONY CREEK	FCA for PCBs
145	WEST FORK WHITE	05120201070070	HAMILTON CO	INW0177_T1041	STONY CREEK	FCA for PCBs
146	WEST FORK WHITE	05120202010080	MONROE CO	INW0218_T1016	STOUT CREEK	FCA for PCBs and Hg
148	WEST FORK WHITE	05120201130020	MARION CO	INW01D2_M1059	WHITE RIVER	FCA for PCBs and Hg
148	WEST FORK WHITE	05120201130040	MARION CO	INW01D4_M1060	WHITE RIVER	FCA for PCBs and Hg
148	WEST FORK WHITE	05120201130060	MARION CO	INW01D6_M1075	WHITE RIVER	FCA for PCBs and Hg
149	WEST FORK WHITE	05120201130100	MARION CO	INW01DA_M1077	WHITE RIVER-MANN CREEK/HARNESS DITCH	FCA for PCBs and Hg
149	WEST FORK WHITE	5120201130080	MARION CO	INW01D8_M1076	WHITE RIVER	FCA for PCBs and Hg
150	WEST FORK WHITE	05120201090080	MARION CO	INW0198_M1118	WHITE RIVER	FCA for PCBs and Hg
151	WEST FORK WHITE	05120201090010	HAMILTON CO/ MARION CO	INW0191_M1038	WHITE RIVER	FCA for PCBs and Hg
151	WEST FORK WHITE	05120201090020	HAMILTON CO/ MARION CO	INW0192_M1052	WHITE RIVER	FCA for PCBs and Hg
151	WEST FORK WHITE	05120201090040	HAMILTON CO/ MARION CO	INW0194_M1053	WHITE RIVER	FCA for PCBs and Hg
151	WEST FORK WHITE	05120201090050	HAMILTON CO/ MARION CO	INW0195_M1054	WHITE RIVER-HAVERSTICK CREEK/HOWLAND DITCH TRIBUTARIES	FCA for PCBs and Hg
151	WEST FORK WHITE	05120201090080	HAMILTON CO/ MARION CO	INW0198_M1055	WHITE RIVER	FCA for PCBs and Hg
152	WEST FORK WHITE	05120201160010	MORGAN CO/ MONROE CO	INW01G1_M1092	WHITE RIVER	FCA for PCBs and Hg
152	WEST FORK WHITE	05120201170030	MORGAN CO/ MONROE CO	INW01G3_M1093	WHITE RIVER	FCA for PCBs and Hg
152	WEST FORK WHITE	05120201160060	MORGAN CO/ MONROE CO	INW01G6_M1094	WHITE RIVER	FCA for PCBs and Hg
152	WEST FORK WHITE	05120201180030	MORGAN CO/ MONROE CO	INW01J3_M1104	WHITE RIVER-PARAGON BRIDGE	FCA for PCBs and Hg
152	WEST FORK WHITE	05120201180060	MORGAN CO/ MONROE CO	INW01J6_M1105	WHITE RIVER	FCA for PCBs and Hg
152	WEST FORK WHITE	05120201180090	MORGAN CO/ MONROE CO	INW01J9_M1106	WHITE RIVER	FCA for PCBs and Hg
153	WEST FORK WHITE	05120201070010	HAMILTON CO	INW0171_T1027	WHITE RIVER - Pipe Cr to Duck Cr	FCA for PCBs and Hg

153	WEST FORK WHITE	05120201070020	HAMILTON CO	INW0172_T1032	WHITE RIVER - Duck Cr to Riverwood	FCA for PCBs and Hg
153	WEST FORK WHITE	05120201070030	HAMILTON CO	INW0173_T1033	WHITE RIVER - Riverwood to Cicero Cr	FCA for PCBs and Hg
154	WEST FORK WHITE	05120201140030	MARION CO - MORGAN CO	INW01E3_M1079	WHITE RIVER	FCA for PCBs and Hg
154	WEST FORK WHITE	05120201140040	MARION CO - MORGAN CO	INW01E4_M1080	WHITE RIVER	FCA for PCBs and Hg
154	WEST FORK WHITE	05120201140060	MARION CO - MORGAN CO	INW01E6_M1081	WHITE RIVER	FCA for PCBs and Hg
154	WEST FORK WHITE	05120201140130	MARION CO - MORGAN CO	INW01ED_M1082	WHITE RIVER-HENDERSON BRIDGE	FCA for PCBs and Hg
155	WEST FORK WHITE	05120202020010	MONROE CO/ OWEN CO/ GREENE CO	INW0221_M1009	WHITE RIVER	FCA for PCBs and Hg
155	WEST FORK WHITE	05120202020030	MONROE CO/ OWEN CO/ GREENE CO	INW0223_M1010	WHITE RIVER	FCA for PCBs and Hg
155	WEST FORK WHITE	05120202020040	MONROE CO/ OWEN CO/ GREENE CO	INW0224_M1011	WHITE RIVER	FCA for PCBs and Hg
155	WEST FORK WHITE	05120202020060	MONROE CO/ OWEN CO/ GREENE CO	INW0226_M1012	WHITE RIVER	FCA for PCBs and Hg
155	WEST FORK WHITE	05120202020090	MONROE CO/ OWEN CO/ GREENE CO	INW0229_M1013	WHITE RIVER	FCA for PCBs and Hg
155	WEST FORK WHITE	05120202020150	MONROE CO/ OWEN CO/ GREENE CO	INW022F_M1061	WHITE RIVER	FCA for PCBs and Hg
156	WEST FORK WHITE	05120202050010	GREENE CO - KNOX CO	INW0251_M1028	WHITE RIVER	FCA for PCBs and Hg
156	WEST FORK WHITE	05120202050040	GREENE CO - KNOX CO	INW0254_M1029	WHITE RIVER-NEWBERRY TRIBS	FCA for PCBs and Hg
156	WEST FORK WHITE	05120202050090	GREENE CO - KNOX CO	INW0259_M1032	WHITE RIVER	FCA for PCBs and Hg
157	WEST FORK WHITE	05120201030030	MADISON CO	INW0133_T1015	White River - Chesterfield to Anderson	FCA for PCBs
157	WEST FORK WHITE	05120201040080	MADISON CO	INW0148_T1018	White River - Anderson to Indian Cr	FCA for PCBs
157	WEST FORK WHITE	05120201040100	MADISON CO	INW014A_T1019	WHITE RIVER-PERKINSVILLE	FCA for PCBs
158	WEST FORK WHITE	05120201020060	DELAWARE CO	INW0126_T1010	WHITE RIVER	FCA for PCBs and Hg
158	WEST FORK WHITE	05120201030010	DELAWARE CO	INW0131_T1013	WHITE RIVER	FCA for PCBs and Hg
158	WEST FORK WHITE	05120201030020	DELAWARE CO	INW0132_T1014	WHITE RIVER	FCA for PCBs and Hg
159	WEST FORK WHITE	05120202020150	GREENE CO/ OWEN CO	INW022F_M1014	WHITE RIVER	FCA for PCBs and Hg
159	WEST FORK WHITE	05120202030010	GREENE CO/ OWEN CO	INW0231_M1026	WHITE RIVER	FCA for PCBs and Hg
159	WEST FORK WHITE	05120202030050	GREENE CO/ OWEN CO	INW0235_M1027	WHITE RIVER	FCA for PCBs and Hg
160	WEST FORK WHITE	05120202050100	DAVIESS CO/ KNOX CO	INW025A_M1033	White River - Elnora to Smothers Cr cutoff	FCA for PCBs and Hg
160	WEST FORK WHITE	05120202060070	DAVIESS CO/ KNOX CO	INW0267_M1034	White River - Smother Cr cutoff to Black Cr	FCA for PCBs and Hg

160	WEST FORK WHITE	05120202070010	DAVIESS CO/ KNOX CO	INW0271_M1035	White River - Black Cr Edwardsport	FCA for PCBs and Hg
160	WEST FORK WHITE	05120202070020	DAVIESS CO/ KNOX CO	INW0272_M1036	White River - Edwardsport to Indian Creek	FCA for PCBs and Hg
160	WEST FORK WHITE	05120202070050	DAVIESS CO/ KNOX CO	INW0275_M1037	White River - Wheatland	FCA for PCBs and Hg
161	WEST FORK WHITE	05120202090010	DAVIESS CO/ KNOX CO	INW0291_M1039	White River - Maysville	FCA for PCBs and Hg
161	WEST FORK WHITE	05120202090070	DAVIESS CO/ KNOX CO	INW0297_M1040	WHITE RIVER	FCA for PCBs and Hg
162	WEST FORK WHITE	05120201010010	RANDOLPH CO/ DELAWARE CO	INW0111_T1001	WHITE RIVER	FCA for PCBs and Hg
162	WEST FORK WHITE	05120201010020	RANDOLPH CO/ DELAWARE CO	INW0112_T1002	WHITE RIVER	FCA for PCBs and Hg
162	WEST FORK WHITE	05120201010030	RANDOLPH CO/ DELAWARE CO	INW0113_T1003	WHITE RIVER	FCA for PCBs and Hg
162	WEST FORK WHITE	05120201010040	RANDOLPH CO/ DELAWARE CO	INW0114_T1004	WHITE RIVER	FCA for PCBs and Hg
162	WEST FORK WHITE	05120201010050	RANDOLPH CO/ DELAWARE CO	INW0115_T1005	WHITE RIVER	FCA for PCBs and Hg
162	WEST FORK WHITE	05120201010090	RANDOLPH CO/ DELAWARE CO	INW0119_T1006	WHITE RIVER	FCA for PCBs and Hg
162	WEST FORK WHITE	05120201010100	RANDOLPH CO/ DELAWARE CO	INW011A_T1007	WHITE RIVER	FCA for PCBs and Hg
162	WEST FORK WHITE	05120201010120	RANDOLPH CO/ DELAWARE CO	INW011C_T1008	WHITE RIVER	FCA for PCBs and Hg
162	WEST FORK WHITE	05120201010130	RANDOLPH CO/ DELAWARE CO	INW011D_T1009	WHITE RIVER	FCA for PCBs and Hg
163	WEST FORK WHITE	05120201150010	HENDRICKS CO/ MORGAN CO	INW01F1_T1083	WHITE LICK CREEK	FCA for PCBs and Hg
163	WEST FORK WHITE	05120201150020	HENDRICKS CO/ MORGAN CO	INW01F2_T1084	WHITE LICK CREEK	FCA for PCBs and Hg
163	WEST FORK WHITE	05120201150040	HENDRICKS CO/ MORGAN CO	INW01F4_T1085	WHITE LICK CREEK	FCA for PCBs and Hg
163	WEST FORK WHITE	05120201150050	HENDRICKS CO/ MORGAN CO	INW01F5_T1086	WHITE LICK CREEK	FCA for PCBs and Hg
163	WEST FORK WHITE	05120201150070	HENDRICKS CO/ MORGAN CO	INW01F7_T1087	WHITE LICK CREEK-PLAINFIELD	FCA for PCBs and Hg
163	WEST FORK WHITE	05120201150120	HENDRICKS CO/ MORGAN CO	INW01FC_T1088	WHITE LICK CREEK	FCA for PCBs and Hg
163	WEST FORK WHITE	05120201150130	HENDRICKS CO/ MORGAN CO	INW01FD_T1089	WHITE LICK CREEK-MOORSEVILLE	FCA for PCBs and Hg
163	WEST FORK WHITE	05120201150170	HENDRICKS CO/ MORGAN CO	INW01FH_T1090	WHITE LICK CREEK	FCA for PCBs and Hg
163	WEST FORK WHITE	05120201150180	HENDRICKS CO/ MORGAN CO	INW01FJ_T1091	WHITE LICK CREEK	FCA for PCBs and Hg
164	EAST FORK WHITE	05120204020030	HENRY CO - JOHNSON CO	INW0423_T1010	BIG BLUE RIVER	FCA for PCBs
164	EAST FORK WHITE	05120204020050	HENRY CO - JOHNSON CO	INW0425_T1011	BIG BLUE RIVER	FCA for PCBs
164	EAST FORK WHITE	05120204020060	HENRY CO - JOHNSON CO	INW0426_T1012	BIG BLUE RIVER-PRAIRIE BRANCH (SHELBY)	FCA for PCBs
164	EAST FORK WHITE	05120204020070	HENRY CO - JOHNSON CO	INW0427_T1013	BIG BLUE RIVER-BASS DITCH	FCA for PCBs
164	EAST FORK WHITE	05120204020080	HENRY CO - JOHNSON CO	INW0428_T1014	BIG BLUE RIVER	FCA for PCBs
164	EAST FORK WHITE	05120204030070	HENRY CO - JOHNSON CO	INW0437_T1017	BIG BLUE RIVER	FCA for PCBs

164	EAST FORK WHITE	05120204050010	HENRY CO - JOHNSON CO	INW0451_T1018	BIG BLUE RIVER-SR44	FCA for PCBs
164	EAST FORK WHITE	05120204050030	HENRY CO - JOHNSON CO	INW0453_T1019	BIG BLUE RIVER-MARIETTA	FCA for PCBs
164	EAST FORK WHITE	05120204050050	HENRY CO - JOHNSON CO	INW0455_T1020	BIG BLUE RIVER	FCA for PCBs
164	EAST FORK WHITE	05120204010010	HENRY CO - JOHNSON CO	INW0411_T1001	BIG BLUE RIVER	FCA for PCBs and Hg
164	EAST FORK WHITE	05120204010020	HENRY CO - JOHNSON CO	INW0412_T1002	BIG BLUE RIVER	FCA for PCBs and Hg
164	EAST FORK WHITE	05120204010040	HENRY CO - JOHNSON CO	INW0414_T1003	BIG BLUE RIVER	FCA for PCBs and Hg
164	EAST FORK WHITE	05120204010050	HENRY CO - JOHNSON CO	INW0415_T1004	BIG BLUE RIVER	FCA for PCBs and Hg
164	EAST FORK WHITE	05120204010080	HENRY CO - JOHNSON CO	INW0418_T1005	BIG BLUE RIVER	FCA for PCBs and Hg
164	EAST FORK WHITE	05120204010110	HENRY CO - JOHNSON CO	INW041B_T1006	BIG BLUE RIVER	FCA for PCBs and Hg
164	EAST FORK WHITE	05120204010120	HENRY CO - JOHNSON CO	INW041C_T1007	BIG BLUE RIVER	FCA for PCBs and Hg
164	EAST FORK WHITE	05120204010130	HENRY CO - JOHNSON CO	INW041D_T1008	BIG BLUE RIVER	FCA for PCBs and Hg
164	EAST FORK WHITE	05120204010140	HENRY CO - JOHNSON CO	INW041E_T1009	BIG BLUE RIVER	FCA for PCBs and Hg
165	EAST FORK WHITE	05120204040010	HANCOCK CO	INW0441_T1021	BRANDYWINE CREEK	FCA for Hg
165	EAST FORK WHITE	05120204040020	HANCOCK CO	INW0442_T1022	BRANDYWINE CREEK	FCA for Hg
165	EAST FORK WHITE	05120204040030	HANCOCK CO	INW0443_T1023	BRANDYWINE CREEK	FCA for Hg
165	EAST FORK WHITE	05120204040050	HANCOCK CO	INW0445_T1024	BRANDYWINE CREEK	FCA for Hg
165	EAST FORK WHITE	05120204040060	HANCOCK CO	INW0446_T1025	BRANDYWINE CREEK	FCA for Hg
166	EAST FORK WHITE	05120208090010	MONROE CO	INW0891_T1020	CLEAR CREEK	FCA for PCBs
166	EAST FORK WHITE	05120208090030	MONROE CO	INW0893_T1022	CLEAR CREEK	FCA for PCBs
166	EAST FORK WHITE	05120208090020	MONROE CO	INW0892_T1021	CLEAR CREEK	FCA for PCBs
167	EAST FORK WHITE	05120208170060	DAVIESS CO	INW08P1016_00	DOGWOOD LAKE	FCA for Hg
169	EAST FORK WHITE	05120208100030	JACKSON CO/ LAWRENCE CO	INW08A3_M1058	EAST FORK WHITE RIVER	FCA for PCBs
169	EAST FORK WHITE	05120208120010	JACKSON CO/ LAWRENCE CO	INW08C1_M1010	EAST FORK WHITE R-SHOALS	FCA for PCBs
169	EAST FORK WHITE	05120208120050	JACKSON CO/ LAWRENCE CO	INW08C5_M1011	EAST FORK WHITE RIVER	FCA for PCBs
169	EAST FORK WHITE	05120206040010	JACKSON CO/ LAWRENCE CO	INW0641_M1015	EAST FORK WHITE R-REDDINGTON	FCA for PCBs and Hg
169	EAST FORK WHITE	05120206040030	JACKSON CO/ LAWRENCE CO	INW0643_M1016	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120206040050	JACKSON CO/ LAWRENCE CO	INW0645_M1017	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120206060010	JACKSON CO/ LAWRENCE CO	INW0661_M1018	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120206060020	JACKSON CO/ LAWRENCE CO	INW0662_M1019	EAST FORK WHITE RIVER	FCA for PCBs and Hg

169	EAST FORK WHITE	05120206060040	JACKSON CO/ LAWRENCE CO	INW0664_M1020	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120206060050	JACKSON CO/ LAWRENCE CO	INW0665_M1021	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120208010010	JACKSON CO/ LAWRENCE CO	INW0811_M1001	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120208010030	JACKSON CO/ LAWRENCE CO	INW0813_M1002	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120208020020	JACKSON CO/ LAWRENCE CO	INW0822_M1003	EAST FORK WHITE R-TUNNELTON	FCA for PCBs and Hg
169	EAST FORK WHITE	05120208020040	JACKSON CO/ LAWRENCE CO	INW0824_M1004	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120208020060	JACKSON CO/ LAWRENCE CO	INW0826_M1005	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120208040020	JACKSON CO/ LAWRENCE CO	INW0842_M1006	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120208040050	JACKSON CO/ LAWRENCE CO	INW0845_M1007	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120208040050	JACKSON CO/ LAWRENCE CO	INW0845_M1053	EAST FORK WHITE RIVER (ABOVE BED-FORD WATER INTAKE)	FCA for PCBs and Hg
169	EAST FORK WHITE	05120208100020	JACKSON CO/ LAWRENCE CO	INW08A2_M1008	EAST FORK WHITE RIVER	FCA for PCBs and Hg
169	EAST FORK WHITE	05120208100030	JACKSON CO/ LAWRENCE CO	INW08A3_M1009	EAST FORK WHITE RIVER	FCA for PCBs and Hg
170	EAST FORK WHITE	5120205060010	BARTHOLOMEW CO/ MARTIN CO	INW0561_M1015	EAST FORK WHITE R-CO-LUMBUS	FCA for PCBs
170	EAST FORK WHITE	05120206020010	BARTHOLOMEW CO/ MARTIN CO	INW0621_M1012	EAST FORK WHITE RIVER	FCA for PCBs
170	EAST FORK WHITE	05120206020030	BARTHOLOMEW CO/ MARTIN CO	INW0623_M1013	EAST FORK WHITE RIVER	FCA for PCBs
170	EAST FORK WHITE	05120206020070	BARTHOLOMEW CO/ MARTIN CO	INW0627_M1014	EAST FORK WHITE RIVER	FCA for PCBs
170	EAST FORK WHITE	05120208140010	BARTHOLOMEW CO/ MARTIN CO	INW08E1_M1012	EAST FORK WHITE RIVER	FCA for PCBs
170	EAST FORK WHITE	05120208140020	BARTHOLOMEW CO/ MARTIN CO	INW08E2_M1013	EAST FORK WHITE RIVER	FCA for PCBs
170	EAST FORK WHITE	05120208140040	BARTHOLOMEW CO/ MARTIN CO	INW08E4_M1014	EAST FORK WHITE RIVER	FCA for PCBs
170	EAST FORK WHITE	05120208170010	BARTHOLOMEW CO/ MARTIN CO	INW08H1_M1015	EAST FORK WHITE RIVER	FCA for PCBs
171	EAST FORK WHITE	05120205010060	RUSH CO	INW0516_T1001	FLATROCK RIVER-APPLEBUTTER CREEK	FCA for Hg
171	EAST FORK WHITE	05120205010080	RUSH CO	INW0518_T1002	FLATROCK RIVER	FCA for Hg
171	EAST FORK WHITE	05120205010130	RUSH CO	INW051D_T1003	FLATROCK RIVER-PLUM CREEK CHURCH	FCA for Hg
171	EAST FORK WHITE	05120205020010	RUSH CO	INW0521_T1004	FLATROCK RIVER-GRAVEL PITS	FCA for Hg
171	EAST FORK WHITE	05120205020030	RUSH CO	INW0523_T1005	FLATROCK RIVER-COV-ERED BRIDGES	FCA for Hg
171	EAST FORK WHITE	05120205020050	RUSH CO	INW0525_T1006	FLATROCK RIVER	FCA for Hg
171	EAST FORK WHITE	05120205020060	RUSH CO	INW0526_T1007	FLATROCK RIVER	FCA for Hg
171	EAST FORK WHITE	05120205020080	RUSH CO	INW0528_T1008	FLATROCK RIVER-GAS WELLS	FCA for Hg

171	EAST FORK WHITE	05120205020100	RUSH CO	INW052A_T1009	FLATROCK RIVER	FCA for Hg
172	EAST FORK WHITE	05120205050010	BARTHOLOMEW, DECATUR, HENRY, RUSH, SHELBY CO'S	INW0551_T1012	FLATROCK RIVER-GENEVA	FCA for PCBs and Hg
172	EAST FORK WHITE	05120205050020	BARTHOLOMEW, DECATUR, HENRY, RUSH, SHELBY CO'S	INW0552_T1013	FLATROCK RIVER-WILLOW PARK	FCA for PCBs and Hg
172	EAST FORK WHITE	05120205050150	BARTHOLOMEW, DECATUR, HENRY, RUSH, SHELBY CO'S	INW055F_T1014	FLATROCK RIVER-FLATROCK	FCA for PCBs and Hg
172	EAST FORK WHITE	05120205040010	SHELBY CO	INW0541_T1010	FLATROCK RIVER-ST. OMER	FCA for PCBs and Hg
172	EAST FORK WHITE	05120205040030	SHELBY CO	INW0543_T1011	FLATROCK RIVER-GERMANTOWN (GAGE)	FCA for PCBs and Hg
174	EAST FORK WHITE	05120204030050	SHELBY CO	INW0435_T1016	LITTLE BLUE RIVER	FCA for PCBs
174	EAST FORK WHITE	05120204030060	SHELBY CO	INW0436_T1015	LITTLE BLUE RIVER	FCA for PCBs
175	EAST FORK WHITE	05120204060060	HANCOCK CO	INW0466_T1026	LITTLE SUGAR CREEK	FCA for PCBs and Hg
176	EAST FORK WHITE	05120208170060	MONROE CO	INW08P1024_00	MONROE RESERVOIR (LOWER)	FCA for Hg
177	EAST FORK WHITE	05120206030030	DECATUR CO	INW0633_T1001	MUDDY FORK SAND CREEK	FCA for PCBs and Hg
178	EAST FORK WHITE	05120207090060	WASHINGTON CO	INW0796_T1002	MUSCATATUCK RIVER	FCA for PCBs and Hg
178	EAST FORK WHITE	05120207110010	WASHINGTON CO	INW07B1_M1003	MUSCATATUCK RIVER	FCA for PCBs and Hg
178	EAST FORK WHITE	05120207110050	WASHINGTON CO	INW07B5_M1004	MUSCATATUCK RIVER-SNYDER DITCH	FCA for PCBs and Hg
178	EAST FORK WHITE	05120207110070	WASHINGTON CO	INW07B7_M1005	MUSCATATUCK RIVER	FCA for PCBs and Hg
179	EAST FORK WHITE	05120208090090	LAWRENCE CO	INW0899_T1028	PLEASANT RUN	FCA for PCBs
180	EAST FORK WHITE	05120208090030	LAWRENCE CO	INW0893_T1025	SALT CREEK	FCA for PCBs
180	EAST FORK WHITE	05120208080060	LAWRENCE CO	INW0886_T1026	SALT CREEK	FCA for PCBs and Hg
180	EAST FORK WHITE	05120208090040	LAWRENCE CO	INW0894_T1023	SALT CREEK	FCA for PCBs and Hg
180	EAST FORK WHITE	05120208090090	LAWRENCE CO	INW0899_T1027	SALT CREEK	FCA for PCBs and Hg
180	EAST FORK WHITE	05120208090110	LAWRENCE CO	INW089B_T1029	SALT CREEK	FCA for PCBs and Hg
180	EAST FORK WHITE	05120208090120	LAWRENCE CO	INW089C_T1030	SALT CREEK-DARK HOLLOW KARST AREA	FCA for PCBs and Hg
180	EAST FORK WHITE	05120208090130	LAWRENCE CO	INW089D_T1031	SALT CREEK	FCA for PCBs and Hg
181	EAST FORK WHITE	05120206030010	DECATUR CO	INW0631_T1002	SAND CREEK	FCA for PCBs and Hg
181	EAST FORK WHITE	05120206030020	DECATUR CO	INW0632_T1003	SAND CREEK	FCA for PCBs and Hg
181	EAST FORK WHITE	05120206030040	DECATUR CO	INW0634_T1004	SAND CREEK-GAYNORSVILLE	FCA for PCBs and Hg

181	EAST FORK WHITE	05120206030070	DECATUR CO	INW0637_T1005	SAND CREEK	FCA for PCBs and Hg
181	EAST FORK WHITE	05120206030080	DECATUR CO	INW0638_T1006	SAND CREEK	FCA for PCBs and Hg
182	EAST FORK WHITE	05120206030090	JENNINGS CO	INW0639_T1007	SAND CREEK	FCA for Hg
182	EAST FORK WHITE	05120206030100	JENNINGS CO	INW063A_T1008	SAND CREEK	FCA for Hg
182	EAST FORK WHITE	05120206030110	JENNINGS CO	INW063B_T1009	SAND CREEK	FCA for Hg
182	EAST FORK WHITE	05120206030170	JENNINGS CO	INW063H_T1010	SAND CREEK	FCA for Hg
182	EAST FORK WHITE	05120206030190	JENNINGS CO	INW063K_T1011	SAND CREEK	FCA for Hg
183	EAST FORK WHITE	05120204060010	HANCOCK CO	INW0461_T1028	SUGAR CREEK	FCA for Hg
183	EAST FORK WHITE	05120204060020	HANCOCK CO	INW0462_T1029	SUGAR CREEK	FCA for Hg
183	EAST FORK WHITE	05120204060030	HANCOCK CO	INW0463_T1030	SUGAR CREEK	FCA for Hg
183	EAST FORK WHITE	05120204060040	HANCOCK CO	INW0464_T1031	SUGAR CREEK	FCA for Hg
183	EAST FORK WHITE	05120204060050	HANCOCK CO	INW0465_T1032	SUGAR CREEK SMITH-JOHNSON DITCH	FCA for Hg
184	EAST FORK WHITE	05120204060080	JOHNSON CO	INW0468_T1033	SUGAR CREEK-SUGAR CREEK (TOWN)	FCA for PCBs and Hg
184	EAST FORK WHITE	05140202080010	JOHNSON CO	INW0481_T1034	SUGAR CREEK-BROAD RIPPLE CAMP	FCA for PCBs and Hg
184	EAST FORK WHITE	05140202080050	JOHNSON CO	INW0485_T1035	SUGAR CREEK-NEEDHAM	FCA for PCBs and Hg
184	EAST FORK WHITE	05140202080090	JOHNSON CO	INW0489_T1036	SUGAR CREEK	FCA for PCBs and Hg
184	EAST FORK WHITE	05140202080100	JOHNSON CO	INW048A_T1037	SUGAR CREEK	FCA for PCBs and Hg
184	EAST FORK WHITE	05140202090080	JOHNSON CO	INW0498_T1038	SUGAR CREEK	FCA for PCBs and Hg
186	EAST FORK WHITE	5120208050060	BROWN CO	INW08P1017_00	YELLOWWOOD LAKE	FCA for Hg
187	EAST FORK WHITE	05120204090020	JOHNSON CO	INW0492_T1039	YOUNGS CREEK	FCA for PCBs
187	EAST FORK WHITE	05140202090030	JOHNSON CO	INW0493_T1040	YOUNGS CREEK	FCA for PCBs
187	EAST FORK WHITE	05140202090040	JOHNSON CO	INW0494_T1041	YOUNGS CREEK	FCA for PCBs
187	EAST FORK WHITE	05140202090050	JOHNSON CO	INW0496_T1042	YOUNGS CREEK	FCA for PCBs
187	EAST FORK WHITE	05140202090060	JOHNSON CO	INW0497_T1043	YOUNGS CREEK	FCA for PCBs
187	EAST FORK WHITE	05120204090020	JOHNSON CO	INW0492_T1096	YOUNGS CREEK	FCA for PCBs
188	WEST FORK WHITE	05120202100030	PIKE CO - KNOX CO	INW02A3_M1052	WHITE RIVER	FCA for PCBs and Hg
188	WEST FORK WHITE	05120202100100	PIKE CO - KNOX CO	INW02AA_M1055	WHITE RIVER	FCA for PCBs and Hg
188	WEST FORK WHITE	05120202100120	PIKE CO - KNOX CO	INW02AC_M1056	WHITE RIVER	FCA for PCBs and Hg
189	GREAT MIAMI	05080003070180	PIKE CO - KNOX CO	ING03P1019_00	BROOKVILLE RESER-VOIR	FCA for Hg

190	GREAT MIAMI	05080003070110	WAYNE CO	ING037B_T1016	Whitewater River, East Fork	FCA for Hg
190	GREAT MIAMI	05080003070120	WAYNE CO	ING037C_T1017	Whitewater River, East Fork	FCA for Hg
190	GREAT MIAMI	05080003070020	WAYNE CO	ING0372_T1018	EAST FORK WHITE-WATER RIVER	FCA for PCBs
190	GREAT MIAMI	05080003070060	WAYNE CO	ING0376_T1027	Whitewater River, East Fork	FCA for PCBs
190	GREAT MIAMI	05080003070090	WAYNE CO	ING0379_T1014	Whitewater River, East Fork	FCA for PCBs
190	GREAT MIAMI	05080003070050	WAYNE CO	ING0375_T1023	Whitewater River, WF of East Fork	FCA for PCBs
190	GREAT MIAMI	05080003070100	UNION CO	ING037A_T1015	Whitewater River, East Fork	FCA for PCBs
191	GREAT MIAMI	05080002090080	DEARBORN CO	ING0298_M1001	GREAT MIAMI RIVER	FCA for PCBs and Hg
192	GREAT MIAMI	05080003010010	FAYETTE CO	ING0311_T1001	Whitewater River, WF	FCA for Hg
192	GREAT MIAMI	05080003010020	FAYETTE CO	ING0312_T1002	Whitewater River, West Fork	FCA for Hg
192	GREAT MIAMI	05080003020070	FAYETTE CO	ING0327_T1006	WHITEWATER RIVER - West Fork	FCA for PCBs and Hg
192	GREAT MIAMI	05080003040010	FAYETTE CO	ING0341_T1007	Whitewater River, West Fork	FCA for PCBs and Hg
192	GREAT MIAMI	05080003040030	FAYETTE CO	ING0343_T1008	Whitewater River, West Fork	FCA for PCBs and Hg
192	GREAT MIAMI	05080003040040	FAYETTE CO	ING0344_T1009	Whitewater River, West Fork	FCA for PCBs and Hg
192	GREAT MIAMI	05080003040080	FAYETTE CO	ING0348_T1010	Whitewater River, West Fork	FCA for PCBs and Hg
192	GREAT MIAMI	05080003040090	FAYETTE CO	ING0349_T1011	Whitewater River, West Fork	FCA for PCBs and Hg
193	GREAT MIAMI	05080003080090	DEARBORN CO	ING0389_T1020	Whitewater River - mainstem	FCA for PCBs and Hg
193	GREAT MIAMI	05080003080100	DEARBORN CO	ING038A_T1041	WHITEWATER RIVER	FCA for PCBs and Hg
193	GREAT MIAMI	05080003080110	DEARBORN CO	ING038B_T1021	WHITEWATER RIVER	FCA for PCBs and Hg
193	GREAT MIAMI	05080003080120	DEARBORN CO	ING038C_T1022	Whitewater River - mainstem	FCA for PCBs and Hg
194	GREAT MIAMI	05080003070040	WAYNE CO	ING0374_P1012	Middle Fork Reservoir	FCA for Hg
194	GREAT MIAMI	05080003070040	WAYNE CO	ING03P1012_00	MIDDLE FORK RESER-VOIR	FCA for Hg
195	PATOKA	05120209090110	ORANGE CO - DUBOIS CO	INP091B_P1001	PATOKA LAKE DAM-LICK CREEK	FCA for Hg
195	PATOKA	05120209020110	ORANGE CO - DUBOIS CO	INP09P1001_00	PATOKA RESERVOIR	FCA for Hg
196	PATOKA	05120209020010	DUBOIS CO - GIBSON CO	INP0921_T1002	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209020040	DUBOIS CO - GIBSON CO	INP0924_T1003	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209020060	DUBOIS CO - GIBSON CO	INP0926_T1004	PATOKA RIVER-LOND DITCH	FCA for PCBs and Hg
196	PATOKA	05120209020080	DUBOIS CO - GIBSON CO	INP0928_T1005	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209040060	DUBOIS CO - GIBSON CO	INP0946_T1006	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209040070	DUBOIS CO - GIBSON CO	INP0947_T1007	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209040080	DUBOIS CO - GIBSON CO	INP0948_T1008	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209060010	DUBOIS CO - GIBSON CO	INP0961_T1009	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209060020	DUBOIS CO - GIBSON CO	INP0962_T1010	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209060040	DUBOIS CO - GIBSON CO	INP0964_T1011	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209060050	DUBOIS CO - GIBSON CO	INP0965_T1012	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209060060	DUBOIS CO - GIBSON CO	INP0966_T1013	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209060080	DUBOIS CO - GIBSON CO	INP0968_T1014	PATOKA RIVER	FCA for PCBs and Hg

196	PATOKA	05120209060090	DUBOIS CO - GIBSON CO	INP0969_T1015	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209080010	DUBOIS CO - GIBSON CO	INP0981_T1016	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209080050	DUBOIS CO - GIBSON CO	INP0985_T1017	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209080060	DUBOIS CO - GIBSON CO	INP0986_T1018	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209080070	DUBOIS CO - GIBSON CO	INP0987_T1019	PATOKA RIVER	FCA for PCBs and Hg
196	PATOKA	05120209080080	DUBOIS CO - GIBSON CO	INP0988_T1020	PATOKA RIVER	FCA for PCBs and Hg
198	OHIO TRIBU-TARIES	05090203060060	RIPLEY CO	INV0366_P1003	BISCHOFF RESERVOIR	FCA for Hg
199	OHIO TRIBU-TARIES	05140104140010	HARRISON CO	INN04E1_T1001	BLUE RIVER	FCA for PCBs and Hg
199	OHIO TRIBU-TARIES	05140104150010	HARRISON CO	INN04F1_T1003	BLUE RIVER	FCA for PCBs and Hg
199	OHIO TRIBU-TARIES	05140104150020	HARRISON CO	INN04F2_T1004	BLUE RIVER	FCA for PCBs and Hg
199	OHIO TRIBU-TARIES	05140104150030	HARRISON CO	INN04F3_T1005	BLUE RIVER	FCA for PCBs and Hg
199	OHIO TRIBU-TARIES	05140104150050	HARRISON CO	INN04F5_T1006	BLUE RIVER	FCA for PCBs and Hg
199	OHIO TRIBU-TARIES	05140104150060	HARRISON CO	INN04F6_T1007	BLUE RIVER	FCA for PCBs and Hg
199	OHIO TRIBU-TARIES	05140104150060	HARRISON CO	INN04F6_T1039	BLUE RIVER	FCA for PCBs and Hg
199	OHIO TRIBU-TARIES	05140104150070	HARRISON CO	INN04F7_T1008	BLUE RIVER	FCA for PCBs and Hg
199	OHIO TRIBU-TARIES	05140104140010	HARRISON CO	INN04E1_T1040	BLUE RIVER	FCA for PCBs and Hg
199	OHIO TRIBU-TARIES	05140104140050	HARRISON CO	INN04E5_T1002	BLUE RIVER	FCA for PCBs and Hg
201	OHIO TRIBU-TARIES	05140101130050	CLARK CO	INN01D5_P1001	DEAM LAKE	FCA for Hg
201	OHIO TRIBU-TARIES	05140101130050	CLARK CO	INN01P1001_00	DEAM LAKE	FCA for Hg
205	OHIO RIVER	05090203	DEARBORN CO - POSEY CO	INH1_00	OHIO RIVER - Ohio state line to Markland Dam	FCA for PCBs
205	OHIO RIVER	05090203	DEARBORN CO - POSEY CO	INH2_00	OHIO RIVER - Markland to Kentucky River	FCA for PCBs
205	OHIO RIVER	05140101	DEARBORN CO - POSEY CO	INH3_00	OHIO RIVER - Kentucky R to Battle Cr	FCA for PCBs
205	OHIO RIVER	05140101	DEARBORN CO - POSEY CO	INH4_00	OHIO RIVER - McAlpine to Greenwood, KY	FCA for PCBs
205	OHIO RIVER	05140101	DEARBORN CO - POSEY CO	INH4_M01	OHIO RIVER - Greenwood, KY to Salt Cr	FCA for PCBs
205	OHIO RIVER	05140201	DEARBORN CO - POSEY CO	INH5_00	OHIO RIVER - Salt Cr to Cannelton	FCA for PCBs
205	OHIO RIVER	05140201	DEARBORN CO - POSEY CO	INH6_00	OHIO RIVER - Cannelton to Newburgh	FCA for PCBs
205	OHIO RIVER	05140201	DEARBORN CO - POSEY CO	INH7_00	OHIO RIVER - Newburgh to Green R	FCA for PCBs
205	OHIO RIVER	05140202	DEARBORN CO - POSEY CO	INH8_00	OHIO RIVER - Green River to Evansville	FCA for PCBs
205	OHIO RIVER	05140202	DEARBORN CO - POSEY CO	INH9_00	OHIO RIVER - Uniontown to Wabash R	FCA for PCBs

205	OHIO RIVER	05140101	DEARBORN CO - POSEY CO	INH3_M01	OHIO RIVER - Battle Cr to McAlpine Dam	FCA for PCBs
205	OHIO RIVER	05140202	DEARBORN CO - POSEY CO	INH8_M01	OHIO RIVER - Evansville to Uniontown	FCA for PCBs
206	OHIO TRIBU-TARIES	05140202040010	VANDERBURGH CO	INE0241_T1001	PIGEON CREEK	FCA for PCBs
206	OHIO TRIBU-TARIES	05140202040120	VANDERBURGH CO	INE024C_T1004	PIGEON CREEK	FCA for PCBs
206	OHIO TRIBU-TARIES	05140202040080	VANDERBURGH CO	INE0248_T1002	PIGEON CREEK-HARPER DITCH	FCA for PCBs
206	OHIO TRIBU-TARIES	05140202040100	VANDERBURGH CO	INE024A_T1003	PIGEON CREEK-KLEYMEYER PARK	FCA for PCBs
207	OHIO TRIBU-TARIES	05140101140150	FLOYD CO	INN01EF_T1002	SILVER CREEK	FCA for PCBs and Hg
207	OHIO TRIBU-TARIES	05140101140170	FLOYD CO	INN01EH_T1003	SILVER CREEK	FCA for PCBs and Hg
208	OHIO TRIBU-TARIES	05090203060160	RIPLEY CO	INV036G_P1001	VERSAILLES LAKE	FCA for Hg
208	OHIO TRIBU-TARIES	05090203060160	RIPLEY CO	INV03P1001_00	VERSAILLES LAKE	FCA for Hg
344	LOWER WABASH	05120110040060	MONTGOMERY CO	INB1046_T1014	Walnut Fork - below Little Sugar Creek	FCA for PCBs and Hg
418	GREAT LAKES	04050001090040	STEUBEN CO	INJ01P1066_00	CROOKED LAKE	FCA for Hg
419	GREAT LAKES	04050001110040	STEUBEN CO	INJ01P1082_00	PLEASANT LAKE	FCA for PCBs and Hg
422	GREAT LAKES	04050001110110	STEUBEN CO	INJ01P1091_00	MCCLISH LAKE	FCA for Hg
423	GREAT LAKES	04050001110110	STEUBEN CO/ LAGRANGE CO	INJ01P1093_00	LAKE OF THE WOODS	FCA for Hg
431	LOWER WABASH	07120001010050	ST. JOSEPH CO	INK01P1055_00	NORTH CHAIN LAKE	FCA for PCBs and Hg
433	LOWER WABASH	07120001010130	LAPORTE CO	INK01P1060_00	LOWER FISH LAKE	FCA for PCBs and Hg
434	LOWER WABASH	07120001070010	STARKE CO	INK01P1078_00	BASS LAKE	FCA for Hg
439	UPPER WABASH	05120106010070	KOSCIUSKO CO	INB06P1035_00	LITTLE BARBEE LAKE	FCA for Hg
442	UPPER WABASH	05120106030040	KOSCIUSKO CO	INB06P1077_00	PALESTINE LAKE	FCA for PCBs and Hg
443	UPPER WABASH	05120106010040	KOSCIUSKO CO	INB06P1034_00	WEBSTER LAKE	FCA for Hg
444	GREAT LAKES	04050001200040	KOSCIUSKO CO	INJ01P1180_00	DEWART LAKE	FCA for Hg
445	GREAT LAKES	04050001200020	KOSCIUSKO CO	INJ01P1187_00	BARREL AND A HALF LAKE	FCA for Hg
446	GREAT LAKES	04050001200020	KOSCIUSKO CO	INJ01P1188_00	SPEAR LAKE	FCA for Hg
447	GREAT LAKES	04050001200020	KOSCIUSKO CO	INJ01P1189_00	SHOCK LAKE	FCA for Hg
452	GREAT LAKES	04050001180010	NOBLE CO	INJ01P1232_00	LONG LAKE	FCA for Hg
453	GREAT LAKES	04050001170050	NOBLE CO	INJ01P1239_00	BIXLER LAKE	FCA for Hg
454	GREAT LAKES	04050001170050	NOBLE CO	INJ01P1240_00	HENDERSON LAKE	FCA for PCBs
455	GREAT LAKES	04050001170060	NOBLE CO	INJ01P1248_00	SYLVAN LAKE	FCA for Hg
456	UPPER WABASH	05120106010020	WHITLEY CO	INB06P1060_00	LOON LAKE	FCA for Hg
458	UPPER WABASH	05120104020020	WHITLEY CO	INB04P1032_00	BLUE LAKE	FCA for Hg
460	UPPER WABASH	05120106120110	WHITE CO	INB06P1033_00	LAKE SHAFER	FCA for PCBs
461	UPPER WABASH	05120101090010	HUNTINGTON CO	INB01P1008_00	J. EDWARD ROUSH LAKE	FCA for Hg

462	UPPER WABASH	05120102040080	WABASH CO	INB02P1007_00	SALAMONIE RESERVOIR	FCA for Hg
463	UPPER WABASH	05120103060090	MIAMI CO	INB03P1022_00	MISSISSINEWA RESER-VOIR	FCA for PCBs
464	WEST FORK WHITE	05120201120100	MARION CO	INW01P1069_00	EAGLE CREEK RESER-VOIR	FCA for PCBs
469	WEST FORK WHITE	05120202010070	MONROE CO	INW02P1079_00	GRIFFY RESERVOIR	FCA for Hg
470	EAST FORK WHITE	05120208080040	MONROE CO	INW08P1140_00	MONROE RESERVOIR (UPPER)	FCA for Hg
471	EAST FORK WHITE	05120208050060	BROWN CO	INW08P1017_00	YELLOWWOOD LAKE	FCA for Hg
474	OHIO TRIBU-TARIES	05090203060060	RIPLEY CO	INV03P1003_00	BISCHOFF RESERVOIR	FCA for Hg
475	EAST FORK WHITE	05120207110060	JACKSON	INW07P1027_00	STARVE HOLLOW LAKE	FCA for Hg
481	OHIO TRIBU-TARIES	05140202070080	POSEY CO	INE02P1017_00	HOVEY LAKE	FCA for PCBs
482	UPPER WABASH	05120101060040	WELLS CO	INB01P1038_00	KUNKEL LAKE	FCA for Hg
483	UPPER WABASH	05120102040080	WABASH CO	INB02P1009_00	HOMINY RIDGE LAKE	FCA for Hg
**The county is listed to provide general waterbody locations. Exact locations may be generated using the segment ID number.						

INDIANA MEDICAID DRUG UTILIZATION REVIEW BOARD
OFFICE OF MEDICAID POLICY AND PLANNING

INDIANA MEDICAID'S DUR ANNUAL REPORT TO THE CENTERS FOR MEDICARE AND MEDICAID SERVICES–FEDERAL FISCAL YEAR 2003

Section 1927(g)(3)(D) of the Social Security Act requires each State to submit an annual report on the operation of its Medicaid Drug Utilization Review (DUR) program. This report is to include: a description of the nature and scope of the prospective and retrospective DUR programs; a summary of the interventions used in retrospective DUR and an assessment of the education program; a description of the DUR Board activities; and an assessment of the DUR program's impact on quality of care as well as any cost savings achieved by the program. This notice is to advise that copies of the State's DUR annual report for federal fiscal year 2003 are available upon request by writing to:

Office of Medicaid Policy and Planning
Room W382
Indiana Government Center-South
402 West Washington Street
Indianapolis, Indiana 46204
ATTN.: Ms. Karen Clifton

The report may also be accessed on the web at http://www.indianamedicaid.com/ihcp/PharmacyServices/hcfa_dur_reports.asp

There will be no formal hearing for this purpose, and the Board has no agency rulemaking authority.

INDIANA PROTECTION AND ADVOCACY SERVICES
Public Notice

Indiana Protection and Advocacy Services (IPAS) Commission is soliciting comments and suggestions from members of the public and in particular from individuals with disabilities and their families, concerning proposed advocacy priorities. Agency priorities determine how staff and resources will be used during the year beginning Oct. 1, 2004. A public meeting will be held Aug. 14, 2004

at the IPAS office, 4701 N. Keystone Ave. Suite 222, Indianapolis IN 46205 where public comments will be heard between 10:00 – 11:00 AM. The proposed priorities can be reviewed at www.ipas.in.gov The priorities can also be obtained by calling 1-800-622-4845, ext. 237 (TDD 800-838-1131). Comments or suggestions can also be submitted by writing IPAS or via e-mail grichter@ipas.in.gov Persons who wish to attend the public meeting Aug. 14, but who need accommodations are asked to contact IPAS at least 7 days prior to the meeting so that IPAS can make sure that their need for disability accommodations are adequately addressed.

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 04-16

FOR: DECLARING A DISASTER EMERGENCY IN THE STATE OF INDIANA DUE TO SEVERE STORMS, TORNADOES AND FLOODING.

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, a series of severe storms swept through the southern and central parts of Indiana on May 27, 2004, and

WHEREAS, the same weather system generated more severe storms and tornadoes throughout the entire state over Memorial Day weekend, and

WHEREAS, many roads in Indiana were made impassable, several water rescues were performed, and homes and businesses were affected by flood waters and

WHEREAS, tornadoes destroyed or damaged many more homes and businesses; and

WHEREAS, all state resources available are being directed to assist victims of this intemperate weather;

NOW, THEREFORE, I, Joseph E. Kernan, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby
DECLARE a state of disaster emergency exists in Indiana; and
ORDER the state Emergency Management Agency, having already implemented the State Emergency Plan, to provide needed emergency services to the damaged areas of Indiana affected by the storms and to coordinate assistance with appropriate federal and state agencies.

This declaration of disaster emergency was in effect beginning May 27, 2004 and continues.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of Indiana on this 31st day of May 2004

BY THE GOVERNOR OF INDIANA
Joseph E. Kernan
Governor of Indiana

SEAL
ATTEST: Todd Rokita
Secretary of State

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

PROCLAMATION

FOR: PROMULGATION OF THE ACTS OF THE SECOND REGULAR SESSION OF THE ONE HUNDRED-THIRTEENTH GENERAL ASSEMBLY OF THE STATE OF INDIANA

WHEREAS, It has been made to appear that the Acts of the Second Regular Session of the One Hundred-Thirteenth General Assembly (2004) of the State of Indiana have been transmitted to, received by and filed with the several Clerks of the Circuit Courts of the State of Indiana in fulfillment of the requirements of Article 4, Section 28 of the Constitution of the State of Indiana and in

accordance with IC 2-6-1.5-5; and

WHEREAS, It has also been made to appear that the transmittal took place by private courier on March 30, 2004; and

WHEREAS, It has also been made to appear that certification has been made, as provided by IC 1-1-3-1, of the receipt of said laws by each of the several Clerks of the Circuit Courts of the State of Indiana, with each certification listing by number all of said laws so received; and

WHEREAS, It has also been made to appear that the final distribution and receipt of said laws took place on the13th day of April, 2004, at the hour of 2:03 p.m, in the office of the Clerk of the Circuit Court of White County, Indiana;

NOW, THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power and authority vested in me by the Constitution and laws of this State, and pursuant to IC 1-1-3-2, do hereby make proclamation announcing the above date and time, to wit:

The 13th day of April, 2004, at the hour of 2:03 p.m., as the date and hour at which the last receipt and distribution of said Acts took place with each of the several Clerks of the Circuit Courts of the State of Indiana; and declaring said distribution of said Acts to have been completed at said hour and said date, and proclaiming that all such Acts so published and circulated in the several counties of the State, by proper authority, may take effect as provided in IC 1-1-3-3; that such Acts of the Second Regular Session containing no effective date shall become effective on July 1, 2004; and that any such Acts containing a provision specifying a particular time of effectiveness after the above proclaimed day and hour may take effect at the time specified in the Act without declaration of emergency.

IN TESTIMONY WHEREOF, I, Joseph E. Kernan, have hereunto set my hand and caused to be affixed this great seal of the State of Indiana on this 18th day of May, 2004.

Joseph E. Kernan
Governor of the State of Indiana

SEAL
ATTEST: Todd Rokita
Secretary of State

INDIANA BOARD OF TAX REVIEW
NONRULE POLICY STATEMENT 2004-01
Re: Lake County Assessors Participation in IBTR Hearings
Governing Statute: IC 6-1.1-4-34(j)
July 6, 2004

The Indiana Board of Tax Review (IBTR) will apply the following policies and practices in regard to a Lake County township assessor or county assessor attending and participating in Lake County assessment appeal hearings, as they are authorized under IC 6-1.1-4-34(j):

1. The IBTR Special Master will ask if the county assessor or township assessor (including a deputy or other authorized employee) is in attendance.
2. The IBTR Special Master will recognize any assessors in attendance, and state on the record that IC 6-1.1-4-34(j) allows the assessors to "attend and participate." Under the general authority of the IBTR, as the entity charged with conducting the adjudication, the IBTR Special Master may apply reasonable limits on exactly how the assessors will be allowed to participate. Such limits will be exercised as necessary to fulfill the primary function of the IBTR, to hear the taxpayer's appeal.
3. The IBTR Special Master will ask the assessor to identify, and state for the record, their intended role as one of the following:
    a. an observer;
    b. a participant, independent of the taxpayer;
    c. a supporter of the taxpayer;
    d. a supporter of the assessment;
    e. a witness to facts;
    f. an expert witness presenting an opinion; or
    g. a representative of the taxpayer.
4. The taxpayer must be present. Assessors cannot serve as a tax representative unless they are certified as a tax representative, have a Power-of-Attorney, and present evidence of their Disclosure to taxpayer client, all as is required by the IBTR tax representative rules. 52 IAC 1, *et seq*.
5. If the taxpayer is not present because the assessor was planning to represent the taxpayer at the hearing, but the assessor is not properly authorized under 52 IAC 1, the Special Master will reschedule the hearing.
6. If the assessor indicates they wish only to be an observer, and confidential information is brought out during the hearing, the assessor will remain liable as an assessing official for any improper disclosure of that information.
7. The assessor will be asked to confine their comments to matters directly relevant to the taxpayer's assessment – particularly if they are participating independent of the taxpayer.
8. The assessor may consult with the taxpayer rather than commenting on the record, if that is what the taxpayer desires.
9. If the assessor is speaking on behalf of the taxpayer, as a witness or otherwise at the taxpayer's request, the time used will be taken from taxpayer's allotted time; this point will be made at the outset of the hearing.
10. Assessors may testify to facts, but they will be asked, for the record, if they have firsthand knowledge.
11. Assessors may testify as assessing experts and give an opinion for the record.
12. An assessor acting independently must keep his comments to less than 5 minutes, to allow the hearing to stay on schedule.
13. A township assessor must be from the township in which the subject property is located if they want to do anything more than observe.
14. The taxpayer must express their approval on the record before an assessor may speak on their behalf.
15. The IBTR Special Master may guide the proceeding as necessary to keep matters focused on the issues relevant to the particular appeal being heard.

DEPARTMENT OF STATE REVENUE
INFORMATION BULLETIN #15
SALES TAX
AUGUST, 2004
(Replaces Bulletin #15 dated December 2002)

DISCLAIMER: Information bulletins are intended to provide non-technical assistance to the general public. Every attempt is made to provide information that is consistent with the appropriate statutes, rules and court decisions. Any information that is inconsistent with the law, regulations, or court decisions is not binding on either the Department or the taxpayer. Therefore, information provided in this bulletin should serve only as a foundation for further investigation and study of the current law and procedures related to its

subject matter.

SUBJECT: Application of Indiana Sales Tax to Sales of Gasoline and Special Fuels Sold Through Stationary Metered Pumps

REFERENCES: IC 6-2.5-7, 45 IAC 2.2-7

I. Gasoline: Calculating the Tax

A. The State Gross Retail (Sales) Tax applies to the total sales price of gasoline sold except for the part which constitutes Indiana Gasoline or Special Fuel Tax or Federal Excise Tax. The oil inspection fee cannot be backed out of the price to determine the net price of the fuel. (See Departmental Notice #12 for further information.)

With respect to the sale of gasoline or special fuel from a metered pump, the retail merchant shall collect for each unit sold an amount equal to:

1. The price per unit before the addition of state and federal taxes;
2. Multiplied by the current sales tax rate.

B. Aviation Fuel: The federal tax on aviation fuel is also subtracted from the total sales price before computing Indiana Sales or Use Tax.

C. Each seller is responsible for deducting the correct amount of state and federal excise tax in order to determine the base for computing sales or use tax. (See Departmental Notice #12 for the applicable state and federal excise tax rates.)

D. Price discounts and coupons offered by gasoline retailers will be treated the same as other coupons and discounts offered by other retailers. (See Information Bulletin #58)

EXAMPLE 1: A retailer offers a $.03 per gallon discount if the purchaser has a coupon card issued by the retailer. The gasoline will be sold for $.03 less than the pump price, and the retailer is required to remit the sales tax on the discounted price.

EXAMPLE 2: A manufacturer of a product offers a $1.00 discount for the purchase of gasoline. The manufacturer reimburses the retailer for the $1.00 discount. The retailer is required to remit the tax on the full price of the gasoline.

II. Prepayment of Sales Tax on Gasoline

At the time of purchase or shipment of gasoline from a qualified distributor, a retail merchant shall prepay to the qualified distributor the state gross retail tax. The amount of tax that must be prepaid under this section equals:

1. The prepayment rate per gallon of gasoline;

2.Multiplied by the number of invoiced gallons purchased or shipped.

The prepayment rate is the statewide average price per gallon, multiplied by the sales tax rate, multiplied by ninety percent (90%). The prepayment rate shall be determined semiannually, in June and December. The retail merchant must file monthly and remit sales tax which has been collected on the gasoline, less the amount of prepaid tax.

III. Exempt Sales of Gasoline Through a Stationary Metered Pump

A. All persons must pay the full pump price of gasoline sold through a stationary metered pump, whether or not an exemption certificate has been received from the purchaser.

B. If the gasoline is purchased for exempt use, the purchaser may recover sales tax paid by either of the following methods:

1. The purchaser must purchase the official form, STR-100 for gasoline. These receipts can be purchased at the Indiana Department of Revenue at cost. The signed receipts must be attached and filed on a Claim for Refund Form, (GA-110LMP). The request may be on a monthly, quarterly, semiannual, or annual status; or

2. If the purchase of gasoline is made through use of a credit card of a participating credit card company, and a proper exemption certificate has been filed by the cardholder, the company will credit the purchaser's account for the sales tax paid.

IV. Special Fuel: Calculating the Tax

A. Special fuels include those fuels commonly known as diesel fuel, LPG, propane, compressed natural gas, and compressed methane. Fuels which are not gasoline by statute will be considered a special fuel.

B. The Sales Tax is applied to the total sales price of the special fuel sold (except for the part which constitutes Indiana Special Fuel Tax or Federal Excise Tax) unless the retail merchant designates the metered pumps by a sign that reads "TRUCKS ONLY". To do this, a retail merchant must place at the pump a sign that states that fuel dispensed from the metered pump may only be placed in the fuel supply tanks of a truck. A sign that reads "TRUCKS ONLY" is sufficient to meet the requirements.

If the purchaser does not issue an exemption certificate indicating that the vehicle is engaged in public transportation, and uses a "truck only" pump, the sales tax is required to be charged to the purchaser. The sales tax will be the sales tax rate times the raw price of the fuel which excludes state and federal excise taxes.

A retail merchant may not dispense special fuel from a metered pump that is designated for "TRUCKS ONLY" into the supply tank of a vehicle that is not a truck.

A retail merchant is not required to display the total price per unit of the special fuel on a metered pump, if that particular metered pump is designated for "TRUCKS ONLY".

C. Each seller is responsible for deducting the correct amount of state and federal excise tax in order to determine the base for

computing sales or use tax.

V. Exempt Sales of Special Fuel Sold Through a Stationary Metered Pump Designated "TRUCKS ONLY"

A. The retail merchant may accept a properly completed exemption certificate from the purchaser of diesel or other special fuel where the sales tax is not required to be included in the pump price. The purchaser must be registered as a retail merchant.

B. Exemption certificate Form ST-105 is normally used to certify exempt use. Exemption certificate Form ST-135 may be used only if the purchaser is engaged in public transportation but is operating under another person's motor carrier permit. Farmers or others hauling their own products are not eligible for the exemption for persons engaged in public transportation. The purchaser must be predominately engaged in providing public transportation of persons or property.

VI. Exempt Sales of Special Fuel Through a Stationary Metered Pump with the Sales Tax Included in the Pump Price

A. All persons must pay the full pump price of special fuel sold through a stationary metered pump which is not designated for "TRUCKS ONLY", unless an exemption certificate has been received from the purchaser.

B. If the special fuel is purchased for exempt use and tax is paid, the purchaser may recover sales tax paid by either of the following methods:

1. The purchaser must purchase the official Form STR-100. These receipts can be purchased at the Indiana Department of Revenue at cost. The signed receipts must be attached and filed on a Claim for Refund Form, (GA-110LMP). The request may be on a monthly, quarterly, semiannual or annual basis; or

2. If the purchase of special fuel is made through use of a credit card of a participating credit card company, the company may credit the purchaser's account for the sales tax paid, if a proper exemption certificate has been filed by the cardholder.

VII. Display of Price on Pump

A. Gasoline. The pump price of all gasoline sold through a stationary metered pump must include the total price per unit, including state sales tax.

B. Special Fuel. Sales tax on the sale of special fuel sold through a stationary metered pump designated for "TRUCKS ONLY" may not be included in the pump price.

Sales tax on the sale of special fuel sold through a stationary metered pump which is not designated for "TRUCKS ONLY" must include the sales tax.

VIII. Advertised or Curb Price of Gasoline and Special Fuel

The retail merchant may not advertise a price which is different than the pump price required to be displayed on the metered pump.

If a retail merchant advertises special fuel at a price that does not include any gross retail taxes that may be due on the sale of the special fuel, the retail merchant must display in easily read lettering, above or below the advertised price, the words "EXEMPT TRUCKS ONLY".

IX. Service Station Nontaxable Transactions

A. Labor charges separately stated on repair orders are not subject to sales tax. (Sales tax must be collected on any parts used unless the purchaser issues an exemption certificate certifying exempt use.)

B. Charges for washes, lubrications, polishing, and waxing are not subject to sales tax. (The service station must pay sales or use tax on the purchase of any supplies consumed.)

X. Purchases by Service Stations

A. Sales or use tax is due on the purchase or use of all supplies, equipment, parts, building repairs, etc., which are not to be resold. Examples of such purchases are:

1. Grease and greasing equipment;
2. Car washing and waxing supplies, materials, and equipment;
3. Soap, towels, brooms, paint, and all other cleaning and maintenance items;
4. All tools, equipment, and utilities used in operating the station;
5. All products taken from stock for personal use by owners or given to employees as part of their compensation; or
6. Those items purchased to be given away as part of a sales promotion such as soft drinks, glassware, candles, etc.

Kenneth L. Miller
Commissioner

DEPARTMENT OF STATE REVENUE
INFORMATION BULLETIN #93
INCOME TAX
AUGUST 2004

DISCLAIMER: Information bulletins are intended to provide nontechnical assistance to the general public. Every attempt is made

to provide information that is consistent with the appropriate statutes, rules, and court decisions. Any information that is inconsistent with the law, regulations, or court decisions is not binding on either the Department or the taxpayer. Therefore, the information provided in this Bulletin should only serve as a foundation for further investigation and study of the current law and procedures related to its subject matter.

SUBJECT: Ethanol Production Tax Credit

REFERENCES: IC 6-3.1-28

INTRODUCTION

P.L.224-2003, SECTION 200, effective January 1, 2004 provides a new tax credit for ethanol production. The credits can be applied against the sales tax, the adjusted gross income tax, the financial institutions tax, and the insurance premiums tax.

I. ETHANOL PRODUCTION TAX CREDIT

Ethanol is defined as agriculturally derived ethyl alcohol. A taxpayer that produces ethanol at a facility located in Indiana that has the capacity to produce at least forty million (40,000,000) gallons of ethanol a year or which after December 31, 2003 increased its ethanol production capacity by at least forty million (40,000,000) gallons per year may qualify for the credit.

A taxpayer that produces ethanol is entitled to a credit against the taxpayer's state tax liability equal to the product of twelve and one-half cents ($.125) multiplied by the number of gallons of ethanol produced at the Indiana facility.

The total amount of credits allowed a taxpayer may not exceed a total of five million dollars ($5,000,000) for all taxable years. The total amount of credits for all taxpayers may not exceed ten million dollars ($10,000,000) in all taxable years.

II. APPLICATION FORM AND APPROVAL OF THE TAX CREDIT

Taxpayers desiring to claim the ethanol production tax credit must file a claim for credit on Form EP-100 Ethanol Production Credit Application, which is available at the Department's web site (www.in.gov/dor/taxforms/f&eforms).

The claim for credit must be completed by the taxpayer and filed with the Department for approval. The "approved" claim will be returned to the applicant to be attached to all returns for which the credit is taken. The credit can be filed on a monthly, quarterly, semi-annual or annual basis depending on which tax type the taxpayer is claiming the credit against. Failure to submit the approved EP-100 with the tax return will result in the credit being denied by the Department.

III. ADMINISTRATION OF THE TAX CREDIT

Qualifying taxpayers include pass through entities such as S Corporations, partnerships, limited liability companies, and limited liability partnerships. If the pass through entity is entitled to a credit, but does not have state tax liability to which the credit can be applied, a shareholder, partner, or member of the pass through entity is entitled to the credit in the same percentage as the person's distributive income to which the person is entitled.

If the credit is applied against the taxpayer's adjusted gross income tax, financial institutions tax, or insurance premiums tax, the credit shall be taken on the annual return filed by the taxpayer. If the credit is applied against a taxpayer's sales tax liability, the taxpayer is required to obtain a direct pay permit in accordance with IC 6-2.5-8-9. A taxpayer may not take a credit against sales tax collected as a retail merchant, but may take a credit against use tax due on its taxable purchases.

If the credit claimed exceeds the taxpayer's state tax liability for the taxable year, the taxpayer may carry over the excess to the following taxable years. The taxpayer is not entitled to a refund or carryback of any unused credits.

Kenneth L. Miller
Commissioner

DEPARTMENT OF STATE REVENUE

IN REGARDS TO THE MATTER OF:
HAMMOND LODGE 570
LOYAL ORDER OF MOOSE, INC.
DOCKET NO. 29-2004-0036

AMENDED DEPARTMENTAL ORDER

An administrative hearing was held on Tuesday, March 16, 2004 in the office of the Indiana Department of State Revenue, 100 N. Senate Avenue, Room N248, Indianapolis, Indiana 46204 before Bruce R. Kolb, Administrative Law Judge acting on behalf of and under the authority of the Commissioner of the Indiana Department of State Revenue.

Petitioner, Hammond Lodge #570, was represented by Gregory Francis, David Coppage, and Norman Chumley. Steve Carpenter appeared on behalf of the Indiana Department of State Revenue.

On January 5, 2004, the Department suspended the Petitioner from obtaining a "Festival" license for a period of two (2) years, and Petitioner was assessed civil penalties in the amount of seven thousand dollars ($7,000). The Petitioner protested in a timely manner. A decision was rendered April 28, 2004.

Following due consideration of the entire record, the Administrative Law Judge's Proposed Departmental Order is hereby amended and should read as follows:

The Petitioner's appeal is denied in whole. Petitioner is suspended from obtaining a "Festival" license for a period of two (2) years, and Petitioner is liable for penalties in the amount of seven thousand dollars ($7,000).

1) Administrative review of this proposed decision may be obtained by filing, with the Commissioner of the Indiana Department of State Revenue, a written document identifying the basis for each objection within fifteen (15) days after service of this proposed decision. IC 4-21.5-3-29(d).

2) Judicial review of a final order may be sought under IC 4-21.5-5.

THIS AMENDED DEPARTMENTAL ORDER SHALL BECOME THE FINAL ORDER OF THE INDIANA DEPARTMENT OF STATE REVENUE UNLESS OBJECTIONS ARE FILED WITHIN FIFTEEN (15) DAYS FROM THE DATE THE ORDER IS SERVED ON THE PETITIONER.

Dated: _____ _____

Bruce R. Kolb / Administrative Law Judge

DEPARTMENT OF STATE REVENUE

04960477.LOF
04960478.LOF
04960413.LOF

LETTER OF FINDINGS NUMBERS 96-0477, 96-0478 & 96-0413
SALES TAX and WITHHOLDING TAX
For Tax Periods: 1992-1995

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning specific issues.

ISSUES

I. Sales and Withholding Tax –Best Information Available Assessment

Authority: IC § 6-8.1-5-4; *Howland v. Indiana Department of Revenue*, Indiana Tax Court, 49T10-9611-TA-168, June 19, 2003

The taxpayer protests the Department's computation of tax due based on available records.

II. Sales and Withholding Tax – Validity of Extension Agreement

Authority: *Indiana Supreme Court D&M Healthcare, Inc. et al., v. Joseph E. Kernan, in his official capacity as Governor of the State of Indiana, et al.*; Indiana Supreme Court, 49S05-0310-CV-437, December 17, 2003

The taxpayer protests that an agreement to extend time for the audit was invalid.

STATEMENT OF FACTS

The taxpayers (hereinafter taxpayer) are 3 separate business entities operated by the same individual and selling and installing satellite dish systems throughout the audit period. Audits of each of these entities resulted in assessments for under payment of sales and use tax. One of the issues raised in the taxpayer's protest was the assessment of sales tax on labor charges for the satellite dish system installation. By mutual agreement, taxpayer and Department deferred the hearing on this assessment until the *Howland* case (*Howland v. Indiana Department of Revenue*, Indiana Tax Court, 49T10-9611-TA-168, June 19, 2003) was resolved by the tax court, agreeing at the time that the resolution of the *Howland* case would be dispositive of this issue. The *Howland* case was decided by the Indiana Tax Court in June of 2003 and taxpayers and Department held a hearing on the remaining issues, related to the assessment based on best information available and a question as to the validity of an extension of time for the 1992 audit. The hearing was held and final documents for Departmental review were submitted on February 16th, 2004. This letter of findings results.

I. Sales and Withholding Tax- Best Information Available Assessment

DISCUSSION

The overlying issue for the taxpayer's protest is the audit's assessment of tax based on inferences drawn from taxpayer federal returns and stated gross receipts of taxpayer. Taxpayer argued during the audit that insufficient time was provided for the preparation and presentation of records. Taxpayer now asserts that the passage of time has rendered the task of preparing and presenting the records overwhelming and onerous. The consistent theme throughout has been the request by the Department for source documentation and taxpayer's inability to provide the documentation.

As part of the protest taxpayer did submit additional documentation purporting to demonstrate the over reporting of income for the periods in question. A review of this documentation finds that the summary records provided cannot be reconciled to income as reported on the taxpayer's Federal 1120 returns for the period in question. Additionally, taxpayer documents again break out the

service charge from the product cost, contrary to the holding in *Howland v Indiana Department of Revenue,* Indiana Tax Court, 49T10-9611-TA-168, arguing that the court ruled incorrectly on this matter and requesting the department overturn the court's ruling, a procedural impossibility (and absurdity) that the department respectfully declines.

Despite the absence of source documents, taxpayer contends that the inferences resulting in assessment were not properly drawn. This issue revolves around the burden of proof in an audit situation, which IC § 6-8.1-5-4 defines as:

> Every person subject to a listed tax must keep books and records so that the department can determine the amount, if any, of the person's liability for that tax by reviewing those books and records. The records in this subsection include *all source documents necessary to determine the tax*, including invoices, register tapes, receipts, and canceled checks. *(Emphasis added)*

Taxpayer does not cite any statute, regulation, or case law for the proposition that the department is required to accept assertions as to the nature of the transactions based solely on taxpayer's assertions. Taxpayer's argument, that the department is required to ignore available source documentation –including federal returns prepared and filed by taxpayer- and give credit for documentation not provided in light of the available source documentation demonstrating taxpayer's intentional misreporting and subsequent underpayment of tax, is not sustainable.

FINDING

The taxpayer's protest is denied.

II. Sales and Withholding Tax- Validity of Extension Agreement

Taxpayer argues that an extension of time that was executed by the auditor and taxpayer's representative was invalid due to a clerical error in its preparation. Taxpayer makes much of the fact that the year extended was written as "199" rather than "1992" As stated in the *Indiana Supreme Court D&M Healthcare, Inc. et al., v. Joseph E. Kernan, in his official capacity as Governor of the State of Indiana, et al.*; Indiana Supreme Court, 49S05-0310-CV-437, December 17, 2003, the applicable legal doctrine of "de minimis non curat lex" (the law does not redress trifles) requires a denial of this argument. Inasmuch as the only year at issue for the extension of time was 1992, and that subsequent to the error and after the execution of the extension of time no request was made by the taxpayer for clarification of the issue and the audit for the period at issue was allowed to continue without protest from taxpayer until taxpayer raised the issue during the protest period- well after the time for a new extension to be executed- indicate that the extension, as prepared and executed, was intended and understood and acted upon by both parties as applying to the 1992 period. Taxpayer, having affirmed through his representative a willingness to extend the time for assessment, cannot now assert that a clerical oversight, unobserved, unnoted, and unchallenged by either party at the time, can retroactively reverse this agreement.

FINDING

The taxpayer's protest is denied.

DEPARTMENT OF STATE REVENUE

04-20000017.LOF

LETTER OF FINDINGS NUMBER: 00-0017
USE TAX
For Years 1996, 1997, AND 1998

NOTICE: Under Ind. Code § 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUES

I. Use Tax—Activities exempted from use tax as "manufacturing"

Authority: IC 6-2.5-2-1; IC 6-2.5-4-1; IC 6-2.5-3-2; IC 6-2.5-5-3(b); 45 IAC 2.2-5-8(c); 45 IAC 2.2-5-26(d); 45 IAC 2.2-4-27; *Rotation Products Corp. v. Department of State Revenue,* 690 N.E.2d 795 (Ind. Tax Ct. 1998); *Ind. Dep't of State Revenue v. Interstate Warehousing, Inc.,* 783 N.E.2d 248 (Ind. 2003); 45 IAC 2.2-5-10(k); *Mid-America Energy Resources v. Indiana Dep't of State Revenue,* 681 N.E.2d 259 (Ind. Tax Ct. 1997); *Mechanics Laundry & Supply v. Indiana Dep't of State Revenue,* 650 N.E.2d 1223 (Ind. Tax Ct. 1995); *Schulte Oil Co. v. State Tax Comm'n,* 882 P.2d 65 (Okla. 1994)

Taxpayer protests the classification of certain production activities as not entitled to exemption from Indiana use tax by way of the manufacturing exemption.

II. Penalty—Ten percent negligence penalty imposed

Authority: IC 6-8.1-10-2.1(d)

Taxpayer requests waiver of the 10% negligence penalty imposed for failure to use ordinary business care.

STATEMENT OF FACTS

Taxpayer is a Delaware corporation that is commercially domiciled in Indiana. The company is in the business of processing,

assembling, packaging, distributing, refurbishing, and repairing wireless communication products, primarily cellular telephones and related accessories. The audit determined that several items purchased for use in the business were not purchased for purposes of manufacturing, but rather were purchased for non-exempt uses such as for "kitting" and repair services and office use. A timely protest was filed, with this Letter of Findings resulting.

I. Use Tax—Manufacturing exemption

DISCUSSION

Pursuant to IC 6-2.5-2-1, a sales tax, knows as state gross retail tax, is imposed on retail transactions made in Indiana. Retail transactions involve the transfer of tangible personal property. IC 6-2.5-4-1. A complementary excise tax, known as the use tax, is imposed on the storage, use, or consumption of tangible property in Indiana if the property was acquired in a retail transaction. IC 6-2.5-3-2.

Transactions involving manufacturing machinery, tools, and equipment are exempt from the state gross retail tax if the person acquiring that property acquires it for direct use in the direct production … manufacture … processing … or finishing of other tangible personal property. IC 6-2.5-5-3(b). Equipment purchased for direct use in direct production must have an immediate effect on the article being produced. 45 IAC 2.2-5-8(c). Property has an immediate effect on the article being produced if it is an essential part of an integrated process that produced tangible personal property. *Id*.

Office supplies, magazines, pager rental, etc.

Taxpayer contends that it is in the business of processing, assembling, packaging, and distributing wireless communication products and that these activities allow it to make use of an exemption from the sales/use tax for items purchased in furtherance of its business. IC 6-2.5-5-3. The audit revealed several items of which no manufacturing purpose could be demonstrated. These items included office supplies and other items that are not directly incorporated into the finished product. IC 6-2.5-3-2 covers such items as office supplies and equipment, software, printed material, etc. Taxpayer failed to remit use tax on several of these items. Also, 45 IAC 2.2-5-26(d) specifically requires payment of use tax for magazines and periodicals that are not newspapers. Finally, 45 IAC 2.2-4-27 requires the payment of use tax for the rental of tangible personal property. The renting of pagers for office personnel is covered under this provision.

For all of these items, the taxpayer is respectfully denied.

"Kitting"

The taxpayer engages in an activity referred to as "kitting," whereby an unusable product with the potential to become a cell phone is transformed into a workable phone by such things as the installation of SIMM (single inline memory module) chips and batteries. The phones are eventually sold to consumers, albeit not by the taxpayer.

Under the analysis in *Mid-America Energy Resources v. Indiana Dep't of State Revenue*, 681 N.E.2d 259 (Ind. Tax Ct. 1997), the type of production subject to the manufacturing exemption is any activity that creates a marketable good from an unmarketable good. This classification was upheld in *Rotation Products Corp. v. Department of State Revenue*, 690 N.E.2d 795 (Ind. Tax Ct. 1998). The case of *Ind. Dep't of State Revenue v. Interstate Warehousing, Inc.*, 783 N.E.2d 248 (Ind. 2003) takes the analysis a step further in requiring that these marketable goods actually be sold to consumers at some point down the stream of commerce. This sale distinguishes the taxpayer's activities from the activities of the taxpayer in *Interstate Warehousing*, where the taxpayer lost because the liquid ammonia it produced was merely a byproduct of the chilling process that it sold to customers. The liquid ammonia itself was never sold to an ultimate customer. The taxpayer's "kitting" process produces a marketable good that is sold by its customers.

However, the regulations don't let taxpayer off the hook so easily. In order to be covered by the exemption, a processed or refined end product, however, must be substantially different from the component materials used. 45 IAC 2.2-5-10(k).

Here, taxpayer has merely taken the components of a cell phone and put them together. A functioning cell phone is substantially different from a non-functioning cell phone only in the metaphysical sense. Just as when a functioning cell phone breaks and does not cease to be a cell phone, a nonfunctioning cell phone does not become a cell phone merely because it has the capability of placing and receiving calls. One may have a different value in the hands of the end-user, but the test is not one of valuation. The test is of substantial change, and taxpayer has failed to prove to the Department that the change in this instance is substantial.

Therefore, with regard to its "kitting" activities, taxpayer is respectfully denied.

Refurbishing and repair work

In its written brief to the department, the taxpayer admits that a "substantial (but not complete) portion of the proposed assessment" is eligible for exemption pursuant to IC 6-2.5-5-3. (parentheses added). In recognition of this substantial portion, the auditor in her summary performed on October 18, 1999, allowed taxpayer to claim that 70% of its refurbishing activities fell under the exemption. The taxpayer claimed, and the auditor agreed, that the remaining 30% of the taxpayer's activities fell under the guise of "repair" work that is not exempt from tax. Repairs are not afforded the exemption status conferred by 45 IAC 2.2-5-8, and *Rotation Products*, cited by the taxpayer in its protest, affirms that notion when a general repair activity creates no new products. See also *Mid-America Energy Resources*, 681 N.E.2d at 263 and *Mechanics Laundry & Supply v. Indiana Dep't of State Revenue*, 650 N.E.2d 1223, 1229-30 (Ind. Tax Ct. 1995).

The court determined that, in its remanufacture process, the taxpayer in *Rotation Products* created a new product when it took an unusable roller bearing and created a new product, i.e., a remanufactured roller bearing. Similar to that, taxpayer creates a new product when it transforms unusable and inactive cell phones into usable and active cell phones that are ultimately sold at retail. An estimated 70% of taxpayer's business is in the manufacture of refurbished phones.

The remaining 30% of taxpayer activities are repairs, by which the activity undertaken restores usability to a once usable phone. The Indiana Tax Court, in *Rotation Products*, cites to an Oklahoma case in distinguishing between a repairer and a manufacturer. "Ordinarily a repairer furnishes labor and material to the owner of an article for the purpose of restoring its normal condition. In this situation, the article remains the property of those for whom the service is performed. A manufacturer, on the other hand, purchases the article it ultimately transforms into a usable product and then puts it on the market." 690 N.E.2d at 801 footnote 12, citing *Schulte Oil Co. v. State Tax Comm'n*, 882 P.2d 65 (Okla. 1994). It is through this distinction that exemptions for repair work can be denied, as it becomes clear that a repair does not result in the creation of a new product. Rather, repair results in the restoration of an existing product.

The Indiana case of *Mechanics Laundry* also lends itself to the finding that repair work is not to be considered the production of tangible personal property for which the exemption applies. In that case, the taxpayer's services of laundering and repairing soiled and damaged textiles were held to be non-exempt activities. 650 N.E. 2d at 1229-30. "Mechanics Laundry does not produce goods or items of tangible personal property. … Its washing machines, driers, and other equipment are not used in an overall process directed to the production of textiles. They are used to perpetuate textiles that were produced by others." *Id.*

Therefore, with regard to the 30% of the taxpayer's process that falls into the category of repair, the taxpayer is respectfully denied.

FINDINGS

The taxpayer is respectfully denied.

II. Penalty—Negligence penalty

IC 6-8.1-10-2.1(d) provides:

> If a person subject to penalty imposed under this section can show that the failure to file a return, pay the full amount of tax shown on the person's return, timely remit the tax held in trust, or pay the deficiency determined by the department was due to reasonable cause and not due to willful neglect, the department shall waive the penalty.

With respect to the failure to remit use tax on office supplies, magazines, pager rental, etc., no reasonable cause is shown. With respect to the 30% of the taxpayer's refurbishing business that has been established to be repair work not subject to exemption from use tax, no reasonable cause is shown for the failure to remit use tax on items purchased in furtherance of these activities.

FINDINGS

The taxpayer is respectfully denied with regard to the 10% negligence penalty.

DEPARTMENT OF STATE REVENUE
LETTER OF FINDINGS NUMBER: 02-0348
Sales/Use Tax
For the Years 1998, 1999, 2000

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUES

I. Sales/Use Tax-Exemption for rental property

Authority: IC 6-2.5-5-8; 45 IAC 2.2-4-27.

Taxpayer protests the assessment of sales/use tax with respect to several additional assets, car mats, oil, oil filters, brake pads and parts, windshield washer fluid and blades, tire repairs and wheel nuts used in its rental automobiles

II. Tax Administration-Penalty

Authority: IC 6-8.1-10-2.1; 45 IAC 15-11-2.

Taxpayer protests the imposition of penalty for negligence.

STATEMENT OF FACTS

Taxpayer is a business engaged in renting cars, primarily for insurance replacement for stolen and damaged vehicles. As part of its business, taxpayer purchased various supplies and equipment, including car mats, oil, oil filters, brake pads and parts, windshield washer fluid and blades, tire repairs and wheel nuts. As a result of audit, taxpayer was assessed use tax with respect to the property. In addition, various other purchases of the taxpayer were assessed use tax upon review of invoices showing that no sales tax had been paid at the time of purchase. Taxpayer protests the assessment of sales/use tax and penalty.

I. Sales Tax-Exemption for rental property

DISCUSSION

Taxpayer protests the imposition of sales/use tax with respect to its purchases of car mats, oil, oil filters, brake pads and parts, windshield washer fluid and blades, tire repairs and wheel nuts. While the rental of personal property is exempt from taxation under Ind. Code § 6-2.5-5-8, taxpayer claims that the exemption should extend to its purchases of various tangible personal property items based on the theory that the items are not "consumed" within the meaning of 45 IAC 2.2-4-27.

With respect to all of these items other than the car mats and windshield washer fluid, the items are not fuels or other items which are consumed within the meaning of the regulation; rather, the items are essentially part of the car, whose rental is exempt. However, with respect to the car mats and windshield washer fluid, taxpayer has not presented an argument that would permit the Department to recognize the exemption claimed by taxpayer for these items based on the items being part of the automobile or otherwise not consumable.

Taxpayer also protests the imposition of sales tax with respect to several assets, which taxpayer claims include labor charges or for which sales tax had been paid. The auditor removed certain items from the amount subject to tax after taxpayer provided additional evidence.

FINDING

Taxpayer's protest is sustained with respect to the tax imposed oil, oil filters, brake pads and parts, and windshield washer blades, tire repairs and wheel nuts. Taxpayer's protest is sustained to the extent taxpayer provided additional information to the auditor. Taxpayer's protest with respect to the tax due on car mats and windshield washer fluid is denied.

II. Tax Administration-Penalty

DISCUSSION

Taxpayer also protests the imposition of a 10% penalty for negligence. Penalty waiver is permitted if the taxpayer shows that the failure to pay the full amount of the tax was due to reasonable cause and not due to willful neglect. Ind. Code § 6-8.1-10-2.1. The Indiana Administrative Code further provides:

> (b) "Negligence" on behalf of a taxpayer is defined as the failure to use such reasonable care, caution, or diligence as would be expected of an ordinary reasonable taxpayer. Negligence would result from a taxpayer's carelessness, thoughtlessness, disregard or inattention to duties placed upon the taxpayer by the Indiana Code or department regulations. Ignorance of the listed tax laws, rules and/or regulations is treated as negligence. Further, failure to read and follow instructions provided by the department is treated as negligence. Negligence shall be determined on a case by case basis according to the facts and circumstances of each taxpayer.
>
> (c) The department shall waive the negligence penalty imposed under IC 6-8.1-10-1 if the taxpayer affirmatively establishes that the failure to file a return, pay the full amount of tax due, timely remit tax held in trust, or pay a deficiency was due to reasonable cause and not due to negligence. In order to establish reasonable cause, the taxpayer must demonstrate that it exercised ordinary business care and prudence in carrying out or failing to carry out a duty giving rise to the penalty imposed under this section. Factors which may be considered in determining reasonable cause include, but are not limited to:
>
> (1) the nature of the tax involved;
> (2) judicial precedents set by Indiana courts;
> (3) judicial precedents established in jurisdictions outside Indiana;
> (4) published department instructions, information bulletins, letters of findings, rulings, letters of advice, etc.;
> (5) previous audits or letters of findings concerning the issue and taxpayer involved in the penalty assessment.
>
> Reasonable cause is a fact sensitive question and thus will be dealt with according to the particular facts and circumstances of each case.

45 IAC 15-11-2.

Taxpayer has claimed that it was not willfully negligent, and therefore should not be subject to penalty. However, the test is not one of willful neglect, a standard tantamount to fraud. The standard is one of meeting the standard of care expected of a normal taxpayer, either in terms of filing or recordkeeping. Taxpayer has not presented any evidence that it met this standard.

FINDING

Taxpayer's protest is denied.

DEPARTMENT OF STATE REVENUE

0420020478.LOF

LETTER OF FINDINGS NUMBER: 02-0478
Indiana Gross Retail and Use Tax
For 1999 and 2000

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of

publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUE

I. Propane Tanks – Use Tax.

Authority: IC 6-2.5-5-8; Tri-States Double Cola Bottling Co. v Department of State Revenue, 706 N.E.2d 282 (Ind. Tax Ct. 1999); Department of State Revenue v. Indianapolis Transit System, 356 N.E.2d 1204 (Ind. Ct. App 1976); 45 IAC 2.2-5-15(b); Black's Law Dictionary (7th ed. 1999).

Taxpayer protests the proposed assessment of Indiana use tax on the purchase price of propane storage tanks which taxpayer later furnished its customers. Taxpayer maintains that the tanks are "leased" to its customers and that, as a result, the tanks are not subject to the use tax assessment.

STATEMENT OF FACTS

Taxpayer is an Indiana corporation in the business of supplying customers with propane (L.P.) gas. Taxpayer has a business location out of which a limited number of retail sales take place. However, the bulk of taxpayer's business consists of delivering gas to its customers.

During 2001 and 2002, the Department of Revenue (Department) conducted an audit review of taxpayer's business records and tax returns. As a result of that review, the Department concluded that taxpayer owed additional amounts of use tax. Taxpayer disagreed with a portion of the assessment and submitted a protest to that effect. An administrative hearing was conducted during which taxpayer explained the basis for its protest. This Letter of Findings results.

DISCUSSION

Taxpayer purchased propane tanks which it then provided to its customers. In purchasing the tanks, taxpayer did not pay sales tax. The audit determined that the tanks were not purchased for an exempt purpose and assessed use tax accordingly. The audit did so because it concluded that, although the customers paid to use the tanks, the tanks were not "leased" to taxpayer's customers. The audit listed the following reasons justifying the conclusion that the tanks were not leased.

1. The tanks were placed on the customers' property for the convenience of the taxpayer in order to make it possible for taxpayer to sell propane to those customers.
2. Taxpayer retained complete control over the tanks, and the customers could not – under the contract agreement or state law – purchase propane from another dealer.
3. Taxpayer retained the right to enter and leave that portion of the customers' property on which the tanks were located.
4. The parties' lease agreement stipulated that the tanks would remain taxpayer's personal property.

Taxpayer maintains that its initial purchase of the propane tanks was not subject to imposition of the Indiana gross retail (sales) tax. Although taxpayer does not specifically say as much, presumably taxpayer is claiming an exemption pursuant to IC 6-2.5-5-8 which states in part that, "Transactions involving tangible personal property are exempt from the state gross retail tax if the person acquiring the property acquires it for resale, rental, or leasing in the ordinary course of his business without changing the form of the property." The exemption provided for under IC 6-2.5-5-8 is amplified at 45 IAC 2.2-5-15(b) which provides, as a general rule, that "[s]ales of tangible personal property for resale, rental or leasing are exempt from tax if all of the following conditions are satisfied: (1) The tangible personal property is sold to a purchaser who purchases this property to resell, rent or lease it; (2) The purchaser is occupationally engaged in reselling, renting or leasing such property in the regular course of his business; and (3) The property is resold, rented or leased in the same form in which it was purchased."

The Indiana courts have provided guidance in determining whether a transaction between parties constitutes a lease agreement. In Department of State Revenue v. Indianapolis Transit System, 356 N.E.2d 1204 (Ind. Ct. App 1976), the court of appeals stated that "[w]hether certain circumstances created a lessor – lessee... relationship between the parties is a matter of fact dependent on possession of and control over the property involved." Id. at 1209. While finding that the Department's regulation did not contain a definition of "lease," the Tax Court in Tri-States Double Cola Bottling Co. v Department of State Revenue, 706 N.E.2d 282 (Ind. Tax Ct. 1999), concluded that a "lease" constituted the "transfer of a right to possession and use of goods for a term in return for consideration." Id. at 285.

Taxpayer enters into agreements with its customers to provide the customers with propane tanks. The agreements fall into essentially two categories; small tank agreements and large tank agreements. In implementing the small tank agreements, taxpayer purchased 120 gallons tanks which cost approximately $200 each. Taxpayer then furnished those tanks to its customers charging each customer $40 per year. Despite the terms of the parties' agreement, taxpayer apparently did not require that each small tank customer purchase a minimum amount of gas each year. Rather, the records demonstrate that a number of the small tank customers purchased a negligible amount of propane each year. Nonetheless, each small tank customer was charged $40 annually regardless of the amount of propane which the customer purchased that year.

Taxpayer also bought larger tanks which were furnished to certain of its customers. The large tank customers were charged a flat fee of $1 per year. However – unlike the small tank customers – the large tank customers paid a premium on the gas which

was supplied to the customer. For example, during one pricing period, taxpayer charged its large tank customers $.66 for each gallon of propane delivered to those customers. In contrast, during the same pricing period, taxpayer charged $.55 for each gallon of propane that was delivered to a customer which did not use one of the taxpayer's large tanks. In those instances in which the lesser price was charged, the customer owned his own tank, did not need one of taxpayer's large tanks, and avoided the $.11 "premium" which the large tank customers paid. The $.11 price differential represented the amount that the large tank customer paid taxpayer for the privilege of using one of taxpayer's large tanks. In effect, each large tank customer paid $1.00 per year plus an additional premium based upon that customer's gas usage. Under the terms of the parties' agreement, each large tank customer was required to make a minimum yearly propane purchase "equal to two times the stated capacity of said tank as a minimum purchase requirement." Therefore, if a large tank customer obtained a 500 gallon tank, that large tank customer was required to purchase a minimum of 1,000 gallons of propane each year. If the customer failed to do so, taxpayer had the option of replacing the 500 gallon tank with smaller capacity tank.

Taxpayer's small and large tank customers signed the same "lease agreement" when the customers acquired one of taxpayer's propane tanks. That agreement requires that the customer purchase "his entire requirements of Propane gas form [taxpayer] and permit[] no other person, firm or corporation to store or fill said tank with propane or to service said equipment without [taxpayer's] prior written consent."

The customer is required to "permit [taxpayer] or its Authorized representative free and unlimited ingress, egress and access to and from [customer's] premises to deliver propane gas, service, inspect, or maintain said tank and equipment."

Under the terms of the agreement, the customer is not permitted to "remove said tank or equipment from [the customer's] premises." In addition, the tank "remain[s] the personal property of [taxpayer]."

Taxpayer's agreements with both the small and large tank customers do not constitute lease agreements because the customers do not come into "possession" of the tanks. "Possession" means the right to "exercise control over something to the exclusion of all others." Black's Law Dictionary 1183 (7th ed. 1999). By the terms of the agreement, the customer is not entitled to move the tanks or to allow another supplier to fill the tanks with the competitor's propane supply. Of course, the tanks are located on the customers' property, but that does not mean that the customers have "possession." Although the tank is located on the customer's property, taxpayer retains most of the rights to control the tank. Unlike an actual lease agreement, the customer does not acquire the usual rights to control the object of the lease. Instead the tanks are merely an extension of the agreement by which taxpayer provides propane to its customers with the customer assessed an additional cost for the use of the storage container which – by nature of the transaction – is necessarily located on the customer's property. The fact that the parties' agreement is called a "lease" does not change the fact that taxpayer is not in the business of leasing propane tanks nor the fact that the customers are not interested in leasing propane tanks. Taxpayer's interest lies in selling its product to its customers and receiving compensation for the cost of doing so. The customers' interest is in obtaining that fuel. Given the fact that the tanks have a limited decorative or utilitarian value outside of their capability of storing taxpayer's propane, it is apparent that the object of the parties' agreement is the delivery, storage, and consumption of propane.

Neither the law nor the dictates of simple common sense allow a conclusion that taxpayer purchased the tanks in order to lease the tanks to its customers. Under IC 6-2.5-5-8, taxpayer is not "occupationally engaged" in the business of leasing storage tanks in the ordinary course of its business. Under 45 IAC 2.2-5-8(b), taxpayer is not "occupationally engaged" in renting propane tanks in the regular course of its business. Common sense dictates a finding that taxpayer is in the business of selling propane to customers who are interested in obtaining that fuel. The fact that the sale of propane necessarily involves the use of a storage container located on the customers' property does not alter the nature of the underlying transaction. Taxpayer is, of course, entitled to be fully compensated for the fact that it necessarily incurs expenses in delivering the propane to its customers. However, that compensation does not consist of lease payments.

FINDING

Taxpayer's protest is respectfully denied.

DEPARTMENT OF STATE REVENUE

0420020542.LOF

LETTER OF FINDINGS NUMBER: 02-0542
Sales and Use Tax
For the Years 1999, 2000, 2001

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUES

I. Sales and Use Tax-Supplies

Authority: IC 6-2.5-3-2 (a), IC 6-2.5-5-25 (a), IC 6-8.1-5-1, Sales Tax Division Information Bulletin #10 Revised February 10, 1986.

The taxpayer protests the assessment of use tax on certain supplies.

II. Tax Administration-Penalty

Authority: IC 6-8.1-10-2.1, 45 IAC 15-11-2.

The taxpayer protests the assessment of the negligence penalty.

STATEMENT OF FACTS

The taxpayer is a not-for-profit corporation created to receive, hold, administer and disburse funds to be used in promoting and advancing the general contracting industry in a certain geographic area of the state. The taxpayer provides assistance in construction employee apprenticeship programs, encouragement of programs to employ members of minority groups, advance skill training, supervisory training, construction technical education, safety education, accident prevention, and approved Red Cross certification program. After an investigation, the Indiana Department of Revenue, hereinafter referred to as the "department," assessed additional use tax, interest, and penalty. The taxpayer protested the assessment and a hearing was scheduled for April 27, 2004. No one appeared for the hearing. Therefore, this decision is based upon the information contained in the file.

I. Sales and Use Tax- Supplies

DISCUSSION

All tax assessments are presumed to be accurate and the taxpayer bears the burden of proving that any assessment is incorrect. IC 6-8.1-5-1 (b). Indiana imposes an excise tax on tangible personal property stored, used, or consumed in Indiana unless the sales tax is paid on the transaction. IC 6-2.5-3-2 (a). Exemption from the use tax is granted to property used by qualified not-for-profit organizations under certain conditions at IC 6-2.5-5-25 (a) as follows:

Transactions involving tangible personal property or service are exempt from the state gross retail tax, if the person acquiring the property or service:

(a) is an organization which is granted a gross income tax exemption under IC 6-2.1-3-20, IC 6-2.1-3-21, or IC 6-2.1-3-22;

(2) primarily used the property or service to carry on or to raise money to carry on the not-for-profit purpose for which it receives the gross income tax exemption; and

(3) is not an organization operated predominantly for social purposes.

Sales Tax Division Information Bulletin #10 Revised February 10, 1986 further clarifies the exemption of not-for-profit corporation purchases for its own use from the use tax as follows:

1. In order to qualify for sales tax exemption on purchases as a not-for-profit organization the following conditions must prevail:

(a) The organization must be named or described in IC 6-2.1-3-19, 6-2.1-3-20, 6-2.1-3-21 or 6-2.1-3-22. This includes not-for-profit organizations organized and operated exclusively for one or more of the following purposes... Educational....

(c) The organization is not operated predominantly for social purposes.

(d) In order for a purchase by a not-for-profit organization to qualify for exemption, the article purchased must be used for the same purpose as that for which the organization is being exempted. Purchases for the private benefit of any member of the organization or for any other individual, such as meals or lodgings, are not eligible for exemption. Purchases used for social purposes are never exempt.

The taxpayer provides a plan room where members from the construction industry can come to review building plans and blue prints for construction projects that are up for bids. In this room, drafting supplies, paper, and printing equipment are available for the contractors' use. The taxpayer did not pay sales tax when it purchased these supplies. Therefore, the department imposed use tax on the use of these items. The taxpayer argued that the use tax was improperly imposed because the items were used for an exempt purpose. The department disagrees with this conclusion. Rather the supplies are used for the private benefit of the individual members of the association. They are not used for the exempt activities of the organization.

FINDING

The taxpayer's protest is denied.

II. Tax Administration-Penalty

DISCUSSION

The taxpayer's final protest concerns the imposition of the ten percent (10%) negligence penalty pursuant to IC 6-8.1-10-2.1. Negligence is defined at 45 IAC 15-11-2(b) as "the failure to use such reasonable care, caution, or diligence as would be expected of an ordinary reasonable taxpayer." Negligence is to "be determined on a case-by-case basis according to the facts and circumstances of each taxpayer." Id.

IC 6-8.1-10-2.1(d) allows the department to waive the penalty upon a showing that the failure to pay the deficiency was based on "reasonable cause and not due to willful neglect." Departmental regulation 45 IAC 15-11-2 (c) requires that in order to establish "reasonable cause," the taxpayer must demonstrate that it "exercised ordinary business care and prudence in carrying out or failing to carry out a duty giving rise to the penalty imposed..." The taxpayer presented substantial evidence showing that it met this burden. The negligence penalty does not apply in this situation.

FINDING

The taxpayer's protest is sustained.

DEPARTMENT OF STATE REVENUE

0420020569.LOF

LETTER OF FINDINGS NUMBER: 02–0569
Gross Retail and Use Tax—Adequate Documentation
Tax Administration—Penalty
For Tax Years 1999, 2000, 2001

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ISSUES

I. Gross Retail and Use Tax—Adequate Documentation

Authority: IC § 6-8.1-5-1(b); IC § 6-2.5-2-1; IC § 6-2.5-3-2; IC § 6-2.5-3-4; IC § 6-2.5-3-7; IC § 6-8.1-5-4(a); 45 IAC 15-3-8; 45 IAC 2.2-2-1; 45 IAC 2.2-3-4

Taxpayer protests the proposed assessments of Indiana's use tax.

II. Tax Administration—Penalty

Authority: IC § 6-8.1-10-2.1; IC § 6-8.5-5-4(a); 45 IAC 15-11-2

Taxpayer protests the proposed assessment of the negligence penalty.

STATEMENT OF FACTS

Taxpayer is a heating and air conditioning contractor, selling and installing new heating and cooling systems pursuant to lump sum contracts. Because taxpayer failed to provide purchase invoices during the audit, the auditor could not verify that gross retail tax had been paid at the point of purchase; therefore, the auditor assessed use tax based on the best information available. Taxpayer then filed a protest, claiming documents were then available; the auditor was able to examine those documents and made some adjustments. However, taxpayer went forward with his protest. The remaining items at issue concern certain cash purchases for which taxpayer has no evidence he paid gross retail tax at the point of purchase. Additional facts will be added as necessary.

I. Gross Retail and Use Tax—Adequate Documentation

DISCUSSION

Taxpayer continues to protest the proposed assessment of Indiana use tax based on the best information available to the auditor at the time of the audit, and the 10% negligence penalty.

Taxpayer argued at the protest hearing that despite not having the evidence to show he paid gross retail tax, he did pay the tax on the cash purchases. Taxpayer claimed he did not mark up items after purchasing them, and that he did not keep his receipts, thinking that his cancelled checks would adequately fulfill his record-keeping responsibilities. Taxpayer during the tax years at issue was working full-time at another job, and starting up his own business with no accountant to help keep his books and records. Taxpayer admitted he thought his cancelled checks would be sufficient proof that he paid the state's gross retail tax at the point of purchase.

Pursuant to IC § 6-8.1-5-1(b) and 45 IAC 15-5-3(8), a "notice of proposed assessment is prima facie evidence that the department's claim for the unpaid tax is valid. The burden of proving that the proposed assessment is wrong rests with the person against whom the assessment is made." Pursuant to IC § 6-2.5-2-1, a "person who acquires property in a retail transaction is liable for the tax on the transaction and, except as otherwise provided in this chapter, shall pay the tax to the retail merchant as a separate added amount to the consideration in the transaction. The retail merchant shall collect the tax as agent for the state." *See also*, 45 IAC 2.2-2-1. Pursuant to IC § 6-2.5-3-2, an "excise tax, known as the use tax, is imposed on the storage, use, or consumption of tangible personal property in Indiana is the property was acquired in a retail transaction." An exemption is provide in IC § 6-2.5-3-4 if "the property was acquired in a retail transaction and the state gross retail tax" was paid at the time of purchase. IC § 6-2.5-3-7 provides that a "person who acquires tangible personal property from a retail merchant for delivery in Indiana is presumed to have acquired the property for storage, use, or consumption in Indiana;" therefore, the presumption of taxability exists until rebutted. *See*

also, 45 IAC 2.2-3-4.

Indiana taxpayers have the duty and responsibility under IC § 6-8.1-5-4(a) to "keep books and records so that the department can determine the amount, if any, of the person's liability for that tax by reviewing those books and records." Taxpayer admitted he did not keep receipts from cash purchases. He is currently keeping the proper records and has an accountant now to keep him compliant and current with the Department's rules and regulations.

FINDING

Taxpayer's protest concerning the proposed assessments of Indiana's use tax is denied.

II. Tax Administration—Penalty

DISCUSSION

Taxpayer protests the imposition of the 10% negligence penalty. Indiana Code Section 6-8.1-10-2.1(d) states that if a taxpayer subject to the negligence penalty imposed under this section can show that the failure to file a return, pay the full amount of tax shown on the person's return, timely remit taxes held in trust, or pay the deficiency determined by the department was due to reasonable cause and not due to willful neglect, the department shall waive the penalty. Indiana Administrative Code, Title 45, Rule 15, section 11-2 defines negligence as the failure to use reasonable care, caution, or diligence as would be expected of an ordinary reasonable taxpayer. Negligence results from a taxpayer's carelessness, thoughtlessness, disregard or inattention to duties placed upon the taxpayer by Indiana's tax statutes and administrative regulations.

In order for the Department to waive the negligence penalty, taxpayer must prove that its failure to pay the full amount of tax due was due to reasonable cause. Taxpayer may establish reasonable cause by "demonstrat[ing] that it exercised ordinary business care and prudence in carrying or failing to carry out a duty giving rise to the penalty imposed...." In determining whether reasonable cause existed, the Department may consider the nature of the tax involved, previous judicial precedents, previous department instructions, and previous audits.

Taxpayer made certain efforts to keep records. He attempted to comply with IC § 6-8.5-5-4(a) by keeping track of cancelled checks. The audit showed him he was in error. This was taxpayer's first audit and he has taken steps to rectify his error. In the Department's view, taxpayer has set forth a basis whereby the Department could conclude taxpayer exercised the degree of care statutorily imposed upon an ordinarily reasonable taxpayer. Given the totality of the circumstances, waiver of the penalty is appropriate in this instance because taxpayer was not willfully negligent; he merely made a mistake.

FINDING

Taxpayer's protest concerning the proposed assessment of the 10% negligence penalty is granted.

DEPARTMENT OF STATE REVENUE

01-20030012.LOF

LETTER OF FINDINGS NUMBER: 03-0012
Income Tax
For the Years 1999-2001

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUE

I. Income Tax-Cost of Goods Sold

Authority: IC 6-8.1-5-1(b).

The taxpayer protests the disallowance of certain expenses deducted as cost of goods sold on the federal Schedule C.

STATEMENT OF FACTS

The taxpayer operates a used car lot as a sole proprietor. He reports his income from the used car lot on a cash basis with Schedule C of the federal 1040 form. The Indiana Department of Revenue, hereinafter referred to as the "department," performed both a sales and use tax audit on the business and a personal income tax audit of the taxpayer. The sales tax audit and assessment was based on information provided by the Indiana Bureau of Motor Vehicles. The adjustment significantly increased the taxpayer's gross sales. Therefore, the taxpayer's Indiana adjusted gross income also increased. After receipt of the audit assessments, the taxpayer determined that he had not declared all expenses on his federal Schedule C. The taxpayer made changes to his Cost of Goods Sold and filed Amended Individual Income Tax Returns for the tax period 1999-2001. Upon review, the department accepted all but two of the additions to the Cost of Goods Sold. The first disallowed car was a new 1999 GMC 1500 purchased on February 18, 1999 from an area GMC dealer. It was sold at a local auto auction on September 14, 1999. The car's odometer reading was four (4) miles at the time of purchase and 6,420 miles at the time of sale. The other disallowed automobile was a new 2000 GMC 1500

4x4 purchased from the same dealer on September 15, 1999. At the time of purchase, the car's odometer registered 25 miles. At the time of audit, this car had not been sold and had an odometer reading of 30,200 miles. The taxpayer protested the department's disallowance of the deduction of the purchase prices of these two vehicles from the taxpayer's income. A telephone hearing was held and this Letter of Findings results.

I. Income Tax-Cost of Goods Sold

DISCUSSION

The taxpayer deducted the purchase prices of the two automobiles from its gross income as the cost of goods sold. The taxpayer supports this position by indicating that it actually sold one of the cars and advertised the other car for sale. The taxpayer argues that the miles were put on the cars by demonstrating them, using them to pick up parts, running necessary business errands, and driving to auto auctions. The department disallowed the deduction contending that the automobiles were purchased for personal use rather than resale. The department supports this contention by indicating that most cars purchased for resale by the used car business were used and these cars were new when purchased. The first car was sold at auction they day before the second car was purchased. Although the taxpayer placed ads to sell the second car, it was not sold during the audit period. Finally the taxpayer put a significant number of miles on each car – 6,216 on the first car and 30,175 on the second.

As a cash basis taxpayer, the purchase price of the second car cannot be deducted from the taxpayer's receipts on Schedule C as a cost of goods sold until the taxpayer actually sells it. Since the car was not sold during the audit period, it is not necessary to make the determination of whether the car was purchased for resale or for personal use.

It is a question of fact to determine if the first car was purchased for resale or personal use. Pursuant to IC 6-8.1-5-1 (b) all tax assessments are presumed to be accurate and the taxpayer bears the burden of proving that any assessment is incorrect. The taxpayer argues that it actually sold the car and that proves that the car was purchased for resale. Considering all the facts, however, this argument is not persuasive. This car was purchased as a new car when most of the used car lot's cars were purchased as used cars. The taxpayer put close to 1,000 miles per month on the car. This is significantly more than normal use as a demonstrator and even a few trips to pick up a spare part for the dealership and attend auctions. Finally, it was sold the day before another new car was purchased. That new car was also driven in a manner indicating that it was for personal use rather than sitting on the lot as a car for resale. The taxpayer did not sustain his burden of proving that the first car was purchased for resale and its purchase price could be deducted from the taxpayer's income as a cost of goods sold.

FINDING

The taxpayer's protest is denied.

DEPARTMENT OF STATE REVENUE

0420030022.LOF

LETTER OF FINDINGS NUMBER: 03-0022
Sales & Use Tax
For the Calendar Years 1999, 2000, & 2001

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ISSUE

I. Tax Administration – Penalty

Authority: IC 6-8.1-10-2.1(d); 45 IAC 15-11-2

The taxpayer protests the negligence penalty.

II. Tax Administration - Interest

Authority: IC 6-8.1-10-1

The taxpayer protests the interest assessment.

STATEMENT OF FACTS

The negligence penalty and interest were assessed on a Department audit conducted for the calendar years 1999, 2000, and 2001.

The taxpayer is a bank located in Indiana.

I. Tax Administration – Penalty

DISCUSSION

The taxpayer requests the penalty be waived as the taxpayer's employees were unaware of the requirement to pay use tax on the items listed in the audit report.

The Department points out the items were taxed in a previous audit.

The regulation which provides the guideline for penalty is as follows:

45 IAC 15-11-2(b) states, "Negligence, on behalf of a taxpayer is defined as the failure to use such reasonable care, caution, or diligence as would be expected of an ordinary reasonable taxpayer. Negligence would result from a taxpayer's carelessness, thoughtlessness, disregard or inattention to duties placed upon the taxpayer by the Indiana Code or department regulations. Ignorance of the listed tax laws, rules and/or regulations is treated as negligence. Further, failure to read and follow instructions provided by the department is treated as negligence. Negligence shall be determined on a case by case basis according to the facts and circumstances of each taxpayer."

The Department finds the taxpayer was ignorant of tax duties. Ignorance is negligence and negligence is subject to penalty. As such, the Department finds the penalty proper and denies the penalty protest.

FINDING

The taxpayer's penalty protest is denied.

II. Tax Administration – Interest

DISCUSSION

The taxpayer argues the interest assessment should be adjusted to accrue through the period ending June 2002 instead of the period ending December 2002. The reason for this is because the audit was completed in March 2002 and the taxpayer did not get the assessment until November 2002. This prevented the taxpayer from paying the assessed tax until November 2002 which caused the taxpayer to be assessed additional interest.

The Department points out the audit was completed June 11, 2002 and the assessment was mailed October 29, 2002. The Department considers the assessment mailing timely. Furthermore, interest can not be waived according to statute. IC 6-8.1-10-1.

FINDING

The taxpayer's interest protest is denied.

DEPARTMENT OF STATE REVENUE

02-20030073.LOF

LETTER OF FINDINGS NUMBER: 03-0073
Corporate Income Tax
For the Years 1997-1999

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUES

I. Gross Income Tax-Imposition of Tax

Authority: IC 6-8.1-5-1 (b), IC 6-2.1-2-2(a)(2), 45 IAC 1.1-2-5(f)(2).

The taxpayer protests the imposition of tax on certain income.

II. Adjusted Gross Income Tax- Sales Factor for Apportionment

Authority: IC 6-3-2-1(a), IC 6-3-2-2(a), 20 NYCRR 4-4.3[d][2], 45 IAC 3.1-1-38.

The taxpayer protests the inclusion of certain revenue in the numerator of the sales factor for apportionment for the adjusted gross income tax.

STATEMENT OF FACTS

The taxpayer, commercially domiciled in New York, provides information and programming via satellite to customers throughout the United States. The taxpayer provides each customer the use of a fixed KU-band satellite dish, two video cassette recorders, 19-inch color television monitors and internal wiring. The taxpayer owns this equipment which is provided for the customer's use at no cost. The taxpayer also regularly services the equipment free of charge. If the customer were to stop using the taxpayer's services, the taxpayer would retrieve the equipment from the customer. All of the taxpayer's income is generated through national advertising sales that take place solely in the state of New York. The taxpayer's broadcasts originate from its studio in California. It has no employees in Indiana. Its only physical presence in Indiana is the television and satellite equipment it owns in the state. The taxpayer receives no payments in any form from those Indiana users.

After an audit, the Indiana Department of Revenue, hereinafter referred to as the "department," determined that there was no additional gross income tax liability for 1997 or 1998 and assessed additional gross income tax, interest, and penalty for 1999. In the audit, the department also included the taxpayer's revenue in the numerator of the sales factor for apportionment for the adjusted gross income tax. This change did not, however, result in an additional assessment of adjusted gross income tax. The taxpayer protested the assessment of gross income tax, redetermination of the numerator of the sales factor, and penalty. A hearing was held and this Letter of Findings results.

I. Gross Income Tax-Imposition of Tax

All tax assessments are presumed to be accurate and the taxpayer bears the burden of proving that any assessment is incorrect. IC 6-8.1-5-1 (b).

The taxpayer's first protest concerns the department's imposition of gross income tax on its Indiana income. Indiana imposes a gross income tax on the "taxable gross income derived from activities or businesses or any other sources within Indiana by a taxpayer who is not a resident or a domiciliary of Indiana." IC 6-2.1-2-2(a)(2).

On January 1, 1999, a duly promulgated regulation became effective. That regulation defines "services performed within Indiana," for the telecommunications industry at 45 IAC 1.1-2-5(f)(2) as follows:

...sale of telecommunications, including telephone, telegraph, and non-cable television, if the telecommunications originate or terminate in Indiana and are charged to an Indiana address, and the charges are not taxable under the laws of another state.

To be considered income from an Indiana source and subject to the Indiana gross income tax, telecommunications must meet three tests. First, they must originate or terminate in Indiana. The taxpayer's signals sent to its Indiana customers clearly meet the first test of terminating in Indiana. Second, the fees for the services must be charged to an Indiana address. The taxpayer receives its income from advertisers located outside the state. No billings are sent to or fees received from the Indiana addresses of the taxpayer's Indiana customers. Since the subject services do not meet the second test, it is unnecessary to consider the third test. The subject telecommunication transmissions do not meet the standard to subject the taxpayer's income to Indiana gross income tax.

FINDING

The taxpayer's protest is sustained.

II. Adjusted Gross Income Tax-Sales Factor for Apportionment

DISCUSSION

The department recalculated the taxpayer's sales apportionment factor to include the taxpayer's Indiana advertising revenue in the numerator. Although this change has no effect on the taxpayer's proposed tax assessment, the taxpayer protested the change of the sales numerator. The taxpayer contends that since it had no employees in the state of Indiana and its sole source of income is advertising income sold outside of Indiana there is no basis for imposition of the Indiana adjusted gross income tax.

IC 6-3-2-1(a) imposes an adjusted gross income tax on "that part of the adjusted gross income derived from sources within Indiana of every nonresident person." IC 6-3-3-2(a) provides that adjusted gross income derived from sources within Indiana includes "income from doing business in this state."

The standard of "doing business in this state" is clarified at 45 IAC 3.1-1-38 as follows:

For apportionment purposes, a taxpayer is "doing business" in a state if it operates a business enterprise or activity in such state including, but not limited to:

(1) Maintenance of an office or other place of business in the state

(2) Maintenance of an inventory of merchandise or material for sale distribution, or manufacture, or consigned goods

(3) Sale or distribution of merchandise to customers in the state directly from company-owned or operated vehicles where title to the goods passes at the time of sale or distribution

(4) Rendering services to customers in the state

(5) Ownership, rental or operation of a business or of property (real or personal) in the state

(6) Acceptance of orders in the state

(7) Any other act in such state which exceeds the mere solicitation of orders so as to give the state nexus under P.L. 86-272 to tax its net income.

The taxpayer owns business personal property, fixed KU-band satellite dishes, video cassette recorders, 19-inch color television monitors, that is located in Indiana. The taxpayer also regularly services this personal property in Indiana. This servicing exceeds the mere solicitation of orders. Either of these conditions establishes sufficient nexus for Indiana to tax the proportion of adjusted gross income that comes from Indiana.

All of the taxpayer's income is derived from sales of advertising in the state of New York. In 1978, New York enacted a law considering the apportionment of advertising at 20 NYCRR 4-4.3[d][2] which provided, in pertinent part that:

The broadcasting of... commercial messages by way of radio and television... is deemed to be a service. When a lump sum is received for such service, that lump sum shall be allocated to New York State and another state or states according to the number of listeners or viewers in each state.

This New York law indicates that New York does not tax the portion of the income from commercials on television that is derived from television viewers in other states. The department properly took the figure in the numerator of the Indiana sales factor from the taxpayer's books and records concerning the apportionment of the taxpayer's advertising income among the various states.

FINDING

The taxpayer's protest is denied.

DEPARTMENT OF STATE REVENUE

04-20030252.LOF

LETTER OF FINDINGS NUMBER: 03-0252
Gross Retail & Use Taxes
Penalty
For Years 1998, 1999, 2000, 2001

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ISSUES

I. Gross Retail and Use Taxes—Agricultural exemption

Authority: IC § 6-8.1-5-1(b); IC § 6-2.5-2-1; IC § 6-2.5-3-1; IC § 6-2.5-3-4; IC § 6-2.5-3-6; IC § 6-2.5-3-7; IC § 6-2.5-5-1; IC § 6-2.5-5-2; 45 IAC 15-5-3(8); 45 IAC 2.2-2-1; 45 IAC 2.2-3-4; 45 IAC 2.2-5-1 through 45 IAC 2.2-5-7

Taxpayer protests the assessment of gross retail and use taxes on items obtained in retail transactions that taxpayer claims are entitled to the agricultural exemption.

II. Penalty—Request for Waiver

Authority: IC § 6-8.1-10-2.1; 45 IAC 15-11-2

Taxpayer protests the imposition of the 10% negligence penalty on that portion of the assessment where the audit denied the agricultural exemption, and requests a waiver.

STATEMENT OF FACTS

Taxpayer operates a warehousing business as well as a number of different entrepreneurial endeavors. Taxpayer stores and repackages bulk liquid farm chemicals for several large companies. One of taxpayer's other business ventures included operating a farm on approximately two hundred (200) acres of the family land. The audit found that taxpayer was not in compliance with a number of Indiana's tax statutes and regulations, and made the requisite adjustments, including one denying taxpayer the agricultural exemption from the state's gross retail and use taxes. It is this denial that taxpayer is protesting. Additional facts will be added as necessary.

I. Gross Retail and Use Taxes—Agricultural exemption

DISCUSSION

Taxpayer protests the denial of its claim for application of the agricultural exemption to purchases connected to the farming operations. The auditor's rationale for denying the exemption focused on part of the two hundred (200) acres taxpayer uses to "showcase," for marketing and research purposes, different combinations of fertilizers and soils and their effect on crop productivity. During the audit years at issue, taxpayer participated in something called "Fields of Vision OnFarm," a yearly show and tell opportunity for taxpayer to exhibit results. The audit characterized taxpayer's agricultural activity as pure marketing and research and therefore denied the agricultural exemption. In reality, the farmed acreage was devoted to the growing and selling of corn and soybeans for profit, as evidenced by documents taxpayer produced at the hearing. It should be noted that, at the hearing officer's request, taxpayer searched for records to substantiate the agricultural exemption for the 2001 tax year. As there were none, taxpayer sent a letter to the Department admitting its tax liability for 2001. Therefore, that part of taxpayer's protest has, in effect, been withdrawn.

Pursuant to IC § 6-8.1-5-1(b) and 45 IAC 15-5-3(8), a "notice of proposed assessment is prima facie evidence that the department's claim for the unpaid tax is valid. The burden of proving that the proposed assessment is wrong rests with the person against whom the assessment is made." Pursuant to IC § 6-2.5-2-1, a "person who acquires property in a retail transaction is liable for the tax on the transaction and, except as otherwise provided in this chapter, shall pay the tax to the retail merchant as a separate added amount to the consideration in the transaction. The retail merchant shall collect the tax as agent for the state." *See also*, 45 IAC 2.2-2-1. Pursuant to IC §§ 6-2.5-3-1 through 6-2.5-3-7, an "excise tax, known as the use tax, is imposed on the storage, use, or consumption of tangible personal property in Indiana is the property was acquired in a retail transaction." An exemption is provided in IC § 6-2.5-3-4 if "the property was acquired in a retail transaction and the state gross retail tax" was paid at the time of purchase. Taxpayers are personally liable for the tax. (IC § 6-2.5-3-6). IC § 6-2.5-3-7 provides that a "person who acquires tangible personal property from a retail merchant for delivery in Indiana is presumed to have acquired the property for storage, use, or consumption in Indiana;" therefore, the presumption of taxability exists until rebutted. *See also*, 45 IAC 2.2-3-4.

The standards for sustaining a claim for the agricultural exemption can be found at IC § 6-2.5-5-1, IC § 6-2.5-5-2, and 45 IAC 2.2-5-1 through 45 IAC 2.2-5-7. Both IC § 6-2.5-5-1 and IC § 6-2.5-5-2 exempt certain transactions involving particular items from the state's gross retail and use taxes if the following requirements are met: taxpayer must acquire the property for "direct use in the direct production of food or commodities for sale" and be 'occupationally engaged in the production of food or commodities" to be sold "for human or animal consumption." IC § 6-2.5-5-1. Secondly, "transactions involving agricultural machinery or equipment

are exempt... if" taxpayer "acquires it for use in conjunction with the production of food or commodities for sale" and is "occupationally engaged in the production of food or commodities which he sells for human or animal consumption." IC § 6-2.5-5-2. Taxpayer's agricultural activities meet these statutory requirements. *See*, e.g., the lease executed between taxpayer and the landowner, Section Four, "Permissible Use." Taxpayer leased the property "for the purpose of producing crops." *See also*, invoices showing amounts taxpayer received as income from sales of soybeans and corn.

45 IAC 2.2-5-1 through 45 IAC 2.2-5-7 provide definitions for the important terms in the statutes. A farmer is someone "occupationally engaged in producing food or agricultural commodities for sale.... Only those persons, partnerships, or corporations whose intention it is to produce such food or commodities at a profit and not those persons who intend to engage in such production for pleasure or as a hobby qualify within this definition." 45 IAC 2.2-5-1(a). Taxpayer sold the crops produced through a somewhat complicated process involving selling to local elevators for "cash today" because farmers typically do not have easy access to transportation. Taxpayer chose someone to consolidate his crop with others at the point of distribution where it was stored and then delivered to the train for transport to a processing center.

A predominant use requirement appears nowhere in either the statutes or the regulations. *See*, 45 IAC 2.2-5-3(c)(1) and 45 IAC 2.2-5-4(b). That is, to receive the exemption, taxpayers can do what taxpayer in the instant case does: operate several different businesses for profit, simultaneously, including growing crops for profit, the only requirement for the exemption.

Taxpayer has provided sufficient evidence to show that it is entitled to the agricultural exemption for the transactions at issue.

FINDING

Taxpayer's protest concerning the audit's denial of the agricultural exemption on items purchased in connection with its business of growing crops, to the extent those items were actually used to produce crops for sale in 1998, 1999, and 2000, is granted.

II. Penalty—Request for waiver

DISCUSSION

Taxpayer protests the imposition of the 10% negligence penalty. Taxpayer argues that it had reasonable cause for failing to pay the appropriate amount of tax due because it reasonably believed it was entitled to the agricultural exemption for the retail transactions at issue.

Indiana Code Section 6-8.1-10-2.1(d) states that if a taxpayer subject to the negligence penalty imposed under this section can show that the failure to file a return, pay the full amount of tax shown on the person's return, timely remit taxes held in trust, or pay the deficiency determined by the department was due to reasonable cause and not due to willful neglect, the department shall waive the penalty. Indiana Administrative Code, Title 45, Rule 15, section 11-2 defines negligence as the failure to use reasonable care, caution, or diligence as would be expected of an ordinary reasonable taxpayer. Negligence results from a taxpayer's carelessness, thoughtlessness, disregard or inattention to duties placed upon the taxpayer by Indiana's tax statutes and administrative regulations.

In order for the Department to waive the negligence penalty, taxpayer must prove that its failure to pay the full amount of tax due was due to reasonable cause. Taxpayer may establish reasonable cause by "demonstrat[ing] that it exercised ordinary business care and prudence in carrying or failing to carry out a duty giving rise to the penalty imposed...." In determining whether reasonable cause existed, the Department may consider the nature of the tax involved, previous judicial precedents, previous department instructions, and previous audits.

Taxpayer has set forth a basis whereby the Department could conclude taxpayer exercised the degree of care statutorily imposed upon an ordinarily reasonable taxpayer. Therefore, given the totality of all the circumstances, waiver of the penalty on that portion of the assessment due to denial of the agricultural exemption is appropriate in this particular instance.

FINDING

Taxpayer's protest concerning the proposed imposition of the 10% negligence penalty on the audit's denial of the agricultural exemption is granted.

DEPARTMENT OF STATE REVENUE

0220030406.LOF

LETTER OF FINDINGS: 03-0406
Indiana Corporate Income Tax
For the Years 1997, 1998, and 1999

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of the document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUES

I. Royalty Payments as Business Expenses.

Authority: IC 6-3-2-2(l); IC 6-3-2-2(m); Gregory v. Helvering 293 U.S. 465 (1935); Lee v. Commissioner of Internal Revenue,

155 F.2d 584 (2d Cir. 1998); Horn v. Commissioner of Internal Revenue, 968 F.2d 1229 (D.C. Cir. 1992); Commissioner v. Transp. Trading and Terminal Corp., 176 F.2d 570 (2nd Cir. 1949); Bethlehem Steel Corp. v. Ind. Dept. of State Revenue, 597 N.E.2d 1327 (Ind. Tax Ct. 1992).

Taxpayer argues that the Department of Revenue (Department) erred when it disallowed business expenses consisting of royalty payments paid to a related Delaware holding company.

II. Royalty Payment Amounts for 1999.

Authority: IC 6-8.1-5-1; IC 6-8.1-5-1(a); IC 6-8.1-5-1(b).

Taxpayer maintains that the Department's factual conclusion as to the amount of its 1999 royalty payments was erroneous.

STATEMENT OF FACTS

Taxpayer is an out-of-state company which manufacturers and sells electronic parts. As part of its business operation, taxpayer owned patents and trademarks. The patents and trademarks were attributable to inventions originated and produced by taxpayer and its various foreign and domestic affiliates.

Starting in 1991, taxpayer restructured ownership of its intellectual property including the patents and trademarks.

Prior to 1992, the ownership of the patents was held by taxpayer's "Patent Department." The "Patent Department" was one of taxpayer's wholly-owned subsidiaries. Effective September 1, 1992, taxpayer decided to reorganize its business operations and transformed its "Patent Department" into a separate corporation. Hereinafter, this newly formed "separate corporation" is referred to as the "Delaware holding company."

On September 2, 1992, taxpayer signed an agreement with Delaware holding company conveying and assigning to Delaware holding company all patent ownership rights to "inventions made from time to time by employees of [taxpayer] and... in the inventions described in such applications."

The September 2 assignment agreement was preceded by a "License Agreement" signed between taxpayer and Delaware holding company on September 1, 1992. The "License Agreement" granted taxpayer the exclusive right to use Delaware holding company's patents in its business operations. In addition, the Delaware holding company agreed to provide certain services related to the ownership of the patents. Delaware holding company agreed to maintain the patent registrations; investigate and prosecute patent infringements; investigate the "scope of the patents" and applicability of the relevant government property laws; and periodically conduct a "review of all [licensed] patent agreements and patent applications."

In consideration for the right to make use of the patents in its electronics part business, taxpayer agreed to pay Delaware holding company five percent of its sales revenue in the form of royalty fees.

On September 1, 1992, taxpayer and Delaware holding company entered into a second agreement indicating the taxpayer had assigned Delaware holding company rights to particular intellectual property previously licensed to taxpayer's international subsidiaries. Delaware holding company agreed to continue allowing the international subsidiaries the right to make use of this intellectual property. In return, Delaware holding company promised to pay taxpayer a portion of the license fees received from the international subsidiaries.

On January 1, 1993, taxpayer and Delaware holding company entered a third series of agreements in which taxpayer assigned Delaware holding company all of its "foreign trademark and service applications" along with its "common law marks... together with the goodwill of the business as symbolized by the marks." In an ancillary agreement, Delaware holding company agreed to license taxpayer the right to use the intellectual property in return for which taxpayer promised to pay Delaware holding company a royalty fee of one percent of its sales revenue.

During 2003, the Department conducted an audit review of taxpayer's business records and tax returns. The review resulted in an assessment of additional corporate income tax. Taxpayer disagreed with the results of the audit and submitted a protest to that effect. An administrative hearing was conducted during which taxpayer explained the basis for its protest. Subsequently, taxpayer determined that it would be appropriate to withdraw its challenge of two of the protested issues. However, taxpayer continues to challenge issues related to the payment of royalties to Delaware holding company. This Letter of Findings results.

DISCUSSION

I. Royalty Payments as Business Expenses.

During 1992 through 1994, taxpayer entered into a series of agreements by which it ostensibly transferred ownership of patents and trademarks to a wholly-owned Delaware holding company. The Delaware holding company agreed to perform certain particularized services in regard to maintaining that intellectual property. In return, taxpayer promised to pay Delaware holding company a royalty fee based upon taxpayer's sales. Taxpayer did so; it paid Delaware holding company approximately $159,000,000 in royalties during 1997, and it paid approximately $164,000,000 in royalties during 1998. Because – at the time of the audit review – exact business expense records were unavailable, the audit review estimated the amount of 1999 royalty payments based upon "the best information available." The audit estimated that taxpayer had paid approximately $121,000,000 in royalties during 1999. On its income tax returns, taxpayer deducted these royalty payments as business expenses.

During the audit review, the Department concluded that the royalty payments were not legitimate business expenses and disallowed the deductions. The audit did so because it found that the deduction "substantially diluted the federal taxable income

that would be subject to Indiana adjusted gross and supplemental net income taxes and help[] to create net operating losses." The audit concluded that the royalty payments – and the underlying transfer of the intellectual property to Delaware holding company – were "transaction[s] with no true economic substance."

Taxpayer disagrees maintaining that the royalty payments were arm's-length payments to Delaware holding company for permission to use the patents and intellectual property. According to taxpayer, Delaware holding company is a "viable, substantive corporate entity with its own employees, office space, management, and on going operations." Taxpayer points out that Delaware holding company performs a number of legitimate functions by managing and maintaining the patents and intellectual property. Taxpayer indicates that Delaware holding company performs the following functions:

1. Delaware holding company conducts "clearance investigations" at the time taxpayer produces a potentially patentable new invention.
2. Delaware holding company "prosecutes" all domestic and foreign patent applications; i.e., it takes all the steps necessary to have patents actually issued in response to proposed applications.
3. Delaware holding company initiates legal proceedings related to potential patent infringements.

In addition to the above-listed description of Delaware holding company's responsibilities, taxpayer has provided information purporting to document the fact that Delaware holding company is an actual, honest-to-goodness corporate entity having its own employees, office space, management, and organizational structure all of which are directed toward maintaining and protecting Delaware holding company/taxpayer's patents and intellectual property.

The issue is whether the audit was justified in disregarding the royalty payments for purposes of calculating taxpayer's Indiana adjusted gross income.

IC 6-3-2-2(m) provides as follows:

> In the case of two (2) or more organizations, trades, or businesses owned or controlled directly or indirectly by the same interests, the department shall distribute, apportion, or allocate the income derived from sources within the state of Indiana between and among those organizations, trades, or businesses in order to fairly reflect and report the income derived from sources within the state of Indiana by various taxpayers.

In addition, IC 6-3-2-2(l) vests both taxpayers and the Department with authority to allocate and apportion a taxpayer's income within and among the members of a unitary group of related entities.

> If the allocation and apportionment provisions of this article do not fairly represent the taxpayer's income derived from sources within the state of Indiana, the taxpayer may petition for or the department may require, in respect to all of any part of the taxpayer's business activity, if reasonable;
>
> (1) separate accounting;
>
> (2) the exclusion of any one (1) or more of the factors;
>
> (3) the inclusion of one (1) or more additional factors which will fairly represent the taxpayer's income derived from sources within the state of Indiana; or
>
> (4) the employment of any other method to effectuate an equitable allocation and apportionment of the taxpayer's income.

Under IC 6-3-2-2(l), the audit was correct in disallowing the claimed business expenses in the form of royalty payments in order to "fairly represent the taxpayer's income derived from sources within the state of Indiana...." Id. Although the information provided by taxpayer does give evidence of the fact that Delaware holding performed a legitimate function by protecting the integrity of the patents and intellectual property, both the transfer of those properties to Delaware holding company and the resulting payment of substantial royalties are devoid of economic substance.

Prior to transferring ownership of the patents and intellectual property to Delaware holding company, there is no indication that any determination was made concerning the value of these properties. There is no indication that Delaware holding company gave any consideration in return for receiving ownership of the patents and intellectual property, which – by agreement of both taxpayer and the Department – consisted of property having both present and potential significant value. Instead, taxpayer apparently simply "assigned" these valuable properties to Delaware holding company without receiving any consideration in return. This seemingly arbitrary and one-sided transfer does not indicate that the transfer of the properties was a truly "arms-length" transaction.

In addition, the Delaware holding company was never a disinterested third-party at the onset of the initial property transfer or at the time it agreed to allow taxpayer continued use of the property. Although reconfigured in outward form, the Delaware holding company was at all times simply a wholly-owned division of the taxpayer's business operations. It would appear to be an inescapable conclusion that the patents and intellectual property were simply moved from one corporate pocket into another.

It is also noteworthy that after taxpayer assigned Delaware holding company ownership of the patents and trademarks, taxpayer then began to pay substantial sums of money for permission to use the very property which it once owned. During 1997, taxpayer paid Delaware holding company 159 million dollars; in 1998, taxpayer paid 164 million dollars; in 1999 taxpayer paid an estimated 121 million dollars. During these three years, taxpayer paid approximately $444,000,000 to Delaware holding company. Although it would appear that Delaware holding company is a viable business entity that performs certain legitimate services in connection with the patents and trademarks, the amount paid Delaware holding company seems wildly disproportionate to the services expected

of Delaware holding company during this period.

The anomalous royalty payments are better understood in light of the fact that taxpayer and Delaware holding company have entered into a "revolving credit agreement." The agreement between the parties – as of 1999 – allows taxpayer to borrow up to $500,000,000 from Delaware holding company. As the Department understands this credit agreement, taxpayer is entitled to borrow from Delaware holding company the same money it paid in royalties. This conclusion is reinforced by the audit's finding that Delaware holding company paid taxpayer $180,000,000 in dividends to taxpayer during 1997 and paid $215,000,000 in dividends to taxpayer during 1998.

In sum, taxpayer transferred to wholly-owned Delaware holding company ownership of valuable intellectual property without receiving consideration in return. Delaware holding company performed certain services related to protecting the intellectual property. Taxpayer paid millions of dollars in the form of royalties for the right to use intellectual property which it transferred to Delaware holding company. Taxpayer received proportional sums from Delaware holding company in the form of dividends and loans. This arrangement enabled taxpayer to claim business expense deductions for the royalty payments and – presumably – the "interest" paid to Delaware holding company and attributable to the revolving credit agreement.

The Department is led to the conclusion that the audit was correct in disallowing the royalty payments as business expenses. The transfer of the patents and trademarks does not make any business sense. Instead, the transfer of the intellectual property to wholly-owned Delaware holding company, the payment of millions of dollars in the form of royalty payments for the right to use property which it gave away, and the "revolving credit agreement" by which taxpayer retrieved the royalty payments appear to be nothing more than a form of highly-stylized corporate theater.

In addition, the audit would have been justified in disallowing the royalty and interest deductions on the ground that the expenses were incurred as a result of a "sham transaction."

The "sham transaction" doctrine is well established both in state and federal tax jurisprudence dating back to Gregory v. Helvering 293 U.S. 465 (1935). In that case, the Court held that in order to qualify for a favorable tax treatment, a corporate reorganization must be motivated by the furtherance of a legitimate corporate business purpose. Id at 469. A corporate business activity undertaken merely for the purpose of avoiding taxes was without substance and "[t]o hold otherwise would be to exalt artifice above reality and to deprive the statutory provision in question of all serious purpose." Id at 470. The courts have subsequently held that "in construing words of a tax statute which describe [any] commercial transactions [the court is] to understand them to refer to transactions entered upon for commercial or industrial purposes and not to include transactions entered upon for no other motive but to escape taxation." Commissioner v. Transp. Trading and Terminal Corp., 176 F.2d 570, 572 (2nd Cir. 1949), *cert denied,* 338 U.S. 955 (1950). "[t]ransactions that are invalidated by the [sham transaction] doctrine are those motivated by nothing other than the taxpayer's desire to secure the attached tax benefit" but are devoid of any economic substance. Horn v. Commissioner of Internal Revenue, 968 F.2d 1229, 1236-37 (D.C. Cir. 1992). In determining whether a business transaction was an economic sham, two factors can be considered; "(1) did the transaction have a reasonable prospect, ex ante, for economic gain (profit), and (2) was the transaction undertaken for a business purpose other than the tax benefits?" Id. at 1337.

Taxpayer maintains that the transfer of its intellectual property to the Delaware holding company was made for a legitimate business purpose. Specifically, taxpayer points to the services Delaware holding company performed in protecting and maintaining the value of the intellectual property. However, the legitimate services Delaware holding company performed or in the manner in which Delaware holding company was compensated are not at issue. What is at issue is the validity of the initial transfer of the intellectual property and the consequent royalty payments. In this instance, there is nothing to indicate that the parties ever determined the value of the intellectual property before it was transferred. There is nothing to indicate that taxpayer ever received any consideration for the intellectual property at the time ownership of the property was transferred. There is no indication that the royalty payments were anything more than an arbitrary transfer of sums to a related entity.

The question of whether or not a transaction is a sham, for purposes of the doctrine, is primarily a factual one. Lee v. Commissioner of Internal Revenue, 155 F.2d 584, 586 (2d Cir. 1998). The taxpayer has the burden of demonstrating that the subject transaction was entered into for a legitimate business purpose. IC 6-8.1-5-1(b).

The taxpayer has failed to meet its burden of demonstrating that the transfer of the intellectual property to the Delaware holding company or that the royalty payments subsequently made were supported by any business purpose other than tax avoidance.

Taxpayer is, of course, entitled to structure its business affairs in any manner its sees fit and to vigorously pursue any tax advantage attendant upon the management of those affairs. However, in determining the nature of a business transaction and the resultant tax consequences, the Department is required to look at "the substance rather than the form of the transaction." Bethlehem Steel Corp. v. Ind. Dept. of State Revenue, 597 N.E.2d 1327, 1331 (Ind. Tax Ct. 1992). The transfer of the intellectual property and the royalty payments were purely matters of "form" and lack any business "substance."

FINDING

Taxpayer's protest is respectfully denied.

II. Royalty Payment Amounts for 1999.

At the time the original audit was conducted, it was not possible to determine the exact amount of royalty payments taxpayer

paid Delaware holding company during 1999 because the payments were "included in broad categories and not broken down to individual expenses and amounts." Instead, the audit computed 1999 royalty payments based upon "the best information available." Based upon that available information, the audit found that taxpayer had paid 121 million dollars to Delaware holding company in the form of royalties during 1999.

Taxpayer now argues that the 121 million estimate was an overstatement of actual 1999 royalty payments. Taxpayer explains that it was not initially possible to provide the audit with more detailed information because it as "insufficiently staffed" and had recently "underwent significant management and staff level changes." Taxpayer maintains that it has subsequently reviewed its 1999 expenses and now finds that it paid approximately $99,000,000 in royalties during 1999.

The audit calculated the 1999 royalties under authority of IC 6-8.1-5-1 which states that, "If the department reasonably believes that a person has not reported the proper amount of tax due, the department shall make a proposed assessment of the amount of the unpaid tax on the basis of the best information available to the department." IC 6-8.1-5-1(a).

The audit report's conclusion as to the amount of taxpayer's foreign source income expenses is presumed correct. "The burden of proving that the proposed assessment is wrong rests with the person against whom the proposed assessment is correct." IC 6-8.1-5-1(b). The Department is not inclined to overturn the audit's finding as to the 1999 royalty payments based upon taxpayer's say-so because taxpayer has not met its burden of proving that the original assessment is *incorrect*; what taxpayer has done is advance an argument that is not entirely frivolous. The audit division is requested to review taxpayer's documentation and – to the extent taxpayer can substantiate its argument as the amount of 1999 royalties – make whatever adjustment it deems appropriate.

FINDING

To the extent taxpayer can substantiate its argument concerning the amount of royalties paid during 1999, taxpayer's protest is sustained.

DEPARTMENT OF STATE REVENUE

0320040073P.LOF

LETTER OF FINDINGS NUMBER: 04-0073P
Withholding Tax
For the month of April 2003

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUE

I. Tax Administration – Penalty

Authority: IC 6-8.1-10-2.1(d); 45 IAC 15-11-2; 45 IAC 1-1-54

The taxpayer protests the late penalty.

STATEMENT OF FACTS

The late penalty was assessed on the late payment of a monthly withholding tax return for the month of April 2003.

The taxpayer is a company residing in Indiana.

I. Tax Administration – Penalty

DISCUSSION

The taxpayer requests the penalty be waived as the tax return was missent to the taxpayer's residence instead of the taxpayer's business by the taxpayer's accountant. The taxpayer did not realize the tax form had been sent to his residence as his wife was hospitalized and the taxpayer did not open his mail until June 2003, whereupon the taxpayer realized the April return was overdue. Furthermore, the taxpayer argues he has a good compliance history.

With regard to the missent mail, the taxpayer is liable for the actions of an agent. In this case, the accountant. As such, the taxpayer is liable for the missent mail and fails to establish reasonable cause on this point. 45 IAC 1-1-54

With regard to the illness, the Department will waive penalty in the event of an incapacitating illness. However, the incapacitating illness must afflict the said taxpayer and prevent the taxpayer from performing tax duties. The Department does not feel the incapacitating illness on the part of the taxpayer's wife prevents the taxpayer from opening his mail and filing monthly tax returns on time. As such, the taxpayer fails to establish reasonable cause on this point.

With regard to the good compliance history that the taxpayer claims, the Department records show the Department has waived penalty on a previous liability. Due to the existence of a previous error, the Department does not feel the taxpayer has established a good compliance history. As such, the taxpayer fails to establish reasonable cause on this point.

45 IAC 15-11-2(b) states, "Negligence, on behalf of a taxpayer is defined as the failure to use such reasonable care, caution,

or diligence as would be expected of an ordinary reasonable taxpayer. Negligence would result from a taxpayer's carelessness, thoughtlessness, disregard or inattention to duties placed upon the taxpayer by the Indiana Code or department regulations. Ignorance of the listed tax laws, rules and/or regulations is treated as negligence. Further, failure to read and follow instructions provided by the department is treated as negligence. Negligence shall be determined on a case by case basis according to the facts and circumstances of each taxpayer."

The Department finds the taxpayer inattentive to tax duties. Inattention is negligence and negligence is subject to penalty. As such, the Department finds the penalty proper and denies the penalty protest.

FINDING

The taxpayer's penalty protest is denied.

DEPARTMENT OF STATE REVENUE

0420040074P.LOF

LETTER OF FINDINGS NUMBER: 04-0074P
Sales Tax
For the month of April 2003

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUE

I. Tax Administration – Penalty

Authority: IC 6-8.1-10-2.1(d); 45 IAC 15-11-2; 45 IAC 1-1-54

The taxpayer protests the late penalty.

STATEMENT OF FACTS

The late penalty was assessed on the late payment of a monthly sales tax return for the month of April 2003.
The taxpayer is a company residing in Indiana.

I. Tax Administration – Penalty

DISCUSSION

The taxpayer requests the penalty be waived as the tax return was missent to the taxpayer's residence instead of the taxpayer's business by the taxpayer's accountant. The taxpayer did not realize the tax form had been sent to his residence as his wife was hospitalized and the taxpayer did not open his mail until June 2003, whereupon the taxpayer realized the April returns were overdue. Furthermore, the taxpayer argues he has a good compliance history.

With regard to the missent mail, the taxpayer is liable for the actions of an agent. In this case, the accountant. As such, the taxpayer is liable for the missent mail and fails to establish reasonable cause on this point. 45 IAC 1-1-54

With regard to the illness, the Department will waive penalty in the event of an incapacitating illness. However, the incapacitating illness must afflict the said taxpayer and prevent the taxpayer from performing tax duties. The Department does not feel the incapacitating illness on the part of the taxpayer's wife prevents the taxpayer from opening his mail and filing monthly tax returns on time. As such, the taxpayer fails to establish reasonable cause on this point.

With regard to the good compliance history that the taxpayer claims, the Department records show the Department has waived penalty on a previous liability. Due to the existence of a previous error, the Department does not feel the taxpayer has established a good compliance history. As such, the taxpayer fails to establish reasonable cause on this point.

45 IAC 15-11-2(b) states, "Negligence, on behalf of a taxpayer is defined as the failure to use such reasonable care, caution, or diligence as would be expected of an ordinary reasonable taxpayer. Negligence would result from a taxpayer's carelessness, thoughtlessness, disregard or inattention to duties placed upon the taxpayer by the Indiana Code or department regulations. Ignorance of the listed tax laws, rules and/or regulations is treated as negligence. Further, failure to read and follow instructions provided by the department is treated as negligence. Negligence shall be determined on a case by case basis according to the facts and circumstances of each taxpayer."

The Department finds the taxpayer inattentive to tax duties. Inattention is negligence and negligence is subject to penalty. As such, the Department finds the penalty proper and denies the penalty protest.

FINDING

The taxpayer's penalty protest is denied.

DEPARTMENT OF STATE REVENUE

0320040112.LOF

LETTER OF FINDINGS NUMBER: 04-0112
Sales and Withholding Tax
Responsible Officer
For the Tax Period April, 1999 – November, 1999

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUE

1. Sales Tax and Withholding Taxes -Responsible Officer Liability

Authority: IC 6-2.5-9-3, IC 6-3-4-8(f), IC 6-8.1-5-1(b).

The taxpayer protests the assessment of responsible officer liability for unpaid corporate sales and withholding taxes.

STATEMENT OF FACTS

The Indiana Department of Revenue, hereinafter referred to as the "department," assessed sales taxes, withholding taxes, interest and penalty against the taxpayer as a responsible officer of a corporation that did not properly remit said trust taxes during the tax period April, 1999 through November, 1999. The taxpayer protested the assessment and a hearing was held.

1. Sales and Withholding Taxes-Responsible Officer Liability

DISCUSSION

Indiana Department of Revenue assessments are prima facie evidence that the taxes are owed by the taxpayer who has the burden of proving that the assessment is incorrect. IC 6-8-1-5-1(b).

The proposed sales tax liability was issued under authority of IC 6-2.5-9-3 that provides as follows:

An individual who:

(1) is an individual retail merchant or is an employee, officer, or member of a corporate or partnership retail merchant; and

(2) has a duty to remit state gross retail or use taxes to the department;

holds those taxes in trust for the state and is personally liable for the payment of those taxes, plus any penalties and interest attributable to those taxes, to the state.

The proposed withholding taxes were assessed against the taxpayer pursuant to IC 6-3-4-8(f), which provides that "In the case of a corporate or partnership employer, every officer, employee, or member of such employer, who, as such officer, employee, or member is under a duty to deduct and remit such taxes shall be personally liable for such taxes, penalties, and interest."

The taxpayer provided significant documentation evidencing that he left his position with the corporation in November, 1998. Since the taxpayer was not an employee, officer, or member of the corporation from April, 1999 through November, 1999, the taxpayer cannot be held personally responsible for trust taxes that the corporation did not remit to the state.

FINDING

The taxpayer's protest is sustained.

DEPARTMENT OF STATE REVENUE

0420040143P.LOF

LETTER OF FINDINGS NUMBER: 04-0143P
Sales & Use Tax
For the Month of January 2003

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superceded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUE

I. Tax Administration – Penalty

Authority: IC 6-8.1-10-2.1(d); 45 IAC 15-11-2;

The taxpayer protests the late penalty.

II. Tax Administration – Interest

Authority: IC 6-8.1-10-1

The taxpayer protests the interest assessment.

STATEMENT OF FACTS

The late penalty and interest were assessed on the late filing of a monthly sales tax return for the month of January 2003.

The taxpayer is located in Indiana.

I. Tax Administration – Penalty

DISCUSSION

The taxpayer requests the penalty be waived as the error was the result of an inadvertent miscalculation. Furthermore, the taxpayer cites a good payment history as a factor in waiving the penalty.

The Department points out the taxpayer has had a previous error with regard to the filing of monthly trust taxes. Because of the previous error, the Department does not feel the taxpayer has established a good payment history that would be a factor in waiving a penalty.

45 IAC 15-11-2(b) states, "Negligence, on behalf of a taxpayer is defined as the failure to use such reasonable care, caution, or diligence as would be expected of an ordinary reasonable taxpayer. Negligence would result from a taxpayer's carelessness, thoughtlessness, disregard or inattention to duties placed upon the taxpayer by the Indiana Code or department regulations. Ignorance of the listed tax laws, rules and/or regulations is treated as negligence. Further, failure to read and follow instructions provided by the department is treated as negligence. Negligence shall be determined on a case by case basis according to the facts and circumstances of each taxpayer."

The Department finds the taxpayer was inattentive of tax duties as a result of the miscalculation. As inattention is negligence and subject to penalty, the Department finds the penalty proper and denies the penalty protest.

FINDING

The taxpayer's penalty protest is denied.

II. Tax Administration – Interest

Interest may not be waived according to statute. IC 6-8.1-10-1.

DEPARTMENT OF STATE REVENUE

0320040160P.LOF

LETTER OF FINDINGS NUMBER: 04-0160P
Withholding Tax
For the periods March 31,2002, June 30, 2002, September 30, 2002,
December 31, 2002, March 31, 2003 and June 30, 2003

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUE

I. Tax Administration – Penalty

Authority: IC 6-8.1-10-2.1(d); 45 IAC 15-11-2

The taxpayer protests the late penalty.

II. Tax Administration - Interest

Authority: IC 6-8.1-10-1

The taxpayer protests the interest assessment.

STATEMENT OF FACTS

The late penalty and interest were assessed on the late filing of a monthly withholding tax returns for the months of March 31, 2002, June 30, 2002, September 31, 2002, December 31, 2002, March 31, 2003, and June 30, 2003.

The taxpayer is a sole proprietorship located in Indiana.

I. Tax Administration – Penalty

DISCUSSION

The taxpayer requests the penalty be waived as the errors were the result of the in-charge bookkeeper (the wife of the taxpayer) having an incapacitating illness. The incapacitating illness prevented the bookkeeper from properly filing the quarterly withholding tax returns for the aforementioned periods. The taxpayer did not become aware of the degree of the bookkeeper's illness until October 2003 upon counsel from the doctor.

The taxpayer also cites a good payment history as a factor in waiving the penalty.

With regard to the incapacitating illness, the Department waives penalty in the event of an incapacitating illness. In the instant case, the doctor's letter states the bookkeeper was incapacitated through the year 2003. Nothing was said about 2002.

With regard to the payment history, the Department notes the taxpayer has had several errors in previous periods. The Department does not feel the taxpayer has established a good payment history that would be a factor in waiving penalty.

45 IAC 15-11-2(b) states, "Negligence, on behalf of a taxpayer is defined as the failure to use such reasonable care, caution, or diligence as would be expected of an ordinary reasonable taxpayer. Negligence would result from a taxpayer's carelessness, thoughtlessness, disregard or inattention to duties placed upon the taxpayer by the Indiana Code or department regulations. Ignorance of the listed tax laws, rules and/or regulations is treated as negligence. Further, failure to read and follow instructions provided by the department is treated as negligence. Negligence shall be determined on a case by case basis according to the facts and circumstances of each taxpayer."

The Department finds incapacitating illness to be cause in not filing the tax returns on time. The doctor's letter covers the periods of December 31, 2002, March 31, 2003, and June 30, 2003. Thus, the penalty protest is sustained for these three periods. The penalty protest is denied for the periods March 31, 2002, June 30, 2002, and September 30, 2002 as the doctor's letter did not cover these periods.

FINDING

The taxpayer's penalty protest is sustained in part and denied in part.

II. Tax Administration – Interest

Interest may not be waived according to statute. IC 6-8.1-10-1.

DEPARTMENT OF STATE REVENUE

0420040161P.LOF

LETTER OF FINDINGS NUMBER: 04-0161P
Sales & Use Tax
For the periods August 31, 2002, October 31, 2002, November 30, 2002, April 30, 2003, May 31, 2003, June 30, 2003, July 31, 2003, and August 31, 2003

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUE

I. Tax Administration – Penalty

Authority: IC 6-8.1-10-2.1(d); 45 IAC 15-11-2

The taxpayer protests the late penalty.

II. Tax Administration – Interest

Authority: IC 6-8.1-10-1

The taxpayer protests the interest assessment.

STATEMENT OF FACTS

The late penalty and interest were assessed on the late filing of monthly sales tax returns for the months of August 31, 2002, October 31, 2002, November 30, 2002, April 30, 2003, May 31, 2003, June 30, 2003, July 31, 2003, and August 31, 2003.

The taxpayer is a sole proprietorship located in Indiana.

I. Tax Administration – Penalty

DISCUSSION

The taxpayer requests the penalty be waived as the errors were the result of the in-charge bookkeeper (the wife of the taxpayer) having an incapacitating illness. The incapacitating illness prevented the bookkeeper from properly filing the monthly sales tax returns for the aforementioned periods. The taxpayer did not become aware of the degree of the bookkeeper's illness until October 2003 upon counsel from the doctor.

The taxpayer also cites a good payment history as a factor in waiving the penalty.

With regard to the incapacitating illness, the Department waives penalty in the event of an incapacitating illness. In the instant case, the doctor's letter states the bookkeeper was incapacitated through the year 2003. Nothing was said about 2002.

With regard to the payment history, the Department notes the taxpayer has had several errors in previous periods. The Department does not feel the taxpayer has established a good payment history that would be a factor in waiving penalty.

45 IAC 15-11-2(b) states, "Negligence, on behalf of a taxpayer is defined as the failure to use such reasonable care, caution, or diligence as would be expected of an ordinary reasonable taxpayer. Negligence would result from a taxpayer's carelessness, thoughtlessness, disregard or inattention to duties placed upon the taxpayer by the Indiana Code or department regulations. Ignorance of the listed tax laws, rules and/or regulations is treated as negligence. Further, failure to read and follow instructions provided by

the department is treated as negligence. Negligence shall be determined on a case by case basis according to the facts and circumstances of each taxpayer."

The Department finds incapacitating illness to be cause in not filing the tax returns on time. The doctor's letter covers the periods of the calendar year 2003. Thus, the penalty protest is sustained for the periods April 30, 2003, May 31, 2003, June 30, 2003, July 31, 2003, and August 31, 2003. The penalty protest for the periods in the calendar year 2002 are denied. These periods are August 31, 2002, October 31, 2002, and November 30, 2002.

FINDING

The taxpayer's penalty protest is sustained in part and denied in part.

II. Tax Administration – Interest

Interest may not be waived according to statute. IC 6-8.1-10-1.

DEPARTMENT OF STATE REVENUE

0320040162P.LOF

LETTER OF FINDINGS NUMBER: 04-0162P
Withholding Tax
For the Month of December 2003

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superceded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUE

I. Tax Administration – Penalty

Authority: IC 6-8.1-10-2.1(d); 45 IAC 15-11-2

The taxpayer protests the late penalty.

II. Tax Administration - Interest

Authority: IC 6-8.1-10-1

The taxpayer protests the interest assessment.

STATEMENT OF FACTS

The late penalty and interest were assessed on the late filing of a monthly withholding tax return for the month of December 2003.

The taxpayer is a local government organization located in Indiana.

I. Tax Administration – Penalty

DISCUSSION

The taxpayer requests the penalty be waived as the error was the result of the new Clerk-Treasurer being unaware of the early filing status.

45 IAC 15-11-2(b) states, "Negligence, on behalf of a taxpayer is defined as the failure to use such reasonable care, caution, or diligence as would be expected of an ordinary reasonable taxpayer. Negligence would result from a taxpayer's carelessness, thoughtlessness, disregard or inattention to duties placed upon the taxpayer by the Indiana Code or department regulations. Ignorance of the listed tax laws, rules and/or regulations is treated as negligence. Further, failure to read and follow instructions provided by the department is treated as negligence. Negligence shall be determined on a case by case basis according to the facts and circumstances of each taxpayer."

The Department finds the taxpayer was ignorant of tax duties. As ignorance is negligence and subject to penalty, the Department finds the penalty proper and denies the penalty protest.

FINDING

The taxpayer's penalty protest is denied.

II. Tax Administration – Interest

Interest may not be waived according to statute. IC 6-8.1-10-1.

TITLE 10 OFFICE OF ATTORNEY GENERAL FOR THE STATE

10 IAC 1.5	RA	03-102	26 IR 3425	**27 IR 946**
10 IAC 1.5-6	N	03-101	26 IR 3374	**27 IR 450**
10 IAC 3-1-1	A	03-167	26 IR 3909	**27 IR 824**
10 IAC 3-1-2	A	03-167	26 IR 3911	**27 IR 825**

TITLE 11 CONSUMER PROTECTION DIVISION OF THE OFFICE OF THE ATTORNEY GENERAL

11 IAC 2-5-5	N	02-324	26 IR 1598	*AROC (26 IR 2134)
11 IAC 3	N	03-165	26 IR 3911	**27 IR 826**

TITLE 25 INDIANA DEPARTMENT OF ADMINISTRATION

25 IAC 6	N	04-172	27 IR 3595	

TITLE 35 BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT FUND

35 IAC 8-1-1	A	04-18	27 IR 2305	
35 IAC 8-1-2	A	04-18	27 IR 2305	
35 IAC 8-2-1	A	04-18	27 IR 2306	
35 IAC 10	N	04-18	27 IR 2307	
35 IAC 11	N	03-131	26 IR 3678	**27 IR 1164**
35 IAC 12	N	04-18	27 IR 2308	

TITLE 45 DEPARTMENT OF STATE REVENUE

45 IAC 1.3	N	04-125	27 IR 3101	

TITLE 50 DEPARTMENT OF LOCAL GOVERNMENT FINANCE

50 IAC 18	N	03-235	27 IR 909	*AROC (27 IR 2079)
				27 IR 2710
50 IAC 19	N	02-342	26 IR 2397	*ARR (26 IR 3885)
				*AROC (27 IR 287)
				27 IR 450
50 IAC 20	N	03-6	27 IR 908	*CPH (27 IR 1613)
				*ARR (27 IR 2745)
	N	04-174	27 IR 3603	*AROC (27 IR 3707)

TITLE 52 INDIANA BOARD OF TAX REVIEW

52 IAC 2	N	03-179	26 IR 3915	**27 IR 1776**
				*ERR (27 IR 2284)
52 IAC 3	N	03-179	26 IR 3926	**27 IR 1787**
				*ERR (27 IR 2284)
52 IAC 4	N	03-259	27 IR 555	

TITLE 65 STATE LOTTERY COMMISSION

65 IAC 4-1-6	A	04-34	*ER (27 IR 1909)
65 IAC 4-1-6.5	A	04-34	*ER (27 IR 1909)
65 IAC 4-1-7	A	04-34	*ER (27 IR 1909)
65 IAC 4-1-12.2	N	04-34	*ER (27 IR 1909)
65 IAC 4-1-12.3	N	04-34	*ER (27 IR 1909)
65 IAC 4-1-12.4	N	04-34	*ER (27 IR 1909)
65 IAC 4-2-3	A	03-334	*ER (27 IR 1596)
65 IAC 4-2-5	A	03-334	*ER (27 IR 1596)
65 IAC 4-3-1	A	03-334	*ER (27 IR 1597)
65 IAC 4-3-2	A	03-334	*ER (27 IR 1597)
65 IAC 4-329	N	03-237	*ER (27 IR 192)
65 IAC 4-330	N	03-246	*ER (27 IR 199)
65 IAC 4-331	N	03-247	*ER (27 IR 200)
65 IAC 4-333	N	03-292	*ER (27 IR 891)
65 IAC 4-335	N	03-310	*ER (27 IR 1190)
65 IAC 4-336	N	03-338	*ER (27 IR 1602)
65 IAC 4-337	N	04-28	*ER (27 IR 1900)
65 IAC 4-338	N	04-26	*ER (27 IR 1896)
65 IAC 4-339	N	04-30	*ER (27 IR 1903)
65 IAC 4-340	N	04-31	*ER (27 IR 1905)
65 IAC 4-341	N	04-32	*ER (27 IR 1907)
65 IAC 4-342	N	04-169	*ER (27 IR 3085)
65 IAC 4-343	N	04-93	*ER (27 IR 2511)
65 IAC 4-346	N	04-130	*ER (27 IR 2748)
65 IAC 4-347	N	04-193	*ER (27 IR 3584)
65 IAC 5-1-2.2	N	04-34	*ER (27 IR 1909)
65 IAC 5-1-2.4	N	04-34	*ER (27 IR 1910)
65 IAC 5-1-2.6	N	04-34	*ER (27 IR 1910)
65 IAC 5-1-6	A	04-34	*ER (27 IR 1910)
65 IAC 5-1-7	A	04-34	*ER (27 IR 1910)
65 IAC 5-1-8	A	04-34	*ER (27 IR 1910)
65 IAC 5-1-11.2	N	04-34	*ER (27 IR 1910)
65 IAC 5-1-12	A	04-34	*ER (27 IR 1910)
65 IAC 5-5-1	A	03-314	*ER (27 IR 1587)
65 IAC 5-5-1.5	N	03-314	*ER (27 IR 1587)
65 IAC 5-5-2	A	03-314	*ER (27 IR 1587)
65 IAC 5-5-3	A	03-314	*ER (27 IR 1587)
65 IAC 5-5-4	A	03-314	*ER (27 IR 1588)
65 IAC 5-5-5	A	03-314	*ER (27 IR 1588)
65 IAC 5-5-6	A	03-314	*ER (27 IR 1589)
65 IAC 5-6-1	A	03-314	*ER (27 IR 1589)
65 IAC 5-6-1.5	N	03-314	*ER (27 IR 1589)
65 IAC 5-6-2	A	03-314	*ER (27 IR 1590)
65 IAC 5-6-3	A	03-314	*ER (27 IR 1591)
65 IAC 5-6-4	A	03-314	*ER (27 IR 1591)
65 IAC 5-6-5	A	03-314	*ER (27 IR 1591)
65 IAC 5-6-6	A	03-314	*ER (27 IR 1593)
65 IAC 5-9-1	A	03-314	*ER (27 IR 1593)
			*ERR (27 IR 1575)
65 IAC 5-9-1.5	N	03-314	*ER (27 IR 1594)
65 IAC 5-9-2	A	03-314	*ER (27 IR 1594)
65 IAC 5-9-3	A	03-314	*ER (27 IR 1594)
65 IAC 5-9-4	A	03-314	*ER (27 IR 1594)
65 IAC 5-9-9	A	03-314	*ER (27 IR 1595)
65 IAC 5-9-12	A	03-314	*ER (27 IR 1595)

TITLE 68 INDIANA GAMING COMMISSION

68 IAC 1-5-1	A	04-103	27 IR 3115	
68 IAC 2-3-5	A	04-103	27 IR 3115	
68 IAC 2-3-6	A	04-103	27 IR 3117	
68 IAC 2-3-9	A	04-103	27 IR 3118	
68 IAC 2-6-49	A	04-102	27 IR 3109	
68 IAC 2-7-12	A	04-102	27 IR 3109	
68 IAC 4-1-1	RA	03-132	26 IR 3750	*CPH (27 IR 208)
				27 IR 1295
68 IAC 4-1-2	RA	03-132	26 IR 3751	*CPH (27 IR 208)
				27 IR 1296
68 IAC 4-1-3	RA	03-132	26 IR 3751	*CPH (27 IR 208)
				27 IR 1296
68 IAC 4-1-4	RA	03-132	26 IR 3751	*CPH (27 IR 208)
				27 IR 1296
68 IAC 4-1-5	RA	03-132	26 IR 3752	*CPH (27 IR 208)
				27 IR 1297
68 IAC 4-1-6	RA	03-132	26 IR 3752	*CPH (27 IR 208)
				27 IR 1297
68 IAC 4-1-7	RA	03-132	26 IR 3752	*CPH (27 IR 208)
				27 IR 1297
68 IAC 4-1-8	RA	03-132	26 IR 3753	*CPH (27 IR 208)
				27 IR 1298
68 IAC 4-1-9	RA	03-132	26 IR 3753	*CPH (27 IR 208)
				27 IR 1299
68 IAC 4-1-10	RA	03-132	26 IR 3754	*CPH (27 IR 208)
				27 IR 1299
68 IAC 5-3-2	A	04-102	27 IR 3109	
68 IAC 5-3-7	A	04-102	27 IR 3109	
68 IAC 6-3	N	03-204	27 IR 212	**27 IR 2440**
				*ERR (27 IR 3580)
68 IAC 8-1-11	A	04-102	27 IR 3110	
68 IAC 8-2-29	A	04-102	27 IR 3110	
68 IAC 9-4-8	A	04-102	27 IR 3110	
68 IAC 10-1-5	A	04-102	27 IR 3110	
68 IAC 11-1-8	A	04-102	27 IR 3110	
68 IAC 11-3-1	A	04-102	27 IR 3110	
68 IAC 12-1-15	A	04-102	27 IR 3111	

68 IAC 14-4-8	A	04-102	27 IR 3112	
68 IAC 14-5-6	A	04-102	27 IR 3112	
68 IAC 15-1-8	A	04-102	27 IR 3112	
68 IAC 15-9-4	A	04-102	27 IR 3112	
68 IAC 15-10-4.1	A	04-102	27 IR 3113	
68 IAC 15-13-2.5	N	04-102	27 IR 3113	
68 IAC 16-1-16	A	04-102	27 IR 3113	
68 IAC 17-1-5	A	04-102	27 IR 3114	
68 IAC 17-2-6	A	04-102	27 IR 3114	
68 IAC 18-1-2	A	04-102	27 IR 3114	
68 IAC 18-1-6	A	04-102	27 IR 3114	

TITLE 71 INDIANA HORSE RACING COMMISSION

71 IAC 1-1-1	A	04-117	*ER (27 IR 2753)
71 IAC 1.5-1-19	A	04-21	*ER (27 IR 1911)
71 IAC 3-2-9	A	04-21	*ER (27 IR 1911)
	A	04-117	*ER (27 IR 2754)
71 IAC 3-9-4	A	04-21	*ER (27 IR 1912)
71 IAC 3.5-2-9	A	04-117	*ER (27 IR 2754)
71 IAC 4-3-15	A	04-21	*ER (27 IR 1912)
71 IAC 5-1-2	A	04-21	*ER (27 IR 1912)
71 IAC 5-1-3	A	04-21	*ER (27 IR 1913)
71 IAC 5.5-1-2	A	04-21	*ER (27 IR 1913)
71 IAC 5.5-1-3	A	04-21	*ER (27 IR 1913)
71 IAC 5.5-3-3	A	04-21	*ER (27 IR 1914)
71 IAC 5.5-4-2	A	04-21	*ER (27 IR 1915)
71 IAC 6-1-3	A	04-21	*ER (27 IR 1915)
71 IAC 6-3-1	A	04-21	*ER (27 IR 1917)
71 IAC 7-1-11	A	04-21	*ER (27 IR 1917)
71 IAC 7-1-15	A	04-21	*ER (27 IR 1917)
71 IAC 7-1-22	R	04-21	*ER (27 IR 1922)
71 IAC 7-1-28	A	04-21	*ER (27 IR 1918)
71 IAC 7-2-8	A	04-21	*ER (27 IR 1918)
71 IAC 7-3-6	A	03-244	*ER (27 IR 205)
71 IAC 7-3-11	A	04-21	*ER (27 IR 1918)
71 IAC 7-3-13	A	04-21	*ER (27 IR 1919)
71 IAC 7.5-1-2	A	04-21	*ER (27 IR 1919)
71 IAC 7.5-1-4	A	03-244	*ER (27 IR 205)
71 IAC 7.5-1-15	N	04-21	*ER (27 IR 1919)
71 IAC 7.5-6-1	A	04-21	*ER (27 IR 1919)
71 IAC 7.5-6-3	A	03-244	*ER (27 IR 206)
71 IAC 7.5-7-5	A	04-21	*ER (27 IR 1920)
71 IAC 8-6-2	A	04-21	*ER (27 IR 1920)
71 IAC 8-11-3	A	04-21	*ER (27 IR 1920)
71 IAC 8-12	N	04-117	*ER (27 IR 2755)
71 IAC 8.5-5-2	A	04-21	*ER (27 IR 1921)
71 IAC 8.5-11-3	A	04-21	*ER (27 IR 1921)
71 IAC 8.5-12	N	04-117	*ER (27 IR 2756)
71 IAC 12-2-15	A	03-293	*ER (27 IR 896)
71 IAC 13.5-3-1	A	04-21	*ER (27 IR 1921)
71 IAC 13.5-3-2	A	04-21	*ER (27 IR 1922)
71 IAC 13.5-3-3	A	04-21	*ER (27 IR 1922)
71 IAC 13.5-3-4	A	04-21	*ER (27 IR 1922)

TITLE 105 INDIANA DEPARTMENT OF TRANSPORTATION

105 IAC 9-1-1	A	03-17	26 IR 2400	**27 IR 451**
105 IAC 9-1-2	A	03-17	26 IR 2400	**27 IR 452**
105 IAC 9-2-1	A	02-231	26 IR 421	**27 IR 7**
105 IAC 9-2-2	R	02-231		**††27 IR 52**
105 IAC 9-2-3	N	02-231		**††27 IR 7**
105 IAC 9-2-4	N	02-231		**††27 IR 7**
105 IAC 9-2-5	N	02-231		**††27 IR 7**
105 IAC 9-2-6	N	02-231		**††27 IR 7**
105 IAC 9-2-7	N	02-231		**††27 IR 8**
105 IAC 9-2-8	N	02-231		**††27 IR 8**
105 IAC 9-2-9	N	02-231		**††27 IR 8**
105 IAC 9-2-10	N	02-231		**††27 IR 8**
105 IAC 9-2-11	N	02-231		**††27 IR 9**
105 IAC 9-2-12	N	02-231		**††27 IR 9**
105 IAC 9-2-13	N	02-231		**††27 IR 9**
105 IAC 9-2-14	N	02-231		**††27 IR 9**
105 IAC 9-2-15	N	02-231		**††27 IR 10**
105 IAC 9-2-16	N	02-231		**††27 IR 10**
105 IAC 9-2-17	N	02-231		**††27 IR 10**
105 IAC 9-2-18	N	02-231		**††27 IR 10**
105 IAC 9-2-19	N	02-231		**††27 IR 10**
105 IAC 9-2-20	N	02-231		**††27 IR 11**
105 IAC 9-2-21	N	02-231		**††27 IR 11**
105 IAC 9-2-22	N	02-231		**††27 IR 11**
105 IAC 9-2-23	N	02-231		**††27 IR 11**
105 IAC 9-2-24	N	02-231		**††27 IR 12**
105 IAC 9-2-25	N	02-231		**††27 IR 12**
105 IAC 9-2-26	N	02-231		**††27 IR 12**
105 IAC 9-2-27	N	02-231		**††27 IR 12**
105 IAC 9-2-28	N	02-231		**††27 IR 12**
105 IAC 9-2-29	N	02-231		**††27 IR 13**
105 IAC 9-2-30	N	02-231		**††27 IR 13**
105 IAC 9-2-31	N	02-231		**††27 IR 13**
105 IAC 9-2-32	N	02-231		**††27 IR 14**
105 IAC 9-2-33	N	02-231		**††27 IR 14**
105 IAC 9-2-34	N	02-231		**††27 IR 14**
105 IAC 9-2-35	N	02-231		**††27 IR 15**
105 IAC 9-2-36	N	02-231		**††27 IR 15**
105 IAC 9-2-37	N	02-231		**††27 IR 15**
105 IAC 9-2-38	N	02-231		**††27 IR 16**
105 IAC 9-2-39	N	02-231		**††27 IR 16**
105 IAC 9-2-40	N	02-231		**††27 IR 16**
105 IAC 9-2-41	N	02-231		**††27 IR 16**
105 IAC 9-2-42	N	02-231		**††27 IR 16**
105 IAC 9-2-43	N	02-231		**††27 IR 17**
105 IAC 9-2-44	N	02-231		**††27 IR 17**
105 IAC 9-2-45	N	02-231		**††27 IR 18**
105 IAC 9-2-46	N	02-231		**††27 IR 18**
105 IAC 9-2-47	N	02-231		**††27 IR 18**
105 IAC 9-2-48	N	02-231		**††27 IR 18**
105 IAC 9-2-49	N	02-231		**††27 IR 19**
105 IAC 9-2-50	N	02-231		**††27 IR 19**
105 IAC 9-2-51	N	02-231		**††27 IR 19**
105 IAC 9-2-52	N	02-231		**††27 IR 19**
105 IAC 9-2-53	N	02-231		**††27 IR 19**
105 IAC 9-2-54	N	02-231		**††27 IR 19**
105 IAC 9-2-55	N	02-231		**††27 IR 20**
105 IAC 9-2-56	N	02-231		**††27 IR 20**
105 IAC 9-2-57	N	02-231		**††27 IR 20**
105 IAC 9-2-58	N	02-231		**††27 IR 21**
105 IAC 9-2-59	N	02-231		**††27 IR 21**
105 IAC 9-2-60	N	02-231		**††27 IR 21**
105 IAC 9-2-61	N	02-231		**††27 IR 22**
105 IAC 9-2-62	N	02-231		**††27 IR 22**
105 IAC 9-2-63	N	02-231		**††27 IR 22**
105 IAC 9-2-64	N	02-231		**††27 IR 22**
105 IAC 9-2-65	N	02-231		**††27 IR 22**
105 IAC 9-2-66	N	02-231		**††27 IR 22**
105 IAC 9-2-67	N	02-231		**††27 IR 23**
105 IAC 9-2-68	N	02-231		**††27 IR 23**
105 IAC 9-2-69	N	02-231		**††27 IR 23**
105 IAC 9-2-70	N	02-231		**††27 IR 23**
105 IAC 9-2-71	N	02-231		**††27 IR 23**
105 IAC 9-2-72	N	02-231		**††27 IR 23**
105 IAC 9-2-73	N	02-231		**††27 IR 24**
105 IAC 9-2-74	N	02-231		**††27 IR 24**
105 IAC 9-2-75	N	02-231		**††27 IR 24**
105 IAC 9-2-76	N	02-231		**††27 IR 24**
105 IAC 9-2-77	N	02-231		**††27 IR 24**
105 IAC 9-2-78	N	02-231		**††27 IR 25**
105 IAC 9-2-79	N	02-231		**††27 IR 25**
105 IAC 9-2-80	N	02-231		**††27 IR 25**
105 IAC 9-2-81	N	02-231		**††27 IR 25**

105 IAC 9-2-82	N	02-231	††27 IR 25
105 IAC 9-2-83	N	02-231	††27 IR 26
105 IAC 9-2-84	N	02-231	††27 IR 26
105 IAC 9-2-85	N	02-231	††27 IR 26
105 IAC 9-2-86	N	02-231	††27 IR 26
105 IAC 9-2-87	N	02-231	††27 IR 27
105 IAC 9-2-88	N	02-231	††27 IR 27
105 IAC 9-2-89	N	02-231	††27 IR 28
105 IAC 9-2-90	N	02-231	††27 IR 29
105 IAC 9-2-91	N	02-231	††27 IR 30
105 IAC 9-2-92	N	02-231	††27 IR 30
105 IAC 9-2-93	N	02-231	††27 IR 30
105 IAC 9-2-94	N	02-231	††27 IR 31
105 IAC 9-2-95	N	02-231	††27 IR 31
105 IAC 9-2-96	N	02-231	††27 IR 31
105 IAC 9-2-97	N	02-231	††27 IR 31
105 IAC 9-2-98	N	02-231	††27 IR 32
105 IAC 9-2-99	N	02-231	††27 IR 32
105 IAC 9-2-100	N	02-231	††27 IR 32
105 IAC 9-2-101	N	02-231	††27 IR 32
105 IAC 9-2-102	N	02-231	††27 IR 33
105 IAC 9-2-103	N	02-231	††27 IR 33
105 IAC 9-2-104	N	02-231	††27 IR 33
105 IAC 9-2-105	N	02-231	††27 IR 34
105 IAC 9-2-106	N	02-231	††27 IR 34
105 IAC 9-2-107	N	02-231	††27 IR 34
105 IAC 9-2-108	N	02-231	††27 IR 34
105 IAC 9-2-109	N	02-231	††27 IR 34
105 IAC 9-2-110	N	02-231	††27 IR 34
105 IAC 9-2-111	N	02-231	††27 IR 35
105 IAC 9-2-112	N	02-231	††27 IR 35
105 IAC 9-2-113	N	02-231	††27 IR 35
105 IAC 9-2-114	N	02-231	††27 IR 36
105 IAC 9-2-115	N	02-231	††27 IR 36
105 IAC 9-2-116	N	02-231	††27 IR 36
105 IAC 9-2-117	N	02-231	††27 IR 36
105 IAC 9-2-118	N	02-231	††27 IR 36
105 IAC 9-2-119	N	02-231	††27 IR 36
105 IAC 9-2-120	N	02-231	††27 IR 36
105 IAC 9-2-121	N	02-231	††27 IR 37
105 IAC 9-2-122	N	02-231	††27 IR 37
105 IAC 9-2-123	N	02-231	††27 IR 37
105 IAC 9-2-124	N	02-231	††27 IR 37
105 IAC 9-2-125	N	02-231	††27 IR 37
105 IAC 9-2-126	N	02-231	††27 IR 37
105 IAC 9-2-127	N	02-231	††27 IR 37
105 IAC 9-2-128	N	02-231	††27 IR 38
105 IAC 9-2-129	N	02-231	††27 IR 38
105 IAC 9-2-130	N	02-231	††27 IR 38
105 IAC 9-2-131	N	02-231	††27 IR 39
105 IAC 9-2-132	N	02-231	††27 IR 39
105 IAC 9-2-133	N	02-231	††27 IR 39
105 IAC 9-2-134	N	02-231	††27 IR 39
105 IAC 9-2-135	N	02-231	††27 IR 39
105 IAC 9-2-136	N	02-231	††27 IR 40
105 IAC 9-2-137	N	02-231	††27 IR 40
105 IAC 9-2-138	N	02-231	††27 IR 40
105 IAC 9-2-139	N	02-231	††27 IR 40
105 IAC 9-2-140	N	02-231	††27 IR 41
105 IAC 9-2-141	N	02-231	††27 IR 41
105 IAC 9-2-142	N	02-231	††27 IR 41
105 IAC 9-2-143	N	02-231	††27 IR 42
105 IAC 9-2-144	N	02-231	††27 IR 42
105 IAC 9-2-145	N	02-231	††27 IR 42
105 IAC 9-2-146	N	02-231	††27 IR 42
105 IAC 9-2-147	N	02-231	††27 IR 42
105 IAC 9-2-148	N	02-231	††27 IR 42
105 IAC 9-2-149	N	02-231	††27 IR 43
105 IAC 9-2-150	N	02-231	††27 IR 43
105 IAC 9-2-151	N	02-231	††27 IR 43
105 IAC 9-2-152	N	02-231	††27 IR 43
105 IAC 9-2-153	N	02-231	††27 IR 43
105 IAC 9-2-154	N	02-231	††27 IR 44
105 IAC 9-2-155	N	02-231	††27 IR 44
105 IAC 9-2-156	N	02-231	††27 IR 44
105 IAC 9-2-157	N	02-231	††27 IR 44
105 IAC 9-2-158	N	02-231	††27 IR 45
105 IAC 9-2-159	N	02-231	††27 IR 45
105 IAC 9-2-160	N	02-231	††27 IR 45
105 IAC 9-2-161	N	02-231	††27 IR 46
105 IAC 9-2-162	N	02-231	††27 IR 46
105 IAC 9-2-163	N	02-231	††27 IR 46
105 IAC 9-2-164	N	02-231	††27 IR 47
105 IAC 9-2-165	N	02-231	††27 IR 47
105 IAC 9-2-166	N	02-231	††27 IR 47
105 IAC 9-2-167	N	02-231	††27 IR 47
105 IAC 9-2-168	N	02-231	††27 IR 47
105 IAC 9-2-169	N	02-231	††27 IR 47
105 IAC 9-2-170	N	02-231	††27 IR 48
105 IAC 9-2-171	N	02-231	††27 IR 48
105 IAC 9-2-172	N	02-231	††27 IR 48
105 IAC 9-2-173	N	02-231	††27 IR 49
105 IAC 9-2-174	N	02-231	††27 IR 49
105 IAC 9-2-175	N	02-231	††27 IR 49
105 IAC 9-2-176	N	02-231	††27 IR 49
105 IAC 9-2-177	N	02-231	††27 IR 49
105 IAC 9-2-178	N	02-231	††27 IR 50
105 IAC 9-2-179	N	02-231	††27 IR 50
105 IAC 9-2-180	N	02-231	††27 IR 50
105 IAC 9-2-181	N	02-231	††27 IR 50
105 IAC 9-2-182	N	02-231	††27 IR 51
105 IAC 9-2-183	N	02-231	††27 IR 51
105 IAC 9-2-184	N	02-231	††27 IR 51
105 IAC 9-2-185	N	02-231	††27 IR 51
105 IAC 9-2-186	N	02-231	††27 IR 51
105 IAC 9-2-187	N	02-231	††27 IR 51
105 IAC 9-2-188	N	02-231	††27 IR 52
105 IAC 9-2-189	N	02-231	††27 IR 52
105 IAC 9-2-190	N	02-231	††27 IR 52
105 IAC 12-1-2	A	03-58	26 IR 3077 *AWR (27 IR 2286)
105 IAC 12-1-5	A	03-58	26 IR 3077 *AWR (27 IR 2286)
105 IAC 12-1-14.5	N	03-58	26 IR 3077 *AWR (27 IR 2286)
105 IAC 12-1-14.6	N	03-58	26 IR 3077 *AWR (27 IR 2286)
105 IAC 12-1-18	A	03-58	26 IR 3077 *AWR (27 IR 2286)
105 IAC 12-1-22	A	03-58	26 IR 3077 *AWR (27 IR 2286)
105 IAC 12-1-23	A	03-58	26 IR 3078 *AWR (27 IR 2286)
105 IAC 12-2-4	A	03-58	26 IR 3078 *AWR (27 IR 2286)
105 IAC 12-2-6	A	03-58	26 IR 3078 *AWR (27 IR 2286)
105 IAC 12-2-7	A	03-58	26 IR 3078 *AWR (27 IR 2286)
105 IAC 12-2-10	A	03-58	26 IR 3078 *AWR (27 IR 2286)
105 IAC 12-2-11	A	03-58	26 IR 3078 *AWR (27 IR 2286)
105 IAC 12-2-13	A	03-58	26 IR 3079 *AWR (27 IR 2286)
105 IAC 12-2-14	A	03-58	26 IR 3079 *AWR (27 IR 2286)
105 IAC 12-2-16	A	03-58	26 IR 3079 *AWR (27 IR 2286)
105 IAC 12-2-17	A	03-58	26 IR 3080 *AWR (27 IR 2286)
105 IAC 12-2-18	N	03-58	26 IR 3080 *AWR (27 IR 2286)
105 IAC 12-2-19	N	03-58	26 IR 3080 *AWR (27 IR 2286)
105 IAC 12-2-20	N	03-58	26 IR 3080 *AWR (27 IR 2286)
105 IAC 12-2-21	N	03-58	26 IR 3081 *AWR (27 IR 2286)
105 IAC 12-3-1	A	03-58	26 IR 3082 *AWR (27 IR 2286)
105 IAC 12-3-2	A	03-58	26 IR 3082 *AWR (27 IR 2286)
105 IAC 12-3-4	A	03-58	26 IR 3082 *AWR (27 IR 2286)
105 IAC 12-3-5	A	03-58	26 IR 3083 *AWR (27 IR 2286)
105 IAC 12-4-3	A	03-58	26 IR 3084 *AWR (27 IR 2286)
105 IAC 12-4-4	A	03-58	26 IR 3084 *AWR (27 IR 2286)
105 IAC 12-4-5	A	03-58	26 IR 3084 *AWR (27 IR 2286)

TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

170 IAC 4-1-23	A	04-68	27 IR 2765	
170 IAC 4-4.2	N	03-305	27 IR 2312	
170 IAC 7-1.1-19	A	03-193	27 IR 2309	
170 IAC 7-1.2-10	A	03-194	27 IR 558	**27 IR 2712**

TITLE 203 VICTIM SERVICES DIVISION

203 IAC	N	04-63	27 IR 2526	

TITLE 240 STATE POLICE DEPARTMENT

240 IAC 1-4-3	RA	03-98	26 IR 3425	
240 IAC 1-4-24.1	RA	03-98	26 IR 3425	**27 IR 286**

TITLE 250 LAW ENFORCEMENT TRAINING BOARD

250 IAC 2	N	02-339	26 IR 3679	**27 IR 1552**

TITLE 305 INDIANA BOARD OF LICENSURE FOR PROFESSIONAL GEOLOGISTS

305 IAC 1-2-6	A	02-328	26 IR 1598	*DAG (27 IR 947)
	A	03-212	27 IR 216	
305 IAC 1-3-4	A	02-328	26 IR 1599	*DAG (27 IR 947)
	A	03-212	27 IR 216	
305 IAC 1-4-1	A	02-328	26 IR 1599	*DAG (27 IR 947)
	A	03-212	27 IR 217	
305 IAC 1-4-2	A	02-328	26 IR 1599	*DAG (27 IR 947)
	A	03-212	27 IR 217	
305 IAC 1-5	N	02-328	26 IR 1600	*DAG (27 IR 947)
	N	03-212	27 IR 217	

TITLE 307 INDIANA BOARD OF REGISTRATION FOR SOIL SCIENTISTS

307 IAC	N	03-32	26 IR 2652	*GRAT (27 IR 291) **27 IR 53** *ERR (27 IR 538)

TITLE 312 NATURAL RESOURCES COMMISSION

312 IAC 1-1-19.5	N	03-296	27 IR 1617	**27 IR 3065**
312 IAC 1-1-27.5	N	03-296	27 IR 1617	**27 IR 3065**
312 IAC 1-1-29.3	N	03-296	27 IR 1617	**27 IR 3065**
312 IAC 2-2-1	A	03-220	27 IR 1205	**27 IR 3064**
312 IAC 2-2-4	A	03-220	27 IR 1205	**27 IR 3064**
312 IAC 2-3-1	A	03-220	27 IR 1205	**27 IR 3064**
312 IAC 2-4-12	A	04-67	27 IR 3604	
312 IAC 5-6-5	A	03-92	27 IR 220	*AWR (27 IR 2501)
312 IAC 5-6-6	A	03-29	26 IR 2660	**27 IR 59** *ERR (27 IR 2742) *ERR (27 IR 3078)
312 IAC 5-12.5	N	03-316	27 IR 2315	
312 IAC 6	RA	02-331	26 IR 2133	**27 IR 286**
312 IAC 6-4-3	A	04-4	27 IR 2316	
312 IAC 6.2	N	04-66	27 IR 3119	
312 IAC 6.5	N	04-3	27 IR 2767	
312 IAC 7	RA	02-331	26 IR 2133	**27 IR 286**
312 IAC 8	RA	03-315	27 IR 2339	
312 IAC 8-1-2	A	03-50	26 IR 3085	**27 IR 455**
312 IAC 8-1-4	A	03-50	26 IR 3085	**27 IR 455**
312 IAC 8-2-3	A	03-50	26 IR 3086	**27 IR 456**
312 IAC 8-2-6	A	03-50	26 IR 3088	**27 IR 457**
312 IAC 8-2-9	A	03-50	26 IR 3088	**27 IR 458**
312 IAC 8-2-11	A	03-50	26 IR 3088	**27 IR 458**
312 IAC 8-2-13	A	04-4	27 IR 2316	
312 IAC 9	RA	02-331	26 IR 2133	**27 IR 286**
312 IAC 9-1-9.5	N	03-311	27 IR 1946	
312 IAC 9-1-11.5	N	03-311	27 IR 1946	
312 IAC 9-2-11	A	03-50	26 IR 3089	**27 IR 459**
312 IAC 9-3-2	A	03-311	27 IR 1946	
312 IAC 9-3-3	A	03-311	27 IR 1947	
312 IAC 9-3-4	A	03-311	27 IR 1948	
312 IAC 9-3-10	A	03-311	27 IR 1949	
312 IAC 9-3-11	A	03-311	27 IR 1949	
312 IAC 9-3-12	A	03-311	27 IR 1949	
312 IAC 9-3-13	A	03-311	27 IR 1950	
312 IAC 9-3-14	A	03-311	27 IR 1950	
312 IAC 9-3-15	A	03-311	27 IR 1950	
312 IAC 9-3-17	A	03-311	27 IR 1950	
312 IAC 9-4-7	R	03-311	27 IR 1966	
312 IAC 9-4-10	A	03-311	27 IR 1951	
312 IAC 9-4-11	A	03-311	27 IR 1951	
312 IAC 9-4-14	A	03-311	27 IR 1952	
312 IAC 9-5-4	A	03-311	27 IR 1953	
312 IAC 9-5-6	A	03-311	27 IR 1953	
312 IAC 9-5-7	A	03-311	27 IR 1953	
312 IAC 9-5-9	A	03-311	27 IR 1955	
312 IAC 9-5-11	N	03-311	27 IR 1956	
312 IAC 9-6-9	A	03-311	27 IR 1957	
312 IAC 9-7-2	A	03-311	27 IR 1957	
312 IAC 9-7-6	A	03-311	27 IR 1959	
312 IAC 9-7-13	A	03-311	27 IR 1960	
312 IAC 9-10-3	A	03-35	26 IR 3374	**27 IR 1165**
312 IAC 9-10-4	A	03-149	27 IR 246	**27 IR 1789**
312 IAC 9-10-9	A	03-311	27 IR 1960	
312 IAC 9-10-9.5	N	03-311	27 IR 1961	
312 IAC 9-10-10	A	03-311	27 IR 1962	
312 IAC 9-10-13.5	N	03-311	27 IR 1963	
312 IAC 9-10-17	A	03-311	27 IR 1964	
312 IAC 9-11-1	A	03-311	27 IR 1964	
312 IAC 9-11-2	A	03-311	27 IR 1965	
312 IAC 9-11-14	A	03-311	27 IR 1965	
312 IAC 10-2-33.5	N	03-296	27 IR 1617	**27 IR 3065**
312 IAC 10-5-0.3	N	03-215	27 IR 1940	
312 IAC 10-5-0.6	N	03-215	27 IR 1940	
312 IAC 10-5-3	A	03-215	27 IR 1941	
312 IAC 10-5-4	A	03-215	27 IR 1941	
312 IAC 10-5-5	A	03-215	27 IR 1942	
312 IAC 10-5-6	A	03-215	27 IR 1943	
312 IAC 10-5-7	A	03-215	27 IR 1944	
312 IAC 10-5-8	A	03-215	27 IR 1945	
312 IAC 11-3-1	A	03-203	27 IR 1201	**27 IR 3062**
312 IAC 11-4-1	A	04-4	27 IR 2316	
312 IAC 11-4-3	A	03-203	27 IR 1202	**27 IR 3063**
312 IAC 11-5-1	A	03-30	26 IR 2661	**27 IR 61**
312 IAC 11-5-2	A	03-296	27 IR 1617	**27 IR 3065**
312 IAC 14	RA	02-331	26 IR 2133	**27 IR 286**
312 IAC 15	RA	02-331	26 IR 2133	**27 IR 286**
312 IAC 16	RA	03-315	27 IR 2339	
312 IAC 16-1-9.5	N	03-251	27 IR 1206	
312 IAC 16-1-39.5	N	03-251	27 IR 1206	
312 IAC 16-1-44.6	N	03-251	27 IR 1206	
312 IAC 16-5-14	A	04-23	27 IR 2532	
312 IAC 16-5-15	A	03-251	27 IR 1206	
312 IAC 16-5-19	A	03-251	27 IR 1207	
312 IAC 17	RA	03-315	27 IR 2339	
312 IAC 17-3-1	A	04-23	27 IR 2532	
312 IAC 17-3-2	A	04-23	27 IR 2532	
312 IAC 17-3-3	A	04-23	27 IR 2532	
312 IAC 17-3-4	A	04-23	27 IR 2533	
312 IAC 17-3-6	A	04-23	27 IR 2534	
312 IAC 17-3-8	A	04-23	27 IR 2534	
312 IAC 17-3-9	A	04-23	27 IR 2534	
312 IAC 18-3-12	A	03-214	27 IR 1203	*ARR (27 IR 2745)
312 IAC 18-3-15	N	03-213	27 IR 559	**27 IR 2470**
312 IAC 18-3-16	N	03-213	27 IR 560	**27 IR 2471**
312 IAC 18-3-17	N	03-213	27 IR 560	**27 IR 2472**
312 IAC 18-5-2	A	03-213	27 IR 561	**27 IR 2472**
312 IAC 18-5-4	A	03-91	26 IR 3375	**27 IR 1166**
312 IAC 19	RA	03-315	27 IR 2339	
312 IAC 19-1-3	A	03-296	27 IR 1617	**27 IR 3065**
312 IAC 20-2-1.7	N	03-12	26 IR 3084	**27 IR 454**
312 IAC 20-2-4.3	N	03-12	26 IR 3084	**27 IR 454**

312 IAC 20-2-4.7	N	03-12	26 IR 3085	**27 IR 454**
312 IAC 20-3-3	N	03-12	26 IR 3085	**27 IR 454**
312 IAC 20-5	N	02-329	26 IR 2658	**27 IR 452**
312 IAC 24	RA	02-331	26 IR 2133	**27 IR 286**
312 IAC 25-1-8	A	03-93	27 IR 221	**27 IR 2444**
312 IAC 25-1-75.5	N	03-93	27 IR 222	**27 IR 2445**
312 IAC 25-1-155.5	N	03-93	27 IR 222	**27 IR 2445**
312 IAC 25-4-17	A	03-93	27 IR 222	**27 IR 2445**
312 IAC 25-4-44		00-285		*ERR (27 IR 1890)
312 IAC 25-4-45	A	03-93	27 IR 223	**27 IR 2446**
		00-285		*ERR (27 IR 1890)
312 IAC 25-4-49	A	03-93	27 IR 224	**27 IR 2447**
312 IAC 25-4-87	A	03-93	27 IR 225	**27 IR 2448**
312 IAC 25-4-102	A	03-93	27 IR 226	**27 IR 2449**
312 IAC 25-4-105.5	N	03-93	27 IR 227	**27 IR 2451**
312 IAC 25-4-113	A	03-93	27 IR 228	**27 IR 2451**
312 IAC 25-4-114	A	03-93	27 IR 228	**27 IR 2452**
312 IAC 25-4-115	A	03-93	27 IR 229	**27 IR 2453**
312 IAC 25-4-118	A	03-93	27 IR 230	**27 IR 2454**
312 IAC 25-5-7	A	03-93	27 IR 231	**27 IR 2455**
312 IAC 25-5-16	A	03-93	27 IR 232	**27 IR 2455**
312 IAC 25-6-17	A	03-93	27 IR 233	**27 IR 2457**
312 IAC 25-6-20	A	03-93	27 IR 235	**27 IR 2458**
312 IAC 25-6-23	A	03-93	27 IR 237	**27 IR 2461**
312 IAC 25-6-25	A	03-93	27 IR 238	**27 IR 2462**
312 IAC 25-6-31	A	03-169	27 IR 248	**27 IR 2713**
312 IAC 25-6-66	A	03-93	27 IR 238	**27 IR 2462**
312 IAC 25-6-81	A	03-93	27 IR 239	**27 IR 2463**
312 IAC 25-6-84	A	03-93	27 IR 241	**27 IR 2465**
312 IAC 25-6-130	A	03-93	27 IR 243	**27 IR 2467**
312 IAC 25-7-1	A	03-93	27 IR 244	**27 IR 2468**
312 IAC 25-7-20	A	03-93	27 IR 246	**27 IR 2470**
312 IAC 25-9-5	A	03-169	27 IR 249	**27 IR 2714**
312 IAC 25-9-8	A	03-169	27 IR 249	**27 IR 2714**
312 IAC 26	RA	03-315	27 IR 2339	

TITLE 315 OFFICE OF ENVIRONMENTAL ADJUDICATION

315 IAC 1	RA	04-71	27 IR 2879	

TITLE 326 AIR POLLUTION CONTROL BOARD

326 IAC 1-1-3	A	02-337	26 IR 1997	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 1-1-3.5	A	02-337	26 IR 1997	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 1-2-52	A	03-228	27 IR 3120	
326 IAC 1-2-52.2	N	03-228	27 IR 3121	
326 IAC 1-2-52.4	N	03-228	27 IR 3121	
326 IAC 1-2-65	A	02-337	26 IR 1997	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 1-2-82.5	N	03-228	27 IR 3121	
326 IAC 1-2-90	A	02-337	26 IR 1998	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 1-3-4	A	03-69	26 IR 3376	**27 IR 2224**
	A	03-228	27 IR 3121	
326 IAC 1-4-1	A	03-70	26 IR 3092	**27 IR 1167**
	A	04-148	27 IR 3606	
326 IAC 2-1.1-7	A	03-67	27 IR 1981	
326 IAC 2-2-1	A	03-68	27 IR 250	**27 IR 2216**
	A	03-67	27 IR 1983	
326 IAC 2-2-2	A	03-67	27 IR 1993	
326 IAC 2-2-3	A	03-67	27 IR 1995	
326 IAC 2-2-4	A	03-67	27 IR 1995	
326 IAC 2-2-5	A	03-67	27 IR 1996	
326 IAC 2-2-6	A	03-68	27 IR 256	**27 IR 2222**
	A	03-67	27 IR 1997	
326 IAC 2-2-7	A	03-67	27 IR 1998	
326 IAC 2-2-8	A	03-67	27 IR 1998	
326 IAC 2-2-10	A	03-67	27 IR 1999	
326 IAC 2-2-12	A	03-68	27 IR 257	**27 IR 2223**
326 IAC 2-2-13	A	02-337	26 IR 1998	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 2-2-16	A	02-337	26 IR 1999	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 2-2.2	N	03-67	27 IR 2000	
326 IAC 2-2.3	N	03-67	27 IR 2004	
326 IAC 2-2.4	N	03-67	27 IR 2005	
326 IAC 2-2.5	R	03-67	27 IR 2048	
326 IAC 2-2.6	N	03-67	27 IR 2013	
326 IAC 2-3-1	A	02-337	26 IR 2000	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
	A	03-67	27 IR 2014	
326 IAC 2-3-2	A	03-67	27 IR 2023	
326 IAC 2-3-3	A	03-67	27 IR 2025	
326 IAC 2-3.2	N	03-67	27 IR 2027	
326 IAC 2-3.3	N	03-67	27 IR 2032	
326 IAC 2-3.4	N	03-67	27 IR 2033	
326 IAC 2-5.1-1	RA	04-44	27 IR 3144	
326 IAC 2-5.1-2	RA	04-44	27 IR 3145	
326 IAC 2-5.1-4	A	03-67	27 IR 2041	
326 IAC 2-5.5-1	RA	04-44	27 IR 3146	
326 IAC 2-5.5-2	RA	04-44	27 IR 3146	
326 IAC 2-5.5-3	RA	04-44	27 IR 3146	
326 IAC 2-5.5-4	RA	04-44	27 IR 3147	
326 IAC 2-5.5-5	RA	04-44	27 IR 3147	
326 IAC 2-5.5-6	RA	04-44	27 IR 3147	
326 IAC 2-6-1	A	01-249	24 IR 3700	*CPH (24 IR 4012)
				*CPH (27 IR 551)
				27 IR 2210
326 IAC 2-6-2	A	01-249	24 IR 3700	*CPH (24 IR 4012)
				*CPH (27 IR 551)
				27 IR 2210
326 IAC 2-6-3	A	01-249	24 IR 3702	*CPH (24 IR 4012)
				*CPH (27 IR 551)
				27 IR 2212
326 IAC 2-6-4	A	01-249	24 IR 3703	*CPH (24 IR 4012)
				*CPH (27 IR 551)
				27 IR 2213
	A	02-337	26 IR 2005	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 2-6-5	N	01-249	24 IR 3705	*CPH (24 IR 4012)
				*CPH (27 IR 551)
				27 IR 2215
326 IAC 2-6.1-1	RA	04-44	27 IR 3149	
326 IAC 2-6.1-2	RA	04-44	27 IR 3149	
326 IAC 2-6.1-3	RA	04-44	27 IR 3149	
326 IAC 2-6.1-4	RA	04-44	27 IR 3150	
326 IAC 2-6.1-5	RA	04-44	27 IR 3150	
326 IAC 2-6.1-6	RA	04-44	27 IR 3151	
326 IAC 2-6.1-7	RA	04-44	27 IR 3154	
326 IAC 2-7-3	A	02-337	26 IR 2006	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 2-7-8	A	02-337	26 IR 2006	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 2-7-10.5	A	03-67	27 IR 2041	
326 IAC 2-7-11	A	03-67	27 IR 2045	
326 IAC 2-7-12	A	03-67	27 IR 2046	
326 IAC 2-7-18	A	02-337	26 IR 2007	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 2-8-3	A	02-337	26 IR 2008	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 2-9-1	RA	04-44	27 IR 3155	
326 IAC 2-9-2.5	RA	04-44	27 IR 3156	
326 IAC 2-9-3	RA	04-44	27 IR 3156	
326 IAC 2-9-4	RA	04-44	27 IR 3157	
326 IAC 2-9-5	RA	04-44	27 IR 3158	
326 IAC 2-9-6	RA	04-44	27 IR 3159	
326 IAC 2-9-7	A	02-337	26 IR 2009	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
	RA	04-44	27 IR 3159	

326 IAC 2-9-8	A	02-337	26 IR 2010	*ARR (27 IR 2500) *CPH (27 IR 2521)
	RA	04-44	27 IR 3160	
326 IAC 2-9-9	A	02-337	26 IR 2012	*ARR (27 IR 2500) *CPH (27 IR 2521)
	RA	04-44	27 IR 3162	
326 IAC 2-9-10	A	02-337	26 IR 2013	*ARR (27 IR 2500) *CPH (27 IR 2521)
	RA	04-44	27 IR 3163	
326 IAC 2-9-11	RA	04-44	27 IR 3164	
326 IAC 2-9-12	RA	04-44	27 IR 3165	
326 IAC 2-9-13	A	02-337	26 IR 2014	*ARR (27 IR 2500) *CPH (27 IR 2521)
	RA	04-44	27 IR 3165	
326 IAC 2-9-14	RA	04-44	27 IR 3167	
326 IAC 2-10-1	RA	03-332	27 IR 2324	
326 IAC 2-10-2.1	N	03-332	27 IR 2325	
326 IAC 2-10-3.1	N	03-332	27 IR 2325	
326 IAC 2-10-4.1	N	03-332	27 IR 2325	
326 IAC 2-10-5.1	N	03-332	27 IR 2325	
326 IAC 2-10-6.1	N	03-332	27 IR 2325	
326 IAC 2-11-1	RA	03-333	27 IR 2326	
326 IAC 2-11-2	A	03-333	27 IR 2327	
326 IAC 2-11-3	RA	03-333	27 IR 2327	
326 IAC 2-11-4	RA	03-333	27 IR 2328	
326 IAC 3-4-1	A	02-337	26 IR 2016	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 3-4-3	A	02-337	26 IR 2016	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 3-5-2	A	02-337	26 IR 2017	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 3-5-3	A	02-337	26 IR 2019	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 3-5-4	A	02-337	26 IR 2019	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 3-5-5	A	02-337	26 IR 2020	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 3-6-1	A	02-337	26 IR 2022	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 3-6-3	A	02-337	26 IR 2022	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 3-6-5	A	02-337	26 IR 2023	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 3-7-2	A	02-337	26 IR 2024	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 3-7-4	A	02-337	26 IR 2025	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 5-1-2	A	01-407	26 IR 2026	*CPH (26 IR 2391)
326 IAC 5-1-4	A	02-337	26 IR 2026	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 5-1-5	A	02-337	26 IR 2027	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 6-1-10.1	A	01-407	26 IR 1970	*CPH (26 IR 2391) **27 IR 61**
326 IAC 6-1-10.2	A	01-407	26 IR 1994	*CPH (26 IR 2391) **27 IR 85**
326 IAC 6-1-13	A	03-195	27 IR 2318	
326 IAC 7-2-1	A	02-337	26 IR 2028	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 7-4-3	A	03-195	27 IR 2319	
326 IAC 7-4-10	A	02-337	26 IR 2029	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 7-4-13	A	03-282	27 IR 2768	*CPH (27 IR 3591)
326 IAC 8-1-4	A	02-337	26 IR 2030	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-4-6	A	02-337	26 IR 2032	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-4-9	A	02-337	26 IR 2035	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-7-7	A	02-337	26 IR 2036	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-9-2	A	02-337	26 IR 2037	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-9-3	A	02-337	26 IR 2037	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-9-4	A	02-337	26 IR 2038	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-9-5	A	02-337	26 IR 2040	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-9-6	A	02-337	26 IR 2042	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-10-7	A	02-337	26 IR 2044	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-11-2	A	02-337	26 IR 2044	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-11-6	A	02-337	26 IR 2046	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-11-7	A	02-337	26 IR 2050	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-12-3	A	02-337	26 IR 2050	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-12-5	A	02-337	26 IR 2052	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-12-6	A	02-337	26 IR 2053	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-12-7	A	02-337	26 IR 2054	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 8-13-5	A	02-337	26 IR 2055	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 10-1-2	A	02-337	26 IR 2056	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 10-1-4	A	02-337	26 IR 2057	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 10-1-5	A	02-337	26 IR 2059	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 10-1-6	A	02-337	26 IR 2059	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 11-7-1	A	02-337	26 IR 2061	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 13-1.1-1	A	02-337	26 IR 2062	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 13-1.1-8	A	02-337	26 IR 2063	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 13-1.1-10	A	02-337	26 IR 2063	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 13-1.1-13	A	02-337	26 IR 2064	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 13-1.1-14	A	02-337	26 IR 2065	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 13-1.1-16	A	02-337	26 IR 2066	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 14-1-1	A	02-337	26 IR 2066	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 14-1-2	A	02-337	26 IR 2067	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 14-1-4	R	02-337	26 IR 2099	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 14-3-1	A	02-337	26 IR 2067	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 14-4-1	A	02-337	26 IR 2067	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 14-5-1	A	02-337	26 IR 2068	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 14-7-1	A	02-337	26 IR 2068	*ARR (27 IR 2500) *CPH (27 IR 2521)
326 IAC 14-8-1	A	02-337	26 IR 2068	*ARR (27 IR 2500) *CPH (27 IR 2521)

326 IAC 14-8-3	A	02-337	26 IR 2069	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 14-8-4	A	02-337	26 IR 2069	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 14-8-5	A	02-337	26 IR 2069	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 14-9-5	A	02-337	26 IR 2070	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 14-9-7	A	02-337	26 IR 2071	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 14-9-9	A	02-337	26 IR 2071	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 14-10-1	A	02-337	26 IR 2072	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 14-10-2	A	02-337	26 IR 2074	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 14-10-3	A	02-337	26 IR 2076	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 14-10-4	A	02-337	26 IR 2078	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 15-1-2	A	02-337	26 IR 2080	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 15-1-4	A	02-337	26 IR 2083	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 16-3-1	A	02-337	26 IR 2084	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 18-1-1	A	03-283	27 IR 3128	*CPH (27 IR 3591)
326 IAC 18-1-2	A	02-337	26 IR 2084	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
	A	03-283	27 IR 3128	*CPH (27 IR 3591)
326 IAC 18-1-3	A	03-283	27 IR 3130	*CPH (27 IR 3591)
326 IAC 18-1-4	A	03-283	27 IR 3131	*CPH (27 IR 3591)
326 IAC 18-1-5	A	02-337	26 IR 2086	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
	A	03-283	27 IR 3132	*CPH (27 IR 3591)
326 IAC 18-1-6	A	03-283	27 IR 3133	*CPH (27 IR 3591)
326 IAC 18-1-7	A	02-337	26 IR 2087	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 18-1-8	A	02-337	26 IR 2088	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 18-1-9	A	03-283	27 IR 3134	*CPH (27 IR 3591)
326 IAC 18-2-2	A	02-337	26 IR 2088	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
	A	03-283	27 IR 3134	*CPH (27 IR 3591)
326 IAC 18-2-3	A	02-337	26 IR 2090	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
	A	03-283	27 IR 3136	*CPH (27 IR 3591)
326 IAC 18-2-6	A	02-337	26 IR 2096	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 18-2-7	A	02-337	26 IR 2097	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 20-25-1	A	03-264	27 IR 3123	*CPH (27 IR 3590)
326 IAC 20-25-2	A	03-264	27 IR 3124	*CPH (27 IR 3590)
326 IAC 20-49	N	02-336	26 IR 3090	**27 IR 2473**
326 IAC 20-50	N	02-336	26 IR 3090	**27 IR 2473**
326 IAC 20-51	N	02-336	26 IR 3090	**27 IR 2473**
326 IAC 20-52	N	02-336	26 IR 3091	**27 IR 2473**
326 IAC 20-53	N	02-336	26 IR 3091	**27 IR 2474**
326 IAC 20-54	N	02-336	26 IR 3091	**27 IR 2474**
326 IAC 20-55	N	02-336	26 IR 3091	**27 IR 2474**
326 IAC 20-56	N	03-264	27 IR 3126	*CPH (27 IR 3590)
326 IAC 20-57	N	03-284	27 IR 1618	*CPH (27 IR 1937)
326 IAC 20-58	N	03-284	27 IR 1619	*CPH (27 IR 1937)
326 IAC 20-59	N	03-284	27 IR 1619	*CPH (27 IR 1937)
326 IAC 20-60	N	03-284	27 IR 1619	*CPH (27 IR 1937)
326 IAC 20-61	N	03-284	27 IR 1619	*CPH (27 IR 1937)
326 IAC 20-62	N	03-284	27 IR 1619	*CPH (27 IR 1937)
326 IAC 20-63	N	03-285	27 IR 2322	
326 IAC 20-64	N	03-285	27 IR 2322	
326 IAC 20-65	N	03-285	27 IR 2322	
326 IAC 20-66	N	03-285	27 IR 2323	
326 IAC 20-67	N	03-285	27 IR 2323	
326 IAC 20-68	N	03-285	27 IR 2323	
326 IAC 20-69	N	03-285	27 IR 2323	
326 IAC 20-70	N	03-284	27 IR 1620	*CPH (27 IR 1937)
326 IAC 20-71	N	04-107	27 IR 3168	*CPH (27 IR 3592)
326 IAC 20-72	N	04-107	27 IR 3169	*CPH (27 IR 3592)
326 IAC 20-73	N	04-107	27 IR 3169	*CPH (27 IR 3592)
326 IAC 20-74	N	04-107	27 IR 3169	*CPH (27 IR 3592)
326 IAC 20-75	N	04-107	27 IR 3169	*CPH (27 IR 3592)
326 IAC 20-76	N	04-107	27 IR 3170	*CPH (27 IR 3592)
326 IAC 20-77	N	04-107	27 IR 3170	*CPH (27 IR 3592)
326 IAC 20-78	N	04-107	27 IR 3170	*CPH (27 IR 3592)
326 IAC 20-79	N	04-107	27 IR 3170	*CPH (27 IR 3592)
326 IAC 22-1-1	A	02-337	26 IR 2098	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 23-1-4	A	02-189	26 IR 2407	**27 IR 459**
326 IAC 23-1-5	A	02-189	26 IR 2408	**27 IR 460**
326 IAC 23-1-5.5	N	02-189	26 IR 2408	**27 IR 460**
326 IAC 23-1-6.5	N	02-189	26 IR 2408	**27 IR 460**
326 IAC 23-1-7.5	N	02-189	26 IR 2408	**27 IR 460**
326 IAC 23-1-7.6	N	02-189	26 IR 2408	**27 IR 460**
326 IAC 23-1-9	A	02-189	26 IR 2408	**27 IR 460**
326 IAC 23-1-10	A	02-189	26 IR 2409	**27 IR 461**
326 IAC 23-1-11	A	02-189	26 IR 2409	**27 IR 461**
326 IAC 23-1-11.5	N	02-189	26 IR 2409	**27 IR 461**
326 IAC 23-1-12.5	N	02-189	26 IR 2409	**27 IR 461**
326 IAC 23-1-17	A	02-189	26 IR 2409	**27 IR 462**
326 IAC 23-1-21	A	02-189	26 IR 2410	**27 IR 462**
326 IAC 23-1-21.5	N	02-189	26 IR 2410	**27 IR 462**
326 IAC 23-1-22	A	02-189	26 IR 2437	**27 IR 462**
326 IAC 23-1-23	R	02-189	26 IR 2437	**27 IR 490**
326 IAC 23-1-26.5	N	02-189	26 IR 2410	
326 IAC 23-1-27	A	02-189	26 IR 2410	**27 IR 462**
326 IAC 23-1-27.5	N	02-189	26 IR 2410	**27 IR 463**
326 IAC 23-1-31	A	02-337	26 IR 2099	*ARR (27 IR 2500)
				*CPH (27 IR 2521)
326 IAC 23-1-32.1	N	02-189	26 IR 2410	**27 IR 463**
326 IAC 23-1-32.2	N	02-189	26 IR 2411	**27 IR 463**
326 IAC 23-1-34	A	02-189	26 IR 2411	**27 IR 463**
326 IAC 23-1-34.5	N	02-189	26 IR 2411	**27 IR 463**
326 IAC 23-1-34.8	N	02-189	26 IR 2411	**27 IR 463**
326 IAC 23-1-37	R	02-189	26 IR 2437	**27 IR 490**
326 IAC 23-1-40	R	02-189	26 IR 2437	**27 IR 490**
326 IAC 23-1-42	R	02-189	26 IR 2437	**27 IR 490**
326 IAC 23-1-43	R	02-189	26 IR 2437	**27 IR 490**
326 IAC 23-1-44	R	02-189	26 IR 2437	**27 IR 490**
326 IAC 23-1-45	R	02-189	26 IR 2437	**27 IR 490**
326 IAC 23-1-46	R	02-189	26 IR 2437	**27 IR 490**
326 IAC 23-1-47	R	02-189	26 IR 2437	**27 IR 490**
326 IAC 23-1-48.5	N	02-189	26 IR 2411	**27 IR 463**
326 IAC 23-1-52	A	02-189	26 IR 2411	**27 IR 463**
326 IAC 23-1-52.5	N	02-189	26 IR 2411	**27 IR 464**
326 IAC 23-1-54.5	N	02-189	26 IR 2412	**27 IR 464**
326 IAC 23-1-55.5	N	02-189	26 IR 2412	**27 IR 464**
326 IAC 23-1-58.5	N	02-189	26 IR 2412	**27 IR 464**
326 IAC 23-1-58.7	N	02-189	26 IR 2412	**27 IR 464**
326 IAC 23-1-60.1	N	02-189	26 IR 2412	**27 IR 464**
326 IAC 23-1-60.5	N	02-189	26 IR 2412	**27 IR 465**
326 IAC 23-1-60.6	N	02-189	26 IR 2413	**27 IR 465**
326 IAC 23-1-61.5	N	02-189	26 IR 2413	**27 IR 465**
326 IAC 23-1-62.5	N	02-189	26 IR 2413	**27 IR 465**
326 IAC 23-1-62.6	N	02-189	26 IR 2413	**27 IR 465**
326 IAC 23-1-63	A	02-189	26 IR 2413	**27 IR 466**
326 IAC 23-1-64	A	02-189	26 IR 2414	**27 IR 466**
326 IAC 23-1-69.5	N	02-189	26 IR 2414	**27 IR 466**
326 IAC 23-1-69.6	N	02-189	26 IR 2414	**27 IR 466**
326 IAC 23-1-69.7	N	02-189	26 IR 2414	**27 IR 466**

326 IAC 23-1-71	N	02-189	26 IR 2414	**27 IR 467**
326 IAC 23-2-1	A	02-189	26 IR 2414	**27 IR 467**
326 IAC 23-2-3	A	02-189	26 IR 2415	**27 IR 467**
326 IAC 23-2-4	A	02-189	26 IR 2416	**27 IR 469**
326 IAC 23-2-5	A	02-189	26 IR 2418	**27 IR 471**
326 IAC 23-2-6	A	02-189	26 IR 2419	**27 IR 471**
326 IAC 23-2-6.5	N	02-189	26 IR 2419	**27 IR 472**
326 IAC 23-2-7	A	02-189	26 IR 2420	**27 IR 473**
326 IAC 23-2-8	A	02-189	26 IR 2421	**27 IR 474**
326 IAC 23-2-9	A	02-189	26 IR 2422	**27 IR 474**
326 IAC 23-3-1	A	02-189	26 IR 2422	**27 IR 475**
326 IAC 23-3-2	A	02-189	26 IR 2422	**27 IR 475**
326 IAC 23-3-3	A	02-189	26 IR 2423	**27 IR 476**
326 IAC 23-3-5	A	02-189	26 IR 2426	**27 IR 479**
326 IAC 23-3-7	A	02-189	26 IR 2426	**27 IR 479**
326 IAC 23-3-11	A	02-189	26 IR 2428	**27 IR 480**
326 IAC 23-3-12	A	02-189	26 IR 2428	**27 IR 481**
326 IAC 23-3-13	A	02-189	26 IR 2428	**27 IR 481**
326 IAC 23-4-1	A	02-189	26 IR 2429	**27 IR 481**
326 IAC 23-4-2	A	02-189	26 IR 2429	**27 IR 482**
326 IAC 23-4-3	A	02-189	26 IR 2429	**27 IR 482**
326 IAC 23-4-4	A	02-189	26 IR 2430	**27 IR 483**
326 IAC 23-4-5	A	02-189	26 IR 2431	**27 IR 484**
326 IAC 23-4-6	A	02-189	26 IR 2432	**27 IR 485**
326 IAC 23-4-7	A	02-189	26 IR 2434	**27 IR 486**
326 IAC 23-4-9	A	02-189	26 IR 2434	**27 IR 487**
326 IAC 23-4-11	A	02-189	26 IR 2435	**27 IR 488**
326 IAC 23-4-12	A	02-189	26 IR 2435	**27 IR 488**
326 IAC 23-4-13	A	02-189	26 IR 2435	**27 IR 488**
326 IAC 23-5	N	02-189	26 IR 2436	**27 IR 489**

TITLE 327 WATER POLLUTION CONTROL BOARD

327 IAC 1-1-1	A	03-129	27 IR 3608	
327 IAC 1-1-2	A	03-129	27 IR 3608	
327 IAC 1-1-3	A	03-129	27 IR 3608	
327 IAC 2-1-5	A	03-129	27 IR 3608	
327 IAC 2-1-6	A	03-129	27 IR 3609	
327 IAC 2-1-8	A	03-129	27 IR 3617	
327 IAC 2-1-8.1	A	03-129	27 IR 3617	
327 IAC 2-1-8.2	A	03-129	27 IR 3618	
327 IAC 2-1-8.3	A	03-129	27 IR 3620	
327 IAC 2-1-8.9	N	03-129	27 IR 3621	
327 IAC 2-1-9	A	03-129	27 IR 3622	
327 IAC 2-1-12	A	03-129	27 IR 3627	
327 IAC 2-1-13	N	03-129	27 IR 3627	
327 IAC 2-1.5-2	A	03-129	27 IR 3631	
327 IAC 2-1.5-6	A	03-129	27 IR 3637	
327 IAC 2-1.5-8	A	03-129	27 IR 3638	
327 IAC 2-1.5-10	A	03-129	27 IR 3650	
327 IAC 2-1.5-11	A	03-129	27 IR 3651	
327 IAC 2-1.5-16	A	03-129	27 IR 3660	
327 IAC 2-1.5-20	A	03-129	27 IR 3662	
327 IAC 2-4-3	A	03-129	27 IR 3663	
327 IAC 5-1-1.5	A	02-327	26 IR 3097	*CPH (26 IR 3366) **27 IR 1563**
327 IAC 5-1.5-72	A	03-129	27 IR 3663	
327 IAC 5-2-1.5	A	03-129	27 IR 3663	
327 IAC 5-2-11.1	A	03-129	27 IR 3664	
327 IAC 5-2-11.2	A	03-129	27 IR 3668	
327 IAC 5-2-11.4	A	03-129	27 IR 3669	
327 IAC 5-2-11.5	A	03-129	27 IR 3679	
327 IAC 5-2-11.6	A	03-129	27 IR 3689	
327 IAC 5-2-13	A	03-129	27 IR 3694	
327 IAC 5-2-15	A	03-129	27 IR 3694	
327 IAC 5-4-3	A	01-51	26 IR 3698	*CPH (27 IR 1195) **27 IR 2225**
327 IAC 5-4-3.1	N	01-51		††**27 IR 2230**
327 IAC 5-4-6				*ERR (27 IR 191)
327 IAC 15-2-3	A	01-95	26 IR 1615	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 830**
327 IAC 15-2-6	A	01-95	26 IR 1615	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 830**
327 IAC 15-2-8	A	01-95	26 IR 1615	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 831**
327 IAC 15-2-9	A	01-95	26 IR 1615	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 831**
327 IAC 15-3-1	A	01-95	26 IR 1616	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 832**
327 IAC 15-3-2	A	01-95	26 IR 1616	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 832**
	A	02-327	26 IR 3098	*CPH (26 IR 3366) **27 IR 1563**
327 IAC 15-3-3	A	01-95	26 IR 1617	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 832**
327 IAC 15-5-1	A	01-95	26 IR 1617	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 833**
327 IAC 15-5-2	A	01-95	26 IR 1617	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 833**
327 IAC 15-5-3	A	01-95	26 IR 1618	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 834**
327 IAC 15-5-4	A	01-95	26 IR 1619	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 834** *ERR (27 IR 2284)
327 IAC 15-5-5	A	01-95	26 IR 1620	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 836**
327 IAC 15-5-6	A	01-95	26 IR 1621	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 837** *ERR (27 IR 2284)
327 IAC 15-5-6.5	N	01-95	26 IR 1622	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 838** *ERR (27 IR 2284)
327 IAC 15-5-7	A	01-95	26 IR 1625	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 840** *ERR (27 IR 2284)
327 IAC 15-5-7.5	N	01-95	26 IR 1627	*CPH (26 IR 1961) *CPH (26 IR 2392) *CPH (26 IR 2645) **27 IR 843**

327 IAC 15-5-8	A	01-95	26 IR 1628	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 843
327 IAC 15-5-10	A	01-95	26 IR 1629	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 844
327 IAC 15-5-11	R	01-95	26 IR 1646	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 863
327 IAC 15-5-12	N	01-95	26 IR 1629	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 844
327 IAC 15-6-1	A	01-95	26 IR 1629	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 845
327 IAC 15-6-2	A	01-95	26 IR 1629	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 845
				*ERR (27 IR 2284)
327 IAC 15-6-4	A	01-95	26 IR 1632	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 848
				*ERR (27 IR 2284)
327 IAC 15-6-5	A	01-95	26 IR 1635	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 851
327 IAC 15-6-6	A	01-95	26 IR 1635	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 851
327 IAC 15-6-7	A	01-95	26 IR 1635	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 851
				*ERR (27 IR 2284)
327 IAC 15-6-7.3	N	01-95	26 IR 1641	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 857
				*ERR (27 IR 2285)
327 IAC 15-6-7.5	N	01-95	26 IR 1643	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 858
327 IAC 15-6-8.5	N	01-95	26 IR 1643	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 859
327 IAC 15-6-9	A	01-95		††**27 IR 859**
327 IAC 15-6-10	N	01-95	26 IR 1643	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 859
327 IAC 15-6-11	N	01-95	26 IR 1643	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 860
327 IAC 15-6-12	N	01-95	26 IR 1644	*CPH (26 IR 1961)
				*CPH (26 IR 2392)
				*CPH (26 IR 2645)
				27 IR 860
				*ERR (27 IR 2285)
327 IAC 15-13				*ERR (27 IR 191)
327 IAC 15-14	N	02-327	26 IR 3098	*CPH (26 IR 3366)
				27 IR 1563
327 IAC 15-15	N	01-51	26 IR 3701	*CPH (27 IR 1195)
				27 IR 2230

TITLE 328 UNDERGROUND STORAGE TANK FINANCIAL ASSURANCE BOARD

328 IAC 1-1-2	A	02-204	27 IR 2778	*CPH (27 IR 3095)
328 IAC 1-1-3	A	02-204	27 IR 2778	*CPH (27 IR 3095)
328 IAC 1-1-4	A	02-204	27 IR 2778	*CPH (27 IR 3095)
328 IAC 1-1-5.1	A	02-204	27 IR 2778	*CPH (27 IR 3095)
328 IAC 1-1-7.5	N	02-204	27 IR 2779	*CPH (27 IR 3095)
328 IAC 1-1-8	R	02-204	27 IR 2797	*CPH (27 IR 3095)
328 IAC 1-1-8.3	N	02-204	27 IR 2779	*CPH (27 IR 3095)
328 IAC 1-1-8.5	A	02-204	27 IR 2779	*CPH (27 IR 3095)
328 IAC 1-1-9	A	02-204	27 IR 2779	*CPH (27 IR 3095)
328 IAC 1-1-10	A	02-204	27 IR 2779	*CPH (27 IR 3095)
328 IAC 1-2-1	A	02-204	27 IR 2779	*CPH (27 IR 3095)
328 IAC 1-2-3	A	02-204	27 IR 2780	*CPH (27 IR 3095)
328 IAC 1-3-1	A	02-204	27 IR 2780	*CPH (27 IR 3095)
328 IAC 1-3-1.3	N	02-204	27 IR 2780	*CPH (27 IR 3095)
328 IAC 1-3-1.6	N	02-204	27 IR 2781	*CPH (27 IR 3095)
328 IAC 1-3-2	A	02-204	27 IR 2781	*CPH (27 IR 3095)
328 IAC 1-3-3	A	02-204	27 IR 2781	*CPH (27 IR 3095)
328 IAC 1-3-4	A	02-204	27 IR 2783	*CPH (27 IR 3095)
328 IAC 1-3-5	A	02-204	27 IR 2784	*CPH (27 IR 3095)
328 IAC 1-3-6	A	02-204	27 IR 2791	*CPH (27 IR 3095)
328 IAC 1-4-1	A	02-204	27 IR 2791	*CPH (27 IR 3095)
328 IAC 1-4-3	A	02-204	27 IR 2794	*CPH (27 IR 3095)
328 IAC 1-4-4	N	02-204	27 IR 2795	*CPH (27 IR 3095)
328 IAC 1-5-1	A	02-204	27 IR 2795	*CPH (27 IR 3095)
328 IAC 1-5-2	A	02-204	27 IR 2796	*CPH (27 IR 3095)
328 IAC 1-5-3	A	02-204	27 IR 2796	*CPH (27 IR 3095)
328 IAC 1-6-1	A	02-204	27 IR 2796	*CPH (27 IR 3095)
328 IAC 1-6-2	A	02-204	27 IR 2796	*CPH (27 IR 3095)
328 IAC 1-7-2	A	02-204	27 IR 2797	*CPH (27 IR 3095)
328 IAC 1-7-3	R	02-204	27 IR 2797	*CPH (27 IR 3095)

TITLE 329 SOLID WASTE MANAGEMENT BOARD

329 IAC 3.1-1-7	A	02-235	26 IR 1240	*CPH (26 IR 1962)
				*CPH (26 IR 2647)
				*CPH (26 IR 3074)
				*CPH (26 IR 3367)
				*CPH (26 IR 3672)
				27 IR 1874
329 IAC 3.1-4-1	A	02-235	26 IR 1240	*CPH (26 IR 1962)
				*CPH (26 IR 2647)
				*CPH (26 IR 3074)
				*CPH (26 IR 3367)
				*CPH (26 IR 3672)
				27 IR 1874
329 IAC 3.1-7-2	A	02-235	26 IR 1240	*CPH (26 IR 1962)
				*CPH (26 IR 2647)
				*CPH (26 IR 3074)
				*CPH (26 IR 3367)
				*CPH (26 IR 3672)
				27 IR 1875
329 IAC 3.1-9-2	A	02-235	26 IR 1241	*CPH (26 IR 1962)
				*CPH (26 IR 2647)
				*CPH (26 IR 3074)
				*CPH (26 IR 3367)
				*CPH (26 IR 3672)
				27 IR 1875
	A	02-160	27 IR 912	
329 IAC 3.1-10-2	A	02-235	26 IR 1242	*CPH (26 IR 1962)
				*CPH (26 IR 2647)
				*CPH (26 IR 3074)
				*CPH (26 IR 3367)
				*CPH (26 IR 3672)
				27 IR 1876

329 IAC 9-1-1	A	01-161	26 IR 1209	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3177	
329 IAC 9-1-4	A	01-161	26 IR 1209	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3177	
329 IAC 9-1-10.1	R	01-161	26 IR 1239	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3209	
329 IAC 9-1-10.2	R	01-161	26 IR 1239	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3209	
329 IAC 9-1-10.4	N	01-161	26 IR 1209	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3177	
329 IAC 9-1-10.6	N	01-161	26 IR 1209	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3178	
329 IAC 9-1-10.8	N	01-161	26 IR 1210	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3178	
329 IAC 9-1-14	A	01-161	26 IR 1210	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3178	
329 IAC 9-1-14.1	R	01-161	26 IR 1239	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3209	
329 IAC 9-1-14.3	N	01-161	26 IR 1210	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3178	
329 IAC 9-1-14.5	N	01-161	26 IR 1210	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3178	
329 IAC 9-1-14.7	N	01-161	26 IR 1210	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3178	
329 IAC 9-1-25	A	01-161	26 IR 1210	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3178	
329 IAC 9-1-27	A	01-161	26 IR 1210	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3178	

329 IAC 9-1-29.1	R	01-161	26 IR 1239	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3209	
329 IAC 9-1-36	A	01-161	26 IR 1210	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3179	
329 IAC 9-1-36.5	N	01-161	27 IR 3179	
329 IAC 9-1-39.5	N	01-161	26 IR 1211	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3179	
329 IAC 9-1-41	R	01-161	26 IR 1239	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3209	
329 IAC 9-1-41.1	R	01-161	26 IR 1239	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3209	
329 IAC 9-1-41.5	N	01-161	26 IR 1211	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3179	
329 IAC 9-1-42.1	R	01-161	26 IR 1239	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3209	
329 IAC 9-1-47	A	01-161	26 IR 1211	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3179	
329 IAC 9-1-47.1	A	01-161	26 IR 1211	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3179	
329 IAC 9-2-1	A	01-161	26 IR 1211	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3179	
329 IAC 9-2-2	A	01-161	26 IR 1214	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3182	
329 IAC 9-2.1-1	A	01-161	26 IR 1215	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3183	
329 IAC 9-3-1	A	01-161	26 IR 1216	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3184	
329 IAC 9-3-2	N	01-161	26 IR 1218	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3187	

329 IAC 9-3.1-1	A	01-161	26 IR 1218	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3187	
329 IAC 9-3.1-2	A	01-161	26 IR 1219	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3187	
329 IAC 9-3.1-3	A	01-161	26 IR 1219	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3188	
329 IAC 9-3.1-4	A	01-161	26 IR 1219	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3188	
329 IAC 9-4-3	A	01-161	26 IR 1220	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3189	
329 IAC 9-4-4	A	01-161	26 IR 1221	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3189	
329 IAC 9-5-1	A	01-161	26 IR 1221	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3190	
329 IAC 9-5-2	A	01-161	26 IR 1223	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3191	
329 IAC 9-5-3.1	R	01-161	26 IR 1239	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3209	
329 IAC 9-5-3.2	N	01-161	26 IR 1223	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3192	
329 IAC 9-5-4.1	R	01-161	26 IR 1239	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3209	
329 IAC 9-5-4.2	N	01-161	26 IR 1224	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3192	
329 IAC 9-5-5.1	A	01-161	26 IR 1224	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3193	
329 IAC 9-5-6	A	01-161	26 IR 1226	*CPH (26 IR 1962) *CPH (26 IR 2646) *CPH (26 IR 3073) *CPH (26 IR 3367) *CPH (26 IR 3671) *CPH (27 IR 2299) *CPH (27 IR 2300) *ARR (27 IR 2500) *CPH (27 IR 2521)
			27 IR 3196	

329 IAC 9-5-7	A	01-161	26 IR 1227	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3196	
329 IAC 9-6-1	A	01-161	26 IR 1229	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3199	
329 IAC 9-6-2	R	01-161	26 IR 1239	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3209	
329 IAC 9-6-2.5	N	01-161	26 IR 1230	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3200	
329 IAC 9-6-3	A	01-161	26 IR 1234	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3204	
329 IAC 9-6-4	A	01-161	26 IR 1234	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3204	
329 IAC 9-6-5	A	01-161	26 IR 1235	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3205	
329 IAC 9-7-1	A	01-161	26 IR 1235	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3205	
329 IAC 9-7-2	A	01-161	26 IR 1236	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3206	
329 IAC 9-7-4	A	01-161	26 IR 1237	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3207	
329 IAC 9-7-5	A	01-161	27 IR 3209	
329 IAC 9-7-6	R	01-161	26 IR 1239	*CPH (26 IR 1962)
				*CPH (26 IR 2646)
				*CPH (26 IR 3073)
				*CPH (26 IR 3367)
				*CPH (26 IR 3671)
				*CPH (27 IR 2299)
				*CPH (27 IR 2300)
				*ARR (27 IR 2500)
				*CPH (27 IR 2521)
			27 IR 3209	
329 IAC 10-1-2.5	N	00-185		**††27 IR 1791**
329 IAC 10-1-4	A	00-185	26 IR 432	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1791
329 IAC 10-1-4.5	N	00-185	26 IR 433	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1792
329 IAC 10-2-6	R	00-185	26 IR 511	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1873
329 IAC 10-2-11	A	00-185	26 IR 433	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1792
329 IAC 10-2-29	R	00-185	26 IR 511	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1873

329 IAC 10-2-29.5	N	01-288	26 IR 1653	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-2-32	A	01-288	26 IR 1653	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-2-33	R	00-185	26 IR 511	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1873**
329 IAC 10-2-41	A	00-185	26 IR 433	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1792**
329 IAC 10-2-41.1	A	00-185	26 IR 434	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1793**
329 IAC 10-2-53	R	00-185	26 IR 511	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1873**
329 IAC 10-2-60	R	00-185	26 IR 511	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1873**
329 IAC 10-2-63.5	N	00-185	26 IR 434	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1793**
329 IAC 10-2-64	A	00-185	26 IR 434	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1793**
329 IAC 10-2-66.1	N	00-185	26 IR 434	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1793**
329 IAC 10-2-66.2	N	00-185	26 IR 434	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1793**
329 IAC 10-2-66.3	N	00-185	26 IR 434	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1793**
329 IAC 10-2-69	A	00-185	26 IR 435	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1793**
329 IAC 10-2-72.1	A	01-288	26 IR 1654	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-2-74	A	00-185	26 IR 435	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1794**
329 IAC 10-2-75	A	00-185	26 IR 435	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1794**
329 IAC 10-2-75.1	N	00-185	26 IR 435	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1794**
329 IAC 10-2-76	R	00-185	26 IR 511	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1873**
329 IAC 10-2-96	A	00-185	26 IR 435	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1794**
329 IAC 10-2-97.1	A	00-185	26 IR 435	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1794**
329 IAC 10-2-99	A	00-185	26 IR 436	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1795**
329 IAC 10-2-100	A	00-185	26 IR 436	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1795**
329 IAC 10-2-105.3	N	00-185	26 IR 436	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1795**
329 IAC 10-2-106	A	00-185	26 IR 436	*CPH (26 IR 2392) *CPH (26 IR 3366) *CPH (26 IR 3073) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1795**
329 IAC 10-2-109	A	00-185	26 IR 436	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1795**

329 IAC 10-2-111.5	N	00-185	26 IR 436	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
329 IAC 10-2-112	A	00-185	26 IR 436	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1795
329 IAC 10-2-115	A	01-288	26 IR 1654	*CPH (26 IR 2647)
				*CPH (26 IR 3672)
				*CPH (26 IR 3903)
329 IAC 10-2-116	A	01-288	26 IR 1654	*CPH (26 IR 2647)
				*CPH (26 IR 3672)
				*CPH (26 IR 3903)
329 IAC 10-2-117	A	01-288	26 IR 1654	*CPH (26 IR 2647)
				*CPH (26 IR 3672)
				*CPH (26 IR 3903)
329 IAC 10-2-121.1	A	00-185	26 IR 437	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1796
329 IAC 10-2-127	R	00-185	26 IR 511	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1873
329 IAC 10-2-128	R	00-185	26 IR 511	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1873
329 IAC 10-2-130	A	01-288	26 IR 1655	*CPH (26 IR 2647)
				*CPH (26 IR 3672)
				*CPH (26 IR 3903)
329 IAC 10-2-132.2	N	00-185	26 IR 437	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1796
329 IAC 10-2-132.3	N	00-185	26 IR 437	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1796
329 IAC 10-2-135.1	R	01-288	26 IR 1674	*CPH (26 IR 2647)
				*CPH (26 IR 3672)
				*CPH (26 IR 3903)
329 IAC 10-2-135.5	N	01-288	26 IR 1655	*CPH (26 IR 2647)
				*CPH (26 IR 3672)
				*CPH (26 IR 3903)
329 IAC 10-2-142.5	N	00-185	26 IR 437	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1796
329 IAC 10-2-147.2	N	00-185	26 IR 437	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
329 IAC 10-2-149	R	00-185	26 IR 511	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1873
329 IAC 10-2-151	A	00-185		††**27 IR 1796**
329 IAC 10-2-158	A	00-185	26 IR 437	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1796
329 IAC 10-2-165.5	N	00-185	26 IR 438	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1797
329 IAC 10-2-172.5	N	00-185	26 IR 438	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1797
329 IAC 10-2-174	A	01-288	26 IR 1655	*CPH (26 IR 2647)
				*CPH (26 IR 3672)
				*CPH (26 IR 3903)
329 IAC 10-2-177	R	00-185	26 IR 511	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1873
329 IAC 10-2-179	R	01-288	26 IR 1674	*CPH (26 IR 2647)
				*CPH (26 IR 3672)
				*CPH (26 IR 3903)
329 IAC 10-2-181.2	N	00-185	26 IR 438	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1797
329 IAC 10-2-181.5	N	00-185	26 IR 438	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1797
329 IAC 10-2-181.6	N	00-185	26 IR 438	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1797
329 IAC 10-2-187.5	N	00-185	26 IR 438	*CPH (26 IR 2392)
				*CPH (26 IR 3073)
				*CPH (26 IR 3366)
				*CPH (26 IR 3671)
				*CPH (27 IR 208)
				27 IR 1797
329 IAC 10-2-197.1	A	01-288	26 IR 1656	*CPH (26 IR 2647)
				*CPH (26 IR 3672)
				*CPH (26 IR 3903)
329 IAC 10-2-199.1	R	01-288	26 IR 1674	*CPH (26 IR 2647)
				*CPH (26 IR 3672)
				*CPH (26 IR 3903)
329 IAC 10-2-201.1	R	01-288	26 IR 1674	*CPH (26 IR 2647)
				*CPH (26 IR 3672)
				*CPH (26 IR 3903)

329 IAC 10-2-203	R	00-185	26 IR 511	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1873**
329 IAC 10-2-205	R	00-185	26 IR 511	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1873**
329 IAC 10-3-1	A	00-185	26 IR 438	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1797**
329 IAC 10-3-2	A	00-185	26 IR 439	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1798**
329 IAC 10-3-3	A	00-185	26 IR 439	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1798**
329 IAC 10-5-1	A	01-288	26 IR 1656	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-6-4	A	00-185	26 IR 440	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1799**
329 IAC 10-7.1	R	01-288	26 IR 1674	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-7.2	N	01-288	26 IR 1656	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-8.1	R	01-288	26 IR 1674	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-8.2	N	01-288	26 IR 1657	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-9-2	A	01-288	26 IR 1659	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-9-4	A	01-288	26 IR 1659	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-10-1	A	00-185	26 IR 440	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1799**
329 IAC 10-10-2	A	00-185	26 IR 440	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1801**
329 IAC 10-11-2.1	A	00-185	26 IR 440	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1801**
329 IAC 10-11-2.5	A	00-185	26 IR 441	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1802**
329 IAC 10-11-5.1	A	00-185	26 IR 443	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1803**
329 IAC 10-11-6	A	00-185	26 IR 443	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1804**
329 IAC 10-12-1	A	00-185	26 IR 443	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1804**
329 IAC 10-13-1	A	00-185	26 IR 445	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1806**
329 IAC 10-13-5	A	00-185	26 IR 445	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1806**
329 IAC 10-13-6	A	00-185	26 IR 446	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1806**
329 IAC 10-14-1	A	00-185	26 IR 446	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1807**
329 IAC 10-14-2	A	01-288	26 IR 1661	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-15-1	A	00-185	26 IR 447	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1808**
329 IAC 10-15-2	A	00-185	26 IR 448	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1809**

329 IAC 10-15-5	A	00-185	26 IR 449	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1810**
329 IAC 10-15-8	A	00-185	26 IR 450	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1810**
329 IAC 10-15-12	N	00-185	26 IR 451	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1812**
329 IAC 10-16-1	A	00-185	26 IR 452	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1813**
329 IAC 10-16-8	A	00-185	26 IR 453	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1814**
329 IAC 10-17-2	A	00-185	26 IR 453	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1814**
329 IAC 10-17-7	A	00-185	26 IR 454	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1815**
329 IAC 10-17-9	A	00-185	26 IR 456	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1817**
329 IAC 10-17-12	A	00-185	26 IR 457	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1818**
329 IAC 10-17-18	A	00-185	26 IR 458	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1819**
329 IAC 10-19-1	A	00-185	26 IR 458	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1819**
329 IAC 10-20-3	A	00-185	26 IR 459	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1821**
329 IAC 10-20-8	A	00-185	26 IR 460	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1821**
329 IAC 10-20-11	A	00-185	26 IR 461	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1822**
329 IAC 10-20-12	A	00-185	26 IR 462	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1823**
329 IAC 10-20-13	A	00-185	26 IR 463	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1824**
329 IAC 10-20-14.1	A	01-288	26 IR 1662	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-20-20	A	00-185	26 IR 463	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1824**
329 IAC 10-20-24	A	00-185	26 IR 464	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1825**
329 IAC 10-20-26	A	00-185	26 IR 464	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1825**
329 IAC 10-20-28	A	00-185	26 IR 464	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1825**
329 IAC 10-20-29	R	01-288	26 IR 1674	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-21-1	A	00-185	26 IR 465	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1826**
329 IAC 10-21-2	A	00-185	26 IR 468	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1830**
329 IAC 10-21-4	A	00-185	26 IR 474	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1835**

329 IAC 10-21-6	A	00-185	26 IR 477	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1838**
329 IAC 10-21-7	A	00-185	26 IR 479	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1840**
329 IAC 10-21-8	A	00-185	26 IR 480	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1841**
329 IAC 10-21-9	A	00-185	26 IR 481	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1842**
329 IAC 10-21-10	A	00-185	26 IR 482	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1843**
329 IAC 10-21-13	A	00-185	26 IR 484	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1845**
329 IAC 10-21-15	A	00-185	26 IR 488	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1849**
329 IAC 10-21-16	A	00-185	26 IR 488	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1850**
329 IAC 10-21-17	N	00-185		††**27 IR 1855**
329 IAC 10-22-2	A	00-185	26 IR 493	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1855**
329 IAC 10-22-3	A	00-185	26 IR 494	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1856**
329 IAC 10-22-5	A	00-185	26 IR 494	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1856**
329 IAC 10-22-6	A	00-185	26 IR 494	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1856**
329 IAC 10-22-7	A	00-185	26 IR 495	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1857**
329 IAC 10-22-8	A	00-185	26 IR 496	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1858**
329 IAC 10-23-2	A	00-185	26 IR 496	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1859**
329 IAC 10-23-3	A	00-185	26 IR 497	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1859**
329 IAC 10-23-4	A	00-185	26 IR 498	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1860**
329 IAC 10-24-4	A	00-185	26 IR 499	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1861**
329 IAC 10-28-21	R	01-288	26 IR 1674	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-28-24	A	01-288	26 IR 1664	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-29-1	A	00-185	26 IR 499	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1862**
329 IAC 10-30-4	A	00-185	26 IR 500	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1862**
329 IAC 10-36-19	A	01-288	26 IR 1665	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 10-37-4	A	00-185	26 IR 501	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1863**

329 IAC 10-39-1	A	00-185	26 IR 501	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1864**
329 IAC 10-39-2	A	00-185	26 IR 502	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1864**
329 IAC 10-39-3	A	00-185	26 IR 508	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1870**
329 IAC 10-39-7	A	00-185	26 IR 509	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1871**
329 IAC 10-39-9	A	00-185	26 IR 509	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1871**
329 IAC 10-39-10	A	00-185	26 IR 510	*CPH (26 IR 2392) *CPH (26 IR 3073) *CPH (26 IR 3366) *CPH (26 IR 3671) *CPH (27 IR 208) **27 IR 1872**
329 IAC 11-2-19.5	N	01-288	26 IR 1665	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-2-39	A	01-288	26 IR 1666	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-2-44	R	01-288	26 IR 1674	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-3-2	A	01-288	26 IR 1666	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-6-1	R	01-288	26 IR 1674	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-7	R	01-288	26 IR 1674	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-8-2	A	01-288	26 IR 1666	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-8-2.5	N	01-288	26 IR 1666	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-8-3	A	01-288	26 IR 1667	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-9-6	N	01-288	26 IR 1667	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-13-4	A	01-288	26 IR 1667	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-13-6	A	01-288	26 IR 1668	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-15-1	A	01-288	26 IR 1668	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-19-2	A	01-288	26 IR 1669	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-19-3	A	01-288	26 IR 1670	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-20-1	A	01-288	26 IR 1670	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-21-4	A	01-288	26 IR 1671	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-21-5	A	01-288	26 IR 1671	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-21-6	A	01-288	26 IR 1671	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-21-7	A	01-288	26 IR 1671	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 11-21-8	A	01-288	26 IR 1672	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
329 IAC 12-8-4	A	01-288	26 IR 1672	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)
	A	03-286	27 IR 3696	
329 IAC 12-8-5	A	03-286	27 IR 3697	
329 IAC 12-9-2	A	03-286	27 IR 3698	
329 IAC 13-3-1	A	01-288	26 IR 1673	*CPH (26 IR 2647) *CPH (26 IR 3672) *CPH (26 IR 3903)

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

345 IAC 1-3-22	A	03-9	26 IR 3108	**27 IR 490**
345 IAC 1-3-30	A	02-323	26 IR 3102	**27 IR 87**
345 IAC 1-3-31	N	02-323	26 IR 3104	**27 IR 89**
345 IAC 1-3-32	N	02-323	26 IR 3104	**27 IR 90**
345 IAC 1-5-1	A	03-9	26 IR 3108	**27 IR 491**
345 IAC 1-6-2	A	02-323	26 IR 3105	**27 IR 90**
345 IAC 1-6-3	A	02-323	26 IR 3105	**27 IR 90**
345 IAC 2-7-2.4	N	02-323	26 IR 3106	**27 IR 92**
345 IAC 2-7-2.5	N	02-323	26 IR 3107	**27 IR 92**
345 IAC 2-7-3	A	02-323	26 IR 3107	**27 IR 92**
345 IAC 7-3.5-16	A	04-15	27 IR 2328	
345 IAC 7-5-15.1	A	04-16	27 IR 2797	
345 IAC 7-5-22	A	04-16	27 IR 2798	
345 IAC 9-2.1-1	A	04-15	27 IR 2329	
345 IAC 9-10.5-2	N	04-15	27 IR 2329	

TITLE 357 INDIANA PESTICIDE REVIEW BOARD

357 IAC 1-11	N	02-332	26 IR 3109	*CPH (26 IR 3673) *AROC (27 IR 1652) **27 IR 1877**

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

405 IAC 1-1.5-1	A	04-142	27 IR 3699	
405 IAC 1-1.6	N	04-142	27 IR 3699	
405 IAC 1-8-2	A	03-164	26 IR 3929	*NRA (27 IR 1194) **27 IR 2247**
405 IAC 1-8-3	A	03-164	26 IR 3929	*NRA (27 IR 1194) **27 IR 2247**

405 IAC 1-10.5-2	A	03-164	26 IR 3930	*NRA (27 IR 1194)
				27 IR 2248
	A	03-236	27 IR 914	*NRA (27 IR 1935)
				27 IR 2482
405 IAC 1-10.5-3	A	03-18	26 IR 3378	*NRA (27 IR 207)
				27 IR 863
	A	03-164	26 IR 3932	*NRA (27 IR 1194)
				27 IR 2249
	A	03-236	27 IR 916	*NRA (27 IR 1935)
				27 IR 2484
				*ERR (27 IR 3580)
405 IAC 1-17-1	A	03-61	26 IR 3111	*NRA (26 IR 3670)
				27 IR 93
405 IAC 1-17-2	A	03-61	26 IR 3111	*NRA (26 IR 3670)
				27 IR 94
405 IAC 1-17-3	A	03-61	26 IR 3112	*NRA (26 IR 3670)
				27 IR 94
405 IAC 1-17-4	A	03-61	26 IR 3113	*NRA (26 IR 3670)
				27 IR 95
405 IAC 1-17-5	A	03-61	26 IR 3113	*NRA (26 IR 3670)
				27 IR 96
405 IAC 1-17-6	A	03-61	26 IR 3114	*NRA (26 IR 3670)
				27 IR 96
405 IAC 1-17-7	A	03-61	26 IR 3114	*NRA (26 IR 3670)
				27 IR 97
405 IAC 1-17-9	A	03-61	26 IR 3115	*NRA (26 IR 3670)
				27 IR 98
405 IAC 1-21	N	03-184	27 IR 258	*NRA (27 IR 1194)
				*ARR (27 IR 1891)
				27 IR 2475
				*ERR (27 IR 2499)
405 IAC 2-3-1.1	A	03-205	27 IR 262	*NRA (27 IR 1612)
				27 IR 2479
405 IAC 2-3-10	A	03-263	27 IR 1210	
405 IAC 2-8-1	A	03-134	26 IR 3706	*AROC (27 IR 2080)
				*NRA (27 IR 3094)
405 IAC 2-8-1.1	A	03-134	26 IR 3707	*AROC (27 IR 2080)
				*NRA (27 IR 3094)
405 IAC 2-10-3	A	03-134	26 IR 3707	*AROC (27 IR 2080)
				*NRA (27 IR 3094)
405 IAC 2-10-7	A	03-134	26 IR 3707	*AROC (27 IR 2080)
				*NRA (27 IR 3094)
405 IAC 2-10-7.1	N	03-134	26 IR 3707	*AROC (27 IR 2080)
				*NRA (27 IR 3094)
405 IAC 2-10-8	A	03-134	26 IR 3708	*AROC (27 IR 2080)
				*NRA (27 IR 3094)
405 IAC 2-10-9	A	03-134	26 IR 3708	*AROC (27 IR 2080)
				*NRA (27 IR 3094)
405 IAC 2-10-10	R	03-134	26 IR 3709	*AROC (27 IR 2080)
				*NRA (27 IR 3094)
405 IAC 2-10-11	N	03-134	26 IR 3709	*AROC (27 IR 2080)
				*NRA (27 IR 3094)
405 IAC 5-3-13	A	03-66	26 IR 3381	*NRA (26 IR 3902)
				*ARR (27 IR 539)
				*NRA (27 IR 550)
				*ARR (27 IR 1576)
				*NRA (27 IR 1612)
				27 IR 2244
405 IAC 5-19-3	A	03-207	27 IR 267	*AROC (27 IR 2342)
405 IAC 5-20-1	A	03-184	27 IR 259	*NRA (27 IR 1194)
				*ARR (27 IR 1891)
				27 IR 2476
405 IAC 5-20-2	A	03-184	27 IR 260	*NRA (27 IR 1194)
				*ARR (27 IR 1891)
				27 IR 2476
405 IAC 5-20-3.1	N	03-184	27 IR 260	*NRA (27 IR 1194)
				*ARR (27 IR 1891)
				27 IR 2477
405 IAC 5-20-4	A	03-184	27 IR 261	*NRA (27 IR 1194)
				*ARR (27 IR 1891)
				27 IR 2477
405 IAC 5-20-7	A	03-184	27 IR 261	*NRA (27 IR 1194)
				*ARR (27 IR 1891)
				27 IR 2478
405 IAC 5-21-1	A	03-66	26 IR 3381	*NRA (26 IR 3902)
				*ARR (27 IR 539)
				*NRA (27 IR 550)
				*ARR (27 IR 1576)
				*NRA (27 IR 1612)
				27 IR 2245
405 IAC 5-21-7	A	03-66	26 IR 3382	*NRA (26 IR 3902)
				*ARR (27 IR 539)
				*NRA (27 IR 550)
				*ARR (27 IR 1576)
				*NRA (27 IR 1612)
				27 IR 2245
405 IAC 5-21-8	N	03-66	26 IR 3382	*NRA (26 IR 3902)
				*ARR (27 IR 539)
				*NRA (27 IR 550)
				*ARR (27 IR 1576)
				*NRA (27 IR 1612)
				27 IR 2245
405 IAC 5-24-7	A	03-206	27 IR 266	*NRA (27 IR 1194)
				27 IR 2252
405 IAC 6-2-3	A	03-260	27 IR 919	*NRA (27 IR 1935)
				27 IR 2486
405 IAC 6-2-5	A	03-260	27 IR 919	*NRA (27 IR 1935)
				27 IR 2486
	A	04-95	27 IR 3210	
405 IAC 6-2-21	R	03-260	27 IR 921	*NRA (27 IR 1935)
				27 IR 2489
405 IAC 6-2-22	R	03-260	27 IR 921	*NRA (27 IR 1935)
				27 IR 2489
405 IAC 6-3-3	A	03-260	27 IR 919	*NRA (27 IR 1935)
				27 IR 2487
	A	04-95	27 IR 3210	
405 IAC 6-4-2	A	03-260	27 IR 919	*NRA (27 IR 1935)
				27 IR 2487
	A	04-95	27 IR 3210	
405 IAC 6-4-3	A	03-260	27 IR 920	*NRA (27 IR 1935)
				27 IR 2487
	A	04-95	27 IR 3211	
405 IAC 6-5-1	A	03-260	27 IR 920	*NRA (27 IR 1935)
				27 IR 2487
	A	04-95	27 IR 3211	
405 IAC 6-5-2	A	03-260	27 IR 920	*NRA (27 IR 1935)
				27 IR 2488
	A	04-95	27 IR 3211	
405 IAC 6-5-3	A	03-260	27 IR 921	*NRA (27 IR 1935)
				27 IR 2488
	A	04-95	27 IR 3211	
405 IAC 6-5-4	A	03-260	27 IR 921	*NRA (27 IR 1935)
				27 IR 2488
	A	04-95	27 IR 3212	
405 IAC 6-5-6	A	03-260	27 IR 921	*NRA (27 IR 1935)
				27 IR 2489
	A	04-95	27 IR 3212	
405 IAC 6-6-3	R	03-260	27 IR 921	*NRA (27 IR 1935)
				27 IR 2489
405 IAC 6-6-4	R	03-260	27 IR 921	*NRA (27 IR 1935)
				27 IR 2489

TITLE 407 OFFICE OF THE CHILDREN'S HEALTH INSURANCE PROGRAM

407 IAC 3-7-1	A	04-35	27 IR 2535	*NRA (27 IR 3589)
407 IAC 3-13-1	A	04-35	27 IR 2535	*NRA (27 IR 3589)

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

410 IAC 1-2.3-47	A	03-4	26 IR 3131	**27 IR 865**
410 IAC 1-2.3-48	A	03-4	26 IR 3134	**27 IR 869**

410 IAC 1-2.3-97.5	N	03-4	26 IR 3135	**27 IR 870**
410 IAC 1-5	RA	04-42	27 IR 2579	
410 IAC 1-7	N	03-161	27 IR 2048	**27 IR 3496**
410 IAC 3-3-7.1	A	03-19	26 IR 3385	*ARR (27 IR 539)
				27 IR 1568
410 IAC 6-6-1				*ERR (27 IR 1890)
410 IAC 6-6-8				*ERR (27 IR 1890)
410 IAC 6-6-13				*ERR (27 IR 1890)
410 IAC 6-6-14.1				*ERR (27 IR 1890)
410 IAC 6-7.2-17	A	02-295	26 IR 2662	**27 IR 98**
410 IAC 6-7.2-29	A	02-295	26 IR 2662	**27 IR 99**
410 IAC 6-7.2-30	A	02-295	26 IR 2663	**27 IR 99**
410 IAC 6-8.1	R	02-321	26 IR 3131	*CPH (26 IR 3368)
				*AWR (27 IR 3079)
410 IAC 6-8.2	N	02-321	26 IR 3116	*CPH (26 IR 3368)
				*AWR (27 IR 3079)
410 IAC 6-9-3				*ERR (26 IR 3884)
410 IAC 6-10	R	02-321	26 IR 3131	*CPH (26 IR 3368)
				*AWR (27 IR 3079)
410 IAC 6-12-0.5	N	03-276	27 IR 3212	
410 IAC 6-12-1	A	03-276	27 IR 3212	
410 IAC 6-12-2	R	03-276	27 IR 3216	
410 IAC 6-12-3	A	03-276	27 IR 3213	
410 IAC 6-12-3.1	N	03-276	27 IR 3213	
410 IAC 6-12-3.2	N	03-276	27 IR 3213	
410 IAC 6-12-4	A	03-276	27 IR 3213	
410 IAC 6-12-5	R	03-276	27 IR 3216	
410 IAC 6-12-6	R	03-276	27 IR 3216	
410 IAC 6-12-7	A	03-276	27 IR 3213	
410 IAC 6-12-8	A	03-276	27 IR 3213	
410 IAC 6-12-9	A	03-276	27 IR 3214	
410 IAC 6-12-10	A	03-276	27 IR 3215	
410 IAC 6-12-11	A	03-276	27 IR 3215	
410 IAC 6-12-12	A	03-276	27 IR 3215	
410 IAC 6-12-13	A	03-276	27 IR 3215	
410 IAC 6-12-14	A	03-276	27 IR 3215	
410 IAC 6-12-15	R	03-276	27 IR 3216	
410 IAC 6-12-17	N	03-276	27 IR 3216	
410 IAC 7-19	R	02-317	26 IR 3385	*ARR (27 IR 878)
				27 IR 1169
410 IAC 7-20	R	04-60	27 IR 3301	
410 IAC 7-23	N	02-317	26 IR 3383	*ARR (27 IR 878)
				27 IR 1167
410 IAC 7-23-1	A	04-62	27 IR 3301	
410 IAC 7-24	N	04-60	27 IR 3216	
410 IAC 15-1.5-8	A	03-216	27 IR 1620	**27 IR 2718**
410 IAC 15-1.7-1	A	03-216	27 IR 1622	**27 IR 2720**
410 IAC 15-2.5-7	A	03-216	27 IR 1623	**27 IR 2721**
410 IAC 15-2.7-1	A	03-216	27 IR 1625	**27 IR 2722**
410 IAC 16.2-1.1-11.5	N	03-275	27 IR 2051	
410 IAC 16.2-1.1-19.3	N	04-7	27 IR 2542	
410 IAC 16.2-3.1-2	A	03-297	27 IR 2536	
410 IAC 16.2-3.1-3	A	03-275	27 IR 2051	
410 IAC 16.2-3.1-4	A	03-275	27 IR 2053	
410 IAC 16.2-3.1-13	A	03-275	27 IR 2054	
410 IAC 16.2-3.1-14	A	03-275	27 IR 2056	
	A	04-7	27 IR 2542	
410 IAC 16.2-3.1-19	A	03-90	27 IR 922	*CPH (27 IR 1613)
				27 IR 2715
410 IAC 16.2-3.1-26	A	03-275	27 IR 2059	
410 IAC 16.2-3.1-29	A	03-275	27 IR 2060	
410 IAC 16.2-3.1-53	N	04-7	27 IR 2545	
410 IAC 16.2-5-1.1	A	03-297	27 IR 2539	
410 IAC 16.2-5-1.2	A	03-275	27 IR 2060	
410 IAC 16.2-5-1.3	A	03-275	27 IR 2066	
410 IAC 16.2-5-1.4	A	03-275	27 IR 2067	
	A	04-7	27 IR 2547	
410 IAC 16.2-5-2	A	03-275	27 IR 2069	
410 IAC 16.2-5-4	A	03-275	27 IR 2069	
410 IAC 16.2-5-13	N	04-7	27 IR 2548	
410 IAC 16.2-8-1	A	03-90	27 IR 924	*CPH (27 IR 1613)
				27 IR 2718

TITLE 414 HOSPITAL COUNCIL

414 IAC	N	03-277	27 IR 1625	**27 IR 2723**

TITLE 440 DIVISION OF MENTAL HEALTH AND ADDICTION

440 IAC 5.2	N	03-57	26 IR 3386	*NRA (26 IR 3902)
				27 IR 492

TITLE 460 DIVISION OF DISABILITY, AGING, AND REHABILITATIVE SERVICES

460 IAC 1-10	N	03-231	27 IR 3303	
460 IAC 1.1	N	03-245	27 IR 2799	*AROC (27 IR 3344)
460 IAC 2-2.1	N	04-76	27 IR 3701	
460 IAC 2-3-1				*ERR (27 IR 3078)
460 IAC 3.5-1-1	A	03-180	27 IR 269	
460 IAC 3.5-2-1	A	03-180	27 IR 269	
460 IAC 5-1-13	A	02-151	26 IR 524	
460 IAC 6-2-2	A	03-123	26 IR 3935	**27 IR 2724**
460 IAC 6-2-3	A	03-123	26 IR 3935	**27 IR 2724**
460 IAC 6-3-2.1	N	02-326	26 IR 2664	**27 IR 101**
460 IAC 6-3-5.1	N	02-326	26 IR 2665	**27 IR 101**
460 IAC 6-3-5.2	N	02-326	26 IR 2665	**27 IR 101**
460 IAC 6-3-6.1	N	02-326	26 IR 2665	**27 IR 101**
460 IAC 6-3-10.1	N	02-326	26 IR 2665	**27 IR 101**
460 IAC 6-3-15.1	N	02-326	26 IR 2665	**27 IR 101**
460 IAC 6-3-15.2	N	03-123	26 IR 3935	**27 IR 2724**
460 IAC 6-3-15.3	N	02-326	26 IR 2665	**††27 IR 101**
460 IAC 6-3-18	A	02-326	26 IR 2666	**27 IR 102**
460 IAC 6-3-25	A	02-326	26 IR 2666	**27 IR 102**
460 IAC 6-3-29.5	N	02-326	26 IR 2666	**27 IR 102**
460 IAC 6-3-31	A	02-326	26 IR 2666	**27 IR 102**
460 IAC 6-3-32	A	02-326	26 IR 2666	**27 IR 102**
460 IAC 6-3-38.5	N	02-326	26 IR 2666	**27 IR 103**
460 IAC 6-3-38.6	N	02-326	26 IR 2667	**27 IR 103**
460 IAC 6-3-41.1	N	02-326	26 IR 2667	**27 IR 103**
460 IAC 6-3-52.1	N	02-326	26 IR 2667	**27 IR 103**
460 IAC 6-3-56	A	02-326	26 IR 2667	**27 IR 103**
460 IAC 6-4-1	A	02-326	26 IR 2667	**27 IR 103**
460 IAC 6-5-4	A	02-326	26 IR 2668	**27 IR 104**
460 IAC 6-5-7	A	02-326	26 IR 2669	**27 IR 105**
460 IAC 6-5-21	A	02-326	26 IR 2669	**27 IR 105**
460 IAC 6-5-32	N	02-326	26 IR 2669	**27 IR 105**
460 IAC 6-5-33	N	02-326	26 IR 2670	**27 IR 106**
460 IAC 6-5-34	N	02-326	26 IR 2670	**27 IR 106**
460 IAC 6-5-35	N	02-326	26 IR 2670	**27 IR 106**
460 IAC 6-5-36	N	02-326	26 IR 2670	**27 IR 106**
460 IAC 6-6-2	A	02-326	26 IR 2670	**27 IR 106**
460 IAC 6-6-3	A	02-326	26 IR 2670	**27 IR 107**
460 IAC 6-7-2	A	02-326	26 IR 2671	**27 IR 107**
460 IAC 6-7-3	A	02-326	26 IR 2671	**27 IR 108**
460 IAC 6-9-5	A	02-326	26 IR 2672	**27 IR 108**
460 IAC 6-9-7	N	02-326	26 IR 2673	**27 IR 109**
460 IAC 6-10-5	A	02-326	26 IR 2673	**27 IR 110**
460 IAC 6-10-8	A	02-326	26 IR 2674	**27 IR 110**
460 IAC 6-10-13	A	02-326	26 IR 2674	**27 IR 110**
460 IAC 6-13-2	A	02-326	26 IR 2675	**27 IR 111**
460 IAC 6-14-4	A	02-326	26 IR 2675	**27 IR 111**
460 IAC 6-14-6	N	03-123	26 IR 3935	**27 IR 2724**
460 IAC 6-14-7	N	03-123	26 IR 3935	**27 IR 2724**
460 IAC 6-15-2	A	03-123	26 IR 3935	**27 IR 2724**
460 IAC 6-17-3	A	02-326	26 IR 2675	**27 IR 111**
460 IAC 6-17-4	A	02-326	26 IR 2676	**27 IR 112**
460 IAC 6-19-6	A	02-326	26 IR 2676	**27 IR 113**
	A	03-123	26 IR 3936	**27 IR 2725**
460 IAC 6-24-1	A	02-236	26 IR 2677	**27 IR 113**
460 IAC 6-24-2	A	02-326	26 IR 2677	**27 IR 114**

460 IAC 6-25-10	A	02-326	26 IR 2677	**27 IR 114**
460 IAC 6-29-4	A	02-326	26 IR 2678	**27 IR 114**
460 IAC 6-29-9	N	02-326	26 IR 2678	**27 IR 115**
460 IAC 6-31-1	A	03-123	26 IR 3936	**27 IR 2725**
460 IAC 6-35	N	02-326	26 IR 2678	**27 IR 115**
460 IAC 6-36	N	03-123	26 IR 3937	**27 IR 2726**
460 IAC 8	N	03-99	26 IR 3392	**27 IR 2489**

TITLE 470 DIVISION OF FAMILY AND CHILDREN

470 IAC 3-1.1-0.5	A	04-77	27 IR 2837	
470 IAC 3-1.1-1	A	04-77	27 IR 2838	
470 IAC 3-1.1-2	A	04-77	27 IR 2838	
470 IAC 3-1.1-4	A	04-77	27 IR 2838	
470 IAC 3-1.1-6	A	04-77	27 IR 2838	
470 IAC 3-1.1-7.2	A	04-77	27 IR 2838	
470 IAC 3-1.1-7.4	A	04-77	27 IR 2839	
470 IAC 3-1.1-8	A	04-77	27 IR 2839	
470 IAC 3-1.1-9	R	04-77	27 IR 2857	
470 IAC 3-1.1-10	A	04-77	27 IR 2839	
470 IAC 3-1.1-12	A	04-77	27 IR 2839	
470 IAC 3-1.1-12.5	A	04-77	27 IR 2839	
470 IAC 3-1.1-13	A	04-77	27 IR 2839	
470 IAC 3-1.1-14	A	04-77	27 IR 2840	
470 IAC 3-1.1-15	A	04-77	27 IR 2840	
470 IAC 3-1.1-16	A	04-77	27 IR 2840	
470 IAC 3-1.1-20	A	04-77	27 IR 2840	
470 IAC 3-1.1-20.1	N	04-77	27 IR 2840	
470 IAC 3-1.1-22.5	A	04-77	27 IR 2840	
470 IAC 3-1.1-24	A	04-77	27 IR 2841	
470 IAC 3-1.1-28	A	04-77	27 IR 2841	
470 IAC 3-1.1-28.5	A	04-77	27 IR 2842	
470 IAC 3-1.1-29	A	04-77	27 IR 2842	
470 IAC 3-1.1-29.5	A	04-77	27 IR 2842	
470 IAC 3-1.1-32	R	04-77	27 IR 2857	
470 IAC 3-1.1-32.1	N	04-77	27 IR 2843	
470 IAC 3-1.1-33	A	04-77	27 IR 2845	
470 IAC 3-1.1-33.5	A	04-77	27 IR 2845	
470 IAC 3-1.1-34	A	04-77	27 IR 2845	
470 IAC 3-1.1-35	A	04-77	27 IR 2846	
470 IAC 3-1.1-36.5	A	04-77	27 IR 2846	
470 IAC 3-1.1-36.6	N	04-77	27 IR 2846	
470 IAC 3-1.1-37	A	04-77	27 IR 2846	
470 IAC 3-1.1-38	A	04-77	27 IR 2847	
470 IAC 3-1.1-38.5	N	04-77	27 IR 2847	
470 IAC 3-1.1-39	A	04-77	27 IR 2848	
470 IAC 3-1.1-40	A	04-77	27 IR 2848	
470 IAC 3-1.1-41	A	04-77	27 IR 2848	
470 IAC 3-1.1-41.1	N	04-77	27 IR 2848	
470 IAC 3-1.1-41.2	N	04-77	27 IR 2848	
470 IAC 3-1.1-42	A	04-77	27 IR 2849	
470 IAC 3-1.1-44	A	04-77	27 IR 2849	
470 IAC 3-1.1-44.5	N	04-77	27 IR 2850	
470 IAC 3-1.1-45	A	04-77	27 IR 2850	
470 IAC 3-1.1-45.5	N	04-77	27 IR 2850	
470 IAC 3-1.1-46	A	04-77	27 IR 2851	
470 IAC 3-1.1-47	A	04-77	27 IR 2852	
470 IAC 3-1.1-48	A	04-77	27 IR 2852	
470 IAC 3-1.1-50	N	04-77	27 IR 2853	
470 IAC 3-1.1-51	N	04-77	27 IR 2853	
470 IAC 3-1.2-2	A	04-77	27 IR 2853	
470 IAC 3-1.2-3	A	04-77	27 IR 2853	
470 IAC 3-1.2-3.2	N	04-77	27 IR 2853	
470 IAC 3-1.2-4	A	04-77	27 IR 2854	
470 IAC 3-1.2-5	A	04-77	27 IR 2854	
470 IAC 3-1.2-6	A	04-77	27 IR 2854	
470 IAC 3-1.2-7	A	04-77	27 IR 2855	
470 IAC 3-1.2-8	N	04-77	27 IR 2855	
470 IAC 3-1.3-1	A	04-77	27 IR 2855	
470 IAC 3-1.3-2	N	04-77	27 IR 2855	
470 IAC 3-1.3-3	N	04-77	27 IR 2855	
470 IAC 3-1.3-4	N	04-77	27 IR 2856	
470 IAC 3-1.3-5	N	04-77	27 IR 2856	
470 IAC 3-1.3-6	N	04-77	27 IR 2856	
470 IAC 3-1.3-7	N	04-77	27 IR 2856	
470 IAC 3-4.1	R	02-298	26 IR 1719	*NRA (26 IR 3365)
				*AROC (26 IR 3756)
				*AROC (27 IR 288)
				27 IR 162
470 IAC 3-4.2	R	02-298	26 IR 1719	*NRA (26 IR 3365)
				*AROC (26 IR 3756)
				*AROC (27 IR 288)
				27 IR 162
470 IAC 3-4.7	N	02-298	26 IR 1675	*NRA (26 IR 3365)
				*AROC (26 IR 3756)
				*AROC (27 IR 288)
				27 IR 116
				*ERR (27 IR 1184)
470 IAC 3-4.8	N	03-232	27 IR 1626	*AROC (27 IR 2882)
470 IAC 3-18	N	03-233	27 IR 1627	*AROC (27 IR 3345)
470 IAC 6-2-1	A	03-136	26 IR 3709	*NRA (27 IR 207)
				27 IR 870
470 IAC 6-2-13	A	03-136	26 IR 3709	*NRA (27 IR 207)
				27 IR 871
470 IAC 6-4.1-4	A	03-136	26 IR 3710	*NRA (27 IR 207)
				27 IR 871
470 IAC 10.1-3-4	R	03-33	26 IR 2682	*NRA (26 IR 3670)
				27 IR 500
470 IAC 10.1-3-4.1	R	03-33	26 IR 2682	*NRA (26 IR 3670)
				27 IR 500
470 IAC 10.1-3-5	R	03-33	26 IR 2682	*NRA (26 IR 3670)
				27 IR 500
470 IAC 10.2	N	03-33	26 IR 2680	*NRA (26 IR 3670)
				27 IR 498

TITLE 511 INDIANA STATE BOARD OF EDUCATION

511 IAC 1-3-1	A	03-185	27 IR 270	**27 IR 3504**
	A	04-101	27 IR 3305	
511 IAC 1-9	RA	04-47	27 IR 2879	
511 IAC 6-7-1	RA	04-47	27 IR 2879	
511 IAC 6-7-6	RA	04-47	27 IR 2879	
511 IAC 6-7-6.1	A	03-150	26 IR 3938	*ARR (27 IR 1185)
	A	03-150	27 IR 1211	**27 IR 3499**
511 IAC 6-7-6.5	A	04-36	27 IR 2552	
511 IAC 6.1-1-2	A	03-219	27 IR 561	
511 IAC 6.1-2-2.5	RA	04-47	27 IR 2879	
511 IAC 6.1-5-4	RA	04-47	27 IR 2879	
511 IAC 6.1-5.1-2	A	04-36	27 IR 2553	
511 IAC 6.1-5.1-3	A	04-36	27 IR 2553	
511 IAC 6.1-5.1-4	A	04-36	27 IR 2554	
511 IAC 6.1-5.1-5	A	04-36	27 IR 2555	
511 IAC 6.1-5.1-6	A	04-36	27 IR 2555	
511 IAC 6.1-5.1-8	A	04-36	27 IR 2556	
511 IAC 6.1-5.1-9	A	03-151	26 IR 3939	**27 IR 3500**
	A	04-36	27 IR 2557	
511 IAC 6.1-5.1-10.1	A	03-151	26 IR 3940	**27 IR 3501**
	A	04-22	27 IR 2550	
511 IAC 6.2-2.5	N	03-219	27 IR 563	
511 IAC 6.2-6-4	A	02-264	26 IR 1719	**27 IR 162**
511 IAC 6.2-6-6.1	N	02-264	26 IR 1720	**27 IR 163**
511 IAC 6.2-6-8	A	02-264	26 IR 1720	**27 IR 163**
511 IAC 6.2-6-12	A	02-264	26 IR 1720	**27 IR 163**
511 IAC 6.2-7	N	02-264	26 IR 1720	**27 IR 163**
511 IAC 6.2-7-8	A	03-219	27 IR 564	
511 IAC 8	RA	04-47	27 IR 2879	

TITLE 514 INDIANA SCHOOL FOR THE DEAF BOARD

514 IAC	N	03-298	27 IR 1634	

TITLE 515 PROFESSIONAL STANDARDS BOARD

515 IAC 1-3	R	02-314	26 IR 1257	*ARR (26 IR 3346)
				27 IR 505
515 IAC 1-4-1	A	03-320	27 IR 2558	
515 IAC 1-4-2	A	03-320	27 IR 2558	
515 IAC 1-7	N	02-314	26 IR 1254	*ARR (26 IR 3346)
				27 IR 501
515 IAC 4	N	03-135	27 IR 925	**27 IR 3066**
515 IAC 8	N	03-10	26 IR 2437	**27 IR 166**
				*ERR (27 IR 538)
515 IAC 8-1-23	A	03-321	27 IR 2330	
515 IAC 8-1-42	A	03-321	27 IR 2330	
515 IAC 9	N	03-11	26 IR 2451	*CPH (26 IR 2648)
				27 IR 1169
515 IAC 9-1-22	A	03-322	27 IR 2331	
515 IAC 12	N	03-65	26 IR 3943	*I (27 IR 2727)
	N	04-141	27 IR 3703	

TITLE 540 INDIANA EDUCATION SAVINGS AUTHORITY

540 IAC 1-1-1	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-1-2	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-1-5	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-1-8	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-1-10	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-1-11	RA	04-54	27 IR 2880	*CPH (27 IR 3096)
540 IAC 1-1-15	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-1-17	RA	04-54	27 IR 2880	*CPH (27 IR 3096)
540 IAC 1-1-18	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-2	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-3-1	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-4-1	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-4-2	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-8-8	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-10-2	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-11	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-12-1	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-12-3	RA	03-112	26 IR 3754	**27 IR 570**
540 IAC 1-12-4	RA	03-112	26 IR 3754	**27 IR 570**

TITLE 550 BOARD OF TRUSTEES OF THE INDIANA STATE TEACHERS' RETIREMENT FUND

550 IAC 2-2-7	A	03-155	26 IR 3944	*CPH (27 IR 551)
				*CPH (27 IR 1196)
				27 IR 2496
550 IAC 7	N	03-100	26 IR 3710	*CPH (27 IR 1196)
				27 IR 2495

TITLE 610 DEPARTMENT OF LABOR

610 IAC 4-2-1	A	03-36	26 IR 2463	**27 IR 1879**
610 IAC 4-2-11	R	03-36	26 IR 2464	**27 IR 1879**
610 IAC 4-6-11	A	03-37	26 IR 2464	**27 IR 1879**
610 IAC 4-6-13	R	03-253	27 IR 565	**27 IR 2728**
610 IAC 4-6-23	A	03-252	27 IR 564	**27 IR 2728**

TITLE 646 DEPARTMENT OF WORKFORCE DEVELOPMENT

646 IAC 3-1-12	N	03-317	27 IR 2858	
646 IAC 3-1-13	N	03-317	27 IR 2858	
646 IAC 3-4-11	N	03-317	27 IR 2858	
646 IAC 3-5-1	A	03-317	27 IR 2859	

TITLE 655 BOARD OF FIREFIGHTING PERSONNEL STANDARDS AND EDUCATION

655 IAC 1-1-5.1	A	03-186	27 IR 932	*AROC (27 IR 1652)
655 IAC 1-2.1-2	A	03-186	27 IR 934	*AROC (27 IR 1652)
655 IAC 1-2.1-3	A	03-186	27 IR 934	*AROC (27 IR 1652)
655 IAC 1-2.1-6.1	A	03-186	27 IR 935	*AROC (27 IR 1652)
655 IAC 1-2.1-6.2	A	03-186	27 IR 935	*AROC (27 IR 1652)
655 IAC 1-2.1-6.3	A	03-186	27 IR 935	*AROC (27 IR 1652)
655 IAC 1-2.1-6.4	A	03-186	27 IR 936	*AROC (27 IR 1652)
655 IAC 1-2.1-12	A	03-186	27 IR 936	*AROC (27 IR 1652)
655 IAC 1-2.1-14	A	03-186	27 IR 936	*AROC (27 IR 1652)
655 IAC 1-2.1-15	A	03-186	27 IR 936	*AROC (27 IR 1652)
655 IAC 1-2.1-19	A	03-186	27 IR 937	*AROC (27 IR 1652)
655 IAC 1-2.1-19.1	A	03-186	27 IR 937	*AROC (27 IR 1652)
655 IAC 1-2.1-20	A	03-186	27 IR 937	*AROC (27 IR 1652)
655 IAC 1-2.1-23	A	03-186	27 IR 938	*AROC (27 IR 1652)
655 IAC 1-2.1-23.1	A	03-186	27 IR 938	*AROC (27 IR 1652)
655 IAC 1-2.1-24	A	03-186	27 IR 938	*AROC (27 IR 1652)
655 IAC 1-2.1-24.1	A	03-186	27 IR 938	*AROC (27 IR 1652)
655 IAC 1-2.1-24.2	A	03-186	27 IR 938	*AROC (27 IR 1652)
655 IAC 1-2.1-24.3	N	03-186	27 IR 939	*AROC (27 IR 1652)
655 IAC 1-2.1-88	A	03-186	27 IR 939	*AROC (27 IR 1652)
655 IAC 1-3-1	A	03-186	27 IR 939	*AROC (27 IR 1652)
655 IAC 1-3-2	A	03-186	27 IR 939	*AROC (27 IR 1652)
655 IAC 1-3-4	A	03-186	27 IR 940	*AROC (27 IR 1652)
655 IAC 1-3-5	A	03-186	27 IR 940	*AROC (27 IR 1652)
655 IAC 1-3-7	A	03-186	27 IR 940	*AROC (27 IR 1652)
655 IAC 1-3-8	R	03-186	27 IR 941	*AROC (27 IR 1652)
655 IAC 1-4-1	A	03-186	27 IR 940	*AROC (27 IR 1652)
655 IAC 1-4-2	A	03-186	27 IR 940	*AROC (27 IR 1652)

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

675 IAC 12-4-11	A	03-278	27 IR 941	**27 IR 3505**
675 IAC 13-1-4	RA	03-48	26 IR 2693	*CPH (27 IR 551)
				27 IR 1299
675 IAC 13-1-5	RA	03-48	26 IR 2693	*CPH (27 IR 551)
				27 IR 1299
675 IAC 13-1-9.5	RA	03-48	26 IR 2693	*CPH (27 IR 551)
				27 IR 1299
675 IAC 13-1-9.6	RA	03-48	26 IR 2693	*CPH (27 IR 551)
				27 IR 1299
675 IAC 13-1-28	RA	03-48	26 IR 2693	*CPH (27 IR 551)
				27 IR 1299
675 IAC 14-4.2-1	A	03-71	26 IR 3712	**27 IR 2253**
675 IAC 14-4.2-2	A	03-71	26 IR 3712	**27 IR 2253**
675 IAC 14-4.2-3	A	03-71	26 IR 3714	**27 IR 2254**
675 IAC 14-4.2-6	A	03-71	26 IR 3715	**27 IR 2256**
675 IAC 14-4.2-7	A	03-71	26 IR 3719	**27 IR 2260**
675 IAC 14-4.2-9	A	03-71	26 IR 3719	**27 IR 2260**
675 IAC 14-4.2-13.5	N	03-71	26 IR 3719	**27 IR 2260**
675 IAC 14-4.2-15.5	N	03-71	26 IR 3719	**27 IR 2260**
675 IAC 14-4.2-19.5	N	03-71	26 IR 3720	**27 IR 2260**
675 IAC 14-4.2-20.5	A	03-71	26 IR 3720	**27 IR 2261**
675 IAC 14-4.2-21	A	03-71	26 IR 3720	**27 IR 2261**
675 IAC 14-4.2-22	A	03-71	26 IR 3721	**27 IR 2262**
675 IAC 14-4.2-26.5	N	03-71	26 IR 3722	**27 IR 2263**
675 IAC 14-4.2-27.5	A	03-71	26 IR 3722	**27 IR 2263**
675 IAC 14-4.2-29	A	03-71	26 IR 3722	**27 IR 2263**
675 IAC 14-4.2-30	A	04-8	27 IR 2333	
675 IAC 14-4.2-31	A	03-71	26 IR 3722	**27 IR 2263**
675 IAC 14-4.2-34	A	03-71	26 IR 3723	**27 IR 2264**
675 IAC 14-4.2-37.5	N	03-71	26 IR 3724	**27 IR 2265**
675 IAC 14-4.2-45.3	N	03-71	26 IR 3724	**27 IR 2265**
675 IAC 14-4.2-46.8	N	03-71	26 IR 3724	**27 IR 2265**
675 IAC 14-4.2-49.1	N	03-71	26 IR 3724	**27 IR 2265**
675 IAC 14-4.2-49.3	N	03-71	26 IR 3724	**27 IR 2265**
675 IAC 14-4.2-52	A	03-71	26 IR 3725	**27 IR 2266**
675 IAC 14-4.2-53	A	03-71	26 IR 3725	**27 IR 2266**
675 IAC 14-4.2-53.7	N	03-71	26 IR 3725	**27 IR 2266**
675 IAC 14-4.2-61	A	03-71	26 IR 3726	**27 IR 2267**
675 IAC 14-4.2-63	A	03-71	26 IR 3726	**27 IR 2267**
675 IAC 14-4.2-69.5	N	03-71	26 IR 3726	**27 IR 2267**
675 IAC 14-4.2-69.6	N	03-71		**††27 IR 2267**
675 IAC 14-4.2-71	A	03-71	26 IR 3726	**27 IR 2268**
675 IAC 14-4.2-73.5	N	03-71	26 IR 3727	**27 IR 2268**
675 IAC 14-4.2-77.6	N	03-71	26 IR 3727	**27 IR 2268**
675 IAC 14-4.2-77.7	N	03-71	26 IR 3727	**27 IR 2268**

675 IAC 14-4.2-81.2	N	03-71	26 IR 3727	**27 IR 2268**
675 IAC 14-4.2-81.3	N	03-71	26 IR 3727	**27 IR 2269**
675 IAC 14-4.2-81.7	N	03-71	26 IR 3727	**27 IR 2269**
675 IAC 14-4.2-82	A	03-71	26 IR 3727	**27 IR 2269**
675 IAC 14-4.2-83	A	03-71	26 IR 3728	**27 IR 2269**
675 IAC 14-4.2-89.2	N	03-71	26 IR 3728	**27 IR 2269**
	A	04-8	27 IR 2333	
675 IAC 14-4.2-89.6	A	03-71	26 IR 3728	**27 IR 2269**
675 IAC 14-4.2-89.7	R	03-71	26 IR 3737	**27 IR 2278**
675 IAC 14-4.2-89.8	A	03-71	26 IR 3728	**27 IR 2270**
675 IAC 14-4.2-89.9	A	03-71	26 IR 3728	**27 IR 2270**
675 IAC 14-4.2-89.10	R	03-71	26 IR 3737	**27 IR 2278**
675 IAC 14-4.2-89.11	R	03-71	26 IR 3737	**27 IR 2278**
675 IAC 14-4.2-95	A	03-71	26 IR 3729	**27 IR 2270**
675 IAC 14-4.2-96.2	N	03-71	26 IR 3729	**27 IR 2270**
675 IAC 14-4.2-97.5	N	03-71	26 IR 3729	**27 IR 2270**
675 IAC 14-4.2-97.9	N	03-71	26 IR 3729	**27 IR 2270**
675 IAC 14-4.2-107	A	03-71	26 IR 3729	**27 IR 2271**
675 IAC 14-4.2-112.5	N	03-71	26 IR 3735	**27 IR 2277**
675 IAC 14-4.2-117	A	03-71	26 IR 3736	**27 IR 2277**
675 IAC 14-4.2-171.5	N	03-71	26 IR 3736	**27 IR 2277**
675 IAC 14-4.2-174.5	N	03-71	26 IR 3736	**27 IR 2277**
675 IAC 14-4.2-177.5	N	03-71	26 IR 3736	**27 IR 2277**
675 IAC 14-4.2-189	A	03-71	26 IR 3736	**27 IR 2277**
675 IAC 14-4.2-189.2	N	03-71	26 IR 3736	**27 IR 2277**
675 IAC 14-4.2-191.4	A	03-71	26 IR 3736	**27 IR 2278**
675 IAC 14-4.2-192	R	03-71	26 IR 3737	
675 IAC 17-1.6-12	A	03-71	26 IR 3737	**27 IR 2278**
675 IAC 17-1.6-16	A	03-71	26 IR 3737	**27 IR 2278**
675 IAC 19-3-4	A	03-71	26 IR 3737	**27 IR 2278**
675 IAC 22-2.2-3	RA	04-19	27 IR 2339	
675 IAC 22-2.2-4	RA	04-19	27 IR 2339	
675 IAC 22-2.2-5	RA	04-19	27 IR 2339	
675 IAC 22-2.2-6	RA	04-19	27 IR 2339	
675 IAC 22-2.2-7	RA	04-19	27 IR 2339	
675 IAC 22-2.2-8	RA	04-19	27 IR 2339	
675 IAC 22-2.2-9	RA	04-19	27 IR 2339	
675 IAC 22-2.2-10	RA	04-19	27 IR 2339	
675 IAC 22-2.2-11	RA	04-19	27 IR 2339	
675 IAC 22-2.2-12	RA	04-19	27 IR 2339	
675 IAC 22-2.2-13	RA	04-19	27 IR 2339	
675 IAC 22-2.2-15	RA	04-19	27 IR 2340	
675 IAC 22-2.2-16	RA	04-19	27 IR 2340	
675 IAC 22-2.2-17	RA	04-19	27 IR 2340	
675 IAC 22-2.2-18	RA	04-19	27 IR 2340	
675 IAC 22-2.2-21	RA	04-19	27 IR 2340	
675 IAC 22-2.2-22	RA	04-19	27 IR 2340	
675 IAC 22-2.2-23	RA	04-19	27 IR 2340	
675 IAC 22-2.2-24	RA	04-19	27 IR 2340	
675 IAC 22-2.2-25	RA	04-19	27 IR 2340	
675 IAC 22-2.2-49.5	R	04-56	27 IR 2864	
675 IAC 22-2.2-107.1	R	04-56	27 IR 2864	
675 IAC 22-2.2-134.5	R	04-56	27 IR 2864	
675 IAC 22-2.2-183	RA	04-19	27 IR 2340	
	R	04-56	27 IR 2864	
675 IAC 22-2.2-221.5	R	04-56	27 IR 2864	
675 IAC 22-2.2-240.1	R	04-56	27 IR 2864	
675 IAC 22-2.2-241.1	R	04-56	27 IR 2864	
675 IAC 22-2.2-243.1	R	04-56	27 IR 2864	
675 IAC 22-2.2-245.2	R	04-56	27 IR 2864	
675 IAC 22-2.2-245.5	R	04-56	27 IR 2864	
675 IAC 22-2.2-365.2	R	04-56	27 IR 2864	
675 IAC 22-2.2-365.5	R	04-56	27 IR 2864	
675 IAC 22-2.2-368.1	R	04-56	27 IR 2864	
675 IAC 22-2.2-369.5	R	04-56	27 IR 2864	
675 IAC 22-2.2-378.5	R	04-56	27 IR 2864	
675 IAC 22-2.2-412.5	R	04-56	27 IR 2864	
675 IAC 22-2.2-437.5	R	04-56	27 IR 2864	
675 IAC 22-2.2-437.7	R	04-56	27 IR 2864	
675 IAC 22-2.2-443.5	R	04-56	27 IR 2864	
675 IAC 22-2.2-511.1	R	04-56	27 IR 2864	
675 IAC 22-2.2-515.1	R	04-56	27 IR 2864	
675 IAC 22-2.2-540	R	04-56	27 IR 2864	
675 IAC 22-2.3-18				*ERR (27 IR 3078)
675 IAC 22-2.3-29.5	N	04-56	27 IR 2860	
675 IAC 22-2.3-35.5	N	04-56	27 IR 2860	
675 IAC 22-2.3-36	A	04-56	27 IR 2860	
675 IAC 22-2.3-36.3	N	04-56	27 IR 2861	
675 IAC 22-2.3-36.4	N	04-56	27 IR 2861	
675 IAC 22-2.3-36.6	N	04-56	27 IR 2863	
675 IAC 22-2.3-36.8	N	04-56	27 IR 2863	
675 IAC 22-2.3-111				*ERR (27 IR 3078)
675 IAC 22-2.3-140.5	N	04-56	27 IR 2863	
675 IAC 22-2.3-147.5	N	04-56	27 IR 2863	
675 IAC 22-2.3-147.6	N	04-56	27 IR 2863	
675 IAC 22-2.3-148	A	04-56	27 IR 2864	
675 IAC 22-2.3-148.5	N	04-56	27 IR 2864	
675 IAC 22-2.3-237.5	N	04-56	27 IR 2864	
675 IAC 22-2.3-284				*ERR (27 IR 3078)
675 IAC 22-2.3-298.5	N	04-56	27 IR 2864	
675 IAC 22-2.3-304.5	N	04-56	27 IR 2864	
675 IAC 22-2.3-305				*ERR (27 IR 3078)

TITLE 685 REGULATED AMUSEMENT DEVICE SAFETY BOARD

685 IAC 1	RA	04-124	27 IR 3343	

TITLE 750 DEPARTMENT OF FINANCIAL INSTITUTIONS

750 IAC 1-1-1	A	04-46		*ER (27 IR 2297)

TITLE 760 DEPARTMENT OF INSURANCE

760 IAC 1-21-2	A	02-299	26 IR 1724	*AROC (26 IR 3427)
760 IAC 1-21-5	A	02-299	26 IR 1724	*AROC (26 IR 3427)
760 IAC 1-21-8	A	02-299	26 IR 1724	*AROC (26 IR 3427)
760 IAC 1-50-2	A	03-160	27 IR 271	**27 IR 1568**
760 IAC 1-50-3	A	03-160	27 IR 271	**27 IR 1569**
760 IAC 1-50-4	A	03-160	27 IR 272	**27 IR 1569**
760 IAC 1-50-5	A	03-160	27 IR 272	**27 IR 1569**
760 IAC 1-50-7	A	03-160	27 IR 273	**27 IR 1570**
760 IAC 1-50-13	A	03-160	27 IR 273	**27 IR 1570**
760 IAC 1-50-13.5	A	03-160	27 IR 273	**27 IR 1571**
760 IAC 1-57-1	A	03-7	26 IR 3398	**27 IR 505**
760 IAC 1-57-2	A	03-7	26 IR 3398	**27 IR 505**
760 IAC 1-57-3	A	03-7	26 IR 3398	**27 IR 505**
760 IAC 1-57-4	A	03-7	26 IR 3399	**27 IR 506**
760 IAC 1-57-5	A	03-7	26 IR 3399	**27 IR 506**
760 IAC 1-57-6	A	03-7	26 IR 3400	**27 IR 507**
760 IAC 1-57-7	R	03-7	26 IR 3408	**27 IR 515**
760 IAC 1-57-8	A	03-7	26 IR 3401	**27 IR 508**
				*ERR (27 IR 1575)
760 IAC 1-57-9	A	03-7	26 IR 3405	**27 IR 512**
760 IAC 1-57-10	A	03-7	26 IR 3407	**27 IR 514**
				*ERR (27 IR 1575)
760 IAC 1-60-1	RA	04-143	27 IR 3706	
760 IAC 1-60-2	RA	04-143	27 IR 3706	
760 IAC 1-60-3	A	03-258	27 IR 2070	**27 IR 2729**
760 IAC 1-60-4	RA	04-143	27 IR 3706	
760 IAC 1-60-5	A	03-258	27 IR 2072	**27 IR 2730**
760 IAC 1-69	N	03-8	26 IR 3945	**27 IR 872**
760 IAC 1-70	N	04-39	27 IR 2560	
760 IAC 2-1-1	A	03-303	27 IR 3306	
760 IAC 2-2-1.5	N	03-303	27 IR 3306	
760 IAC 2-2-3.1	N	03-303	27 IR 3307	
760 IAC 2-2-3.2	N	03-303	27 IR 3307	
760 IAC 2-2-3.3	N	03-303	27 IR 3307	
760 IAC 2-2-3.4	N	03-303	27 IR 3307	
760 IAC 2-2-3.5	N	03-303	27 IR 3307	
760 IAC 2-2-3.6	N	03-303	27 IR 3307	
760 IAC 2-2-3.7	N	03-303	27 IR 3307	

760 IAC 2-2-3.8	N	03-303	27 IR 3308	
760 IAC 2-2-8	A	03-303	27 IR 3308	
760 IAC 2-3-1	A	03-303	27 IR 3308	
760 IAC 2-3-2	A	03-303	27 IR 3308	
760 IAC 2-3-4	A	03-303	27 IR 3309	
760 IAC 2-3-6	A	03-303	27 IR 3310	
760 IAC 2-3-7	N	03-303	27 IR 3310	
760 IAC 2-3-8	N	03-303	27 IR 3311	
760 IAC 2-4-1	A	03-303	27 IR 3311	
760 IAC 2-4-2	N	03-303	27 IR 3312	
760 IAC 2-7-1	A	03-303	27 IR 3313	
760 IAC 2-8-1	A	03-303	27 IR 3314	
760 IAC 2-8-2	A	03-303	27 IR 3314	
760 IAC 2-8-3	A	03-303	27 IR 3314	
760 IAC 2-8-4	A	03-303	27 IR 3315	
760 IAC 2-8-6	N	03-303	27 IR 3316	
760 IAC 2-9-1	A	03-303	27 IR 3316	
760 IAC 2-10-1	A	03-303	27 IR 3316	
760 IAC 2-13-1	A	03-303	27 IR 3317	
760 IAC 2-15-1	A	03-303	27 IR 3317	
760 IAC 2-15.5	N	03-303	27 IR 3319	
760 IAC 2-16-1	A	03-303	27 IR 3320	
760 IAC 2-16.1	N	03-303	27 IR 3320	
760 IAC 2-17-1	A	03-303	27 IR 3323	
760 IAC 2-18-1	A	03-303	27 IR 3325	
760 IAC 2-19-2	A	03-303	27 IR 3325	
760 IAC 2-19.5	N	03-303	27 IR 3325	
760 IAC 2-20-10	A	03-303	27 IR 3329	
760 IAC 2-20-31.1	A	03-303	27 IR 3329	
760 IAC 2-20-34	A	03-303	27 IR 3329	
760 IAC 2-20-35	A	03-303	27 IR 3332	
760 IAC 2-20-36.1	A	03-303	27 IR 3332	
760 IAC 2-20-36.2	A	03-303	27 IR 3333	
760 IAC 2-20-37.2	A	03-303	27 IR 3334	
760 IAC 2-20-37.3	N	03-303	27 IR 3334	
760 IAC 2-20-38.1	A	03-303	27 IR 3334	
760 IAC 2-20-42	A	03-303	27 IR 3335	

TITLE 804 BOARD OF REGISTRATION FOR ARCHITECTS AND LANDSCAPE ARCHITECTS

804 IAC 1.1-1-1	A	03-20	26 IR 3136	**27 IR 180**

TITLE 808 STATE BOXING COMMISSION

808 IAC 1-3-6	A	03-226	27 IR 2563	
808 IAC 1-5-1	A	03-226	27 IR 2563	
808 IAC 1-5-2	A	03-226	27 IR 2563	
808 IAC 2-1-5	A	03-226	27 IR 2564	
808 IAC 2-1-12	A	03-226	27 IR 2564	
808 IAC 2-7-14	A	03-226	27 IR 2564	
808 IAC 2-8-7	R	03-226	27 IR 2566	
808 IAC 2-9-5	A	03-226	27 IR 2564	
808 IAC 2-12-0.5	N	03-227	27 IR 2566	
808 IAC 2-12-2	N	03-227	27 IR 2567	
808 IAC 2-12-3	N	03-227	27 IR 2567	
808 IAC 2-12-4	N	03-227	27 IR 2567	
808 IAC 2-12-5	N	03-227	27 IR 2567	
808 IAC 2-12-6	N	03-227	27 IR 2567	
808 IAC 2-12-7	N	03-227	27 IR 2568	
808 IAC 2-12-8	N	03-227	27 IR 2568	
808 IAC 2-18-1	A	03-226	27 IR 2565	
808 IAC 2-22-1	A	03-226	27 IR 2565	

TITLE 820 STATE BOARD OF COSMETOLOGY EXAMINERS

820 IAC 4-1-11	A	03-21	26 IR 3137	*AROC (26 IR 3426) **27 IR 515**
820 IAC 6-1-3	A	03-21	26 IR 3137	*AROC (26 IR 3426) **27 IR 516**
820 IAC 6-3	N	03-21	26 IR 3137	*AROC (26 IR 3426) **27 IR 516**

TITLE 828 STATE BOARD OF DENTISTRY

828 IAC 1-1-3	A	03-73	26 IR 3408	*CPH (26 IR 3904) **27 IR 2278**
828 IAC 1-1-6	A	03-73	26 IR 3409	*CPH (26 IR 3904) **27 IR 2279**
828 IAC 1-1-7	A	03-73	26 IR 3409	*CPH (26 IR 3904) **27 IR 2279**
828 IAC 1-1-12	A	03-73	26 IR 3409	*CPH (26 IR 3904) **27 IR 2279**
828 IAC 1-2-3	A	03-73	26 IR 3409	*CPH (26 IR 3904) **27 IR 2279**
828 IAC 1-2-6	A	03-73	26 IR 3410	*CPH (26 IR 3904) **27 IR 2280**
828 IAC 1-2-7	A	03-73	26 IR 3410	*CPH (26 IR 3904) **27 IR 2280**
828 IAC 1-2-12	A	03-73	26 IR 3410	*CPH (26 IR 3904) **27 IR 2280**
828 IAC 1-5-6	N	03-162	27 IR 2334	

TITLE 830 INDIANA DIETITIANS CERTIFICATION BOARD

830 IAC 1-1	RA	04-6	27 IR 2340	
830 IAC 1-2-1	RA	03-55	26 IR 3755	**27 IR 946**
830 IAC 1-2-2	RA	03-55	26 IR 3755	**27 IR 946**
830 IAC 1-2-3	RA	03-55	26 IR 3755	**27 IR 946**
830 IAC 1-2-4	RA	03-55	26 IR 3755	**27 IR 946**
830 IAC 1-2-5	RA	03-55	26 IR 3755	**27 IR 946**
830 IAC 1-3	RA	03-55	26 IR 3755	**27 IR 946**
830 IAC 1-4	RA	03-55	26 IR 3755	**27 IR 946**
830 IAC 1-5	RA	03-55	26 IR 3755	**27 IR 946**

TITLE 836 INDIANA EMERGENCY MEDICAL SERVICES COMMISSION

836 IAC 1-1-1	A	03-188	27 IR 1212	**27 IR 3507**
836 IAC 1-1-2	A	03-188	27 IR 1215	**27 IR 3510**
836 IAC 1-1-3	A	03-188	27 IR 1216	**27 IR 3511**
836 IAC 1-1-4	N	03-188	27 IR 1217	**27 IR 3512**
836 IAC 1-1-5	N	03-188	27 IR 1217	**27 IR 3512**
836 IAC 1-1-6	N	03-188	27 IR 1219	**27 IR 3514**
836 IAC 1-1-7	N	03-188	27 IR 1220	**27 IR 3514**
836 IAC 1-1-8	N	03-188	27 IR 1220	**27 IR 3515**
836 IAC 1-2-1	A	03-188	27 IR 1221	**27 IR 3516**
836 IAC 1-2-2	A	03-188	27 IR 1222	**27 IR 3517**
836 IAC 1-2-3	A	03-188	27 IR 1222	**27 IR 3517**
836 IAC 1-2-5	N	03-188	27 IR 1225	**27 IR 3520**
836 IAC 1-3-1	A	03-188	27 IR 1225	**27 IR 3520**
836 IAC 1-3-2	A	03-188	27 IR 1226	**27 IR 3520**
836 IAC 1-3-3	A	03-188	27 IR 1226	**27 IR 3521**
836 IAC 1-3-5	A	03-188	27 IR 1228	**27 IR 3523**
836 IAC 1-3-6	A	03-188	27 IR 1229	**27 IR 3524**
836 IAC 1-4-1	A	03-188	27 IR 1230	**27 IR 3525**
836 IAC 1-4-2	A	03-188	27 IR 1230	**27 IR 3525**
836 IAC 1-11-1	A	03-188	27 IR 1231	**27 IR 3526**
836 IAC 1-11-2	A	03-188	27 IR 1231	**27 IR 3526**
836 IAC 1-11-3	A	03-188	27 IR 1232	**27 IR 3527**
836 IAC 1-11-4	A	03-188	27 IR 1234	**27 IR 3529**
836 IAC 1-12	N	03-188	27 IR 1235	**27 IR 3530**
836 IAC 2-1-1	A	03-188	27 IR 1239	**27 IR 3534**
836 IAC 2-2-1	A	03-188	27 IR 1240	**27 IR 3535**
836 IAC 2-2-2	A	03-188	27 IR 1243	**27 IR 3537**
836 IAC 2-2-3	A	03-188	27 IR 1244	**27 IR 3538**
836 IAC 2-2-4	N	03-188	27 IR 1245	**27 IR 3540**
836 IAC 2-4.1-1	A	03-188	27 IR 1245	**27 IR 3540**
836 IAC 2-4.1-2	A	03-188	27 IR 1246	**27 IR 3541**
836 IAC 2-7.1	R	03-188	27 IR 1283	**27 IR 3579**
836 IAC 2-7.2-1	A	03-188	27 IR 1247	**27 IR 3542**
836 IAC 2-7.2-2	A	03-188	27 IR 1250	**27 IR 3544**
836 IAC 2-7.2-3	A	03-188	27 IR 1250	**27 IR 3545**
836 IAC 2-7.2-4	N	03-188	27 IR 1252	**27 IR 3547**
836 IAC 2-11-1	R	03-188	27 IR 1283	**27 IR 3579**

836 IAC 2-14-1	A	03-188	27 IR 1252	**27 IR 3547**
836 IAC 2-14-2	A	03-188	27 IR 1253	**27 IR 3547**
836 IAC 2-14-3	A	03-188	27 IR 1253	**27 IR 3548**
836 IAC 2-14-5	A	03-188	27 IR 1255	**27 IR 3549**
836 IAC 3-1-1	A	03-188	27 IR 1256	**27 IR 3550**
836 IAC 3-2-1	A	03-188	27 IR 1256	**27 IR 3551**
836 IAC 3-2-2	A	03-188	27 IR 1258	**27 IR 3552**
836 IAC 3-2-3	A	03-188	27 IR 1258	**27 IR 3553**
836 IAC 3-2-4	A	03-188	27 IR 1259	**27 IR 3554**
836 IAC 3-2-5	A	03-188	27 IR 1260	**27 IR 3555**
836 IAC 3-2-6	A	03-188	27 IR 1261	**27 IR 3555**
836 IAC 3-2-7	A	03-188	27 IR 1261	**27 IR 3556**
836 IAC 3-3-1	A	03-188	27 IR 1262	**27 IR 3556**
836 IAC 3-3-2	A	03-188	27 IR 1263	**27 IR 3558**
836 IAC 3-3-3	A	03-188	27 IR 1264	**27 IR 3558**
836 IAC 3-3-4	A	03-188	27 IR 1264	**27 IR 3559**
836 IAC 3-3-5	A	03-188	27 IR 1266	**27 IR 3560**
836 IAC 3-3-6	A	03-188	27 IR 1266	**27 IR 3561**
836 IAC 3-3-7	A	03-188	27 IR 1267	**27 IR 3561**
836 IAC 3-5-1	A	03-188	27 IR 1267	**27 IR 3562**
836 IAC 4-1-1	A	03-188	27 IR 1267	**27 IR 3562**
836 IAC 4-2-1	A	03-188	27 IR 1270	**27 IR 3564**
836 IAC 4-2-2	A	03-188	27 IR 1270	**27 IR 3565**
836 IAC 4-2-3	A	03-188	27 IR 1271	**27 IR 3566**
836 IAC 4-2-4	A	03-188	27 IR 1272	**27 IR 3567**
836 IAC 4-3-2	A	03-188	27 IR 1272	**27 IR 3567**
836 IAC 4-3-3	A	03-188	27 IR 1273	**27 IR 3568**
836 IAC 4-4-1	A	03-188	27 IR 1273	**27 IR 3568**
836 IAC 4-4-2	A	03-188	27 IR 1274	**27 IR 3569**
836 IAC 4-4-3	A	03-188	27 IR 1275	**27 IR 3570**
836 IAC 4-5-2	A	03-188	27 IR 1275	**27 IR 3570**
836 IAC 4-6-1	R	03-188	27 IR 1283	**27 IR 3579**
836 IAC 4-7-1	A	03-188	27 IR 1276	**27 IR 3571**
836 IAC 4-7-2	A	03-188	27 IR 1276	**27 IR 3571**
836 IAC 4-7-3	A	03-188	27 IR 1277	**27 IR 3572**
836 IAC 4-7-3.5	A	03-188	27 IR 1277	**27 IR 3573**
836 IAC 4-7-4	A	03-188	27 IR 1278	**27 IR 3573**
836 IAC 4-7.1-1	A	03-188	27 IR 1278	**27 IR 3573**
836 IAC 4-7.1-2	A	03-188	27 IR 1278	**27 IR 3573**
836 IAC 4-7.1-3	A	03-188	27 IR 1279	**27 IR 3574**
836 IAC 4-7.1-4	A	03-188	27 IR 1280	**27 IR 3575**
836 IAC 4-7.1-5	A	03-188	27 IR 1280	**27 IR 3575**
836 IAC 4-7.1-6	A	03-188	27 IR 1281	**27 IR 3576**
836 IAC 4-8-1	R	03-188	27 IR 1283	**27 IR 3579**
836 IAC 4-9-1	A	03-188	27 IR 1281	**27 IR 3576**
836 IAC 4-9-2	A	03-188	27 IR 1281	**27 IR 3576**
836 IAC 4-9-3	A	03-188	27 IR 1282	**27 IR 3577**
836 IAC 4-9-4	A	03-188	27 IR 1282	**27 IR 3577**
836 IAC 4-9-5	A	03-188	27 IR 1282	**27 IR 3578**
836 IAC 4-9-6	A	03-188	27 IR 1283	**27 IR 3578**

TITLE 839 SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST, AND MENTAL HEALTH COUNSELOR BOARD

839 IAC 1-3-2	A	02-270	26 IR 871	*ARR (26 IR 1945)
			26 IR 3411	**27 IR 517**
839 IAC 1-4-5	A	02-270	26 IR 871	*ARR (26 IR 1945)
			26 IR 3411	**27 IR 518**
839 IAC 1-5-1	A	02-270	26 IR 872	*ARR (26 IR 1945)
			26 IR 3412	**27 IR 518**
839 IAC 1-5-1.5	N	02-270	26 IR 874	*ARR (26 IR 1945)
			26 IR 3414	**27 IR 520**

TITLE 840 INDIANA STATE BOARD OF HEALTH FACILITY ADMINISTRATORS

840 IAC 1-1-6	A	03-189	27 IR 566	**27 IR 1880**
840 IAC 1-2-1	A	03-190	27 IR 566	**27 IR 1881**

TITLE 844 MEDICAL LICENSING BOARD OF INDIANA

844 IAC 4-4.5-12	A	03-325	27 IR 2334	**27 IR 3072**
844 IAC 5-1-1	A	02-268	26 IR 2117	**27 IR 521**
844 IAC 5-1-3	A	02-268	26 IR 2118	**27 IR 522**
844 IAC 5-3	N	02-268	26 IR 2118	**27 IR 522**
844 IAC 5-4	N	02-268	26 IR 2120	**27 IR 524**
				*ERR (27 IR 538)
844 IAC 6-1-2	A	03-262	27 IR 1284	
844 IAC 6-1-4	A	03-261	27 IR 1635	*CPH (27 IR 2300)
844 IAC 6-3-1	A	03-261	27 IR 1636	*CPH (27 IR 2300)
844 IAC 6-3-2	A	03-261	27 IR 1636	*CPH (27 IR 2300)
844 IAC 6-3-4	A	03-261	27 IR 1637	*CPH (27 IR 2300)
844 IAC 6-3-5	A	03-261	27 IR 1637	*CPH (27 IR 2300)
844 IAC 6-3-6	N	03-261	27 IR 1638	*CPH (27 IR 2300)
844 IAC 6-4-3	A	03-261	27 IR 1638	*CPH (27 IR 2300)
844 IAC 6-6-1	R	03-261	27 IR 1642	*CPH (27 IR 2300)
844 IAC 6-6-2	R	03-261	27 IR 1642	*CPH (27 IR 2300)
844 IAC 6-6-3	A	03-261	27 IR 1638	*CPH (27 IR 2300)
844 IAC 6-6-4	A	03-261	27 IR 1639	*CPH (27 IR 2300)
844 IAC 6-7-2	A	03-261	27 IR 1639	*CPH (27 IR 2300)
844 IAC 10-4-1	A	03-329	27 IR 2568	

TITLE 845 BOARD OF PODIATRIC MEDICINE

845 IAC 1-3-1	A	03-46	26 IR 2683	**27 IR 526**
845 IAC 1-3-2	A	03-46	26 IR 2683	**27 IR 526**
845 IAC 1-3-3	N	03-46	26 IR 2684	**27 IR 527**
845 IAC 1-4.1-1	A	03-46	26 IR 2684	**27 IR 527**
845 IAC 1-4.1-2	A	03-46	26 IR 2684	**27 IR 527**
845 IAC 1-4.1-4	R	03-46	26 IR 2686	**27 IR 528**
845 IAC 1-4.1-7	A	03-46	26 IR 2685	**27 IR 527**
845 IAC 1-5-1	A	03-46	26 IR 2685	**27 IR 527**
845 IAC 1-5-2	R	02-341	26 IR 2682	**27 IR 525**
845 IAC 1-5-2.1	N	02-341	26 IR 2682	**27 IR 525**
845 IAC 1-5-3	A	03-46	26 IR 2685	**27 IR 528**
845 IAC 1-6-8	R	03-47	26 IR 2686	**27 IR 529**
845 IAC 1-6-9	N	03-47	26 IR 2686	**27 IR 529**

TITLE 848 INDIANA STATE BOARD OF NURSING

848 IAC 1-1-2.1	A	04-65	27 IR 2865	
848 IAC 1-2-1	A	04-65	27 IR 2866	
848 IAC 1-2-5	A	04-65	27 IR 2866	
848 IAC 1-2-6	A	04-65	27 IR 2867	
848 IAC 1-2-7	A	04-65	27 IR 2868	
848 IAC 1-2-8	A	04-65	27 IR 2868	
848 IAC 1-2-8.5	N	04-65	27 IR 2868	
848 IAC 1-2-9	A	04-65	27 IR 2869	
848 IAC 1-2-10	A	04-65	27 IR 2869	
848 IAC 1-2-12	A	04-65	27 IR 2870	
848 IAC 1-2-13	A	04-65	27 IR 2870	
848 IAC 1-2-14	A	04-65	27 IR 2870	
848 IAC 1-2-16	A	04-65	27 IR 2871	
848 IAC 1-2-17	A	04-65	27 IR 2872	
848 IAC 1-2-18	A	04-65	27 IR 2872	
848 IAC 1-2-19	A	04-65	27 IR 2873	
848 IAC 1-2-20	A	04-65	27 IR 2873	
848 IAC 1-2-21	A	04-65	27 IR 2873	
848 IAC 1-2-22	A	04-65	27 IR 2874	
848 IAC 1-2-23	A	04-65	27 IR 2874	
848 IAC 1-2-24	A	04-65	27 IR 2874	
848 IAC 5-1-1	A	03-34	26 IR 3947	**27 IR 1571**
848 IAC 5-1-3	A	03-34	26 IR 3948	**27 IR 1573**

TITLE 856 INDIANA BOARD OF PHARMACY

856 IAC 1-27-1	A	03-191	27 IR 276	**27 IR 1574**
856 IAC 1-33-1	A	03-154	26 IR 3949	
			27 IR 274	*ARR (27 IR 1185)
	A	03-326	27 IR 2073	**27 IR 3073**
856 IAC 1-33-1.5	N	03-154	27 IR 274	*ARR (27 IR 1185)
	N	03-326	27 IR 2073	**27 IR 3073**

856 IAC 1-33-2	A	03-154	26 IR 3949	
			27 IR 275	*ARR (27 IR 1185)
	A	03-326	27 IR 2073	**27 IR 3073**
856 IAC 1-33-4	A	03-154	26 IR 3950	
			27 IR 275	*ARR (27 IR 1185)
	A	03-326	27 IR 2074	**27 IR 3074**
856 IAC 1-33-5	N	03-154	27 IR 275	*ARR (27 IR 1185)
	N	03-326	27 IR 2074	**27 IR 3074**
856 IAC 2-7	N	02-258	26 IR 1725	**27 IR 181**

TITLE 858 CONTROLLED SUBSTANCES ADVISORY COMMITTEE

858 IAC 2-1-1	A	03-281	27 IR 1285	**27 IR 2731**
858 IAC 2-1-2	A	03-281	27 IR 1286	**27 IR 2731**
858 IAC 2-1-3	A	03-281	27 IR 1286	**27 IR 2731**
858 IAC 2-1-4	A	03-281	27 IR 1286	**27 IR 2732**

TITLE 862 PRIVATE DETECTIVES LICENSING BOARD

862 IAC 1-1-3	A	03-313	27 IR 2074	

TITLE 864 STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

864 IAC 1.1-2-2	A	03-125	26 IR 3737	**27 IR 874**
864 IAC 1.1-2-4	A	03-301	27 IR 2569	
864 IAC 1.1-12-1	A	03-301	27 IR 2569	
864 IAC 1.1-12-2	N	03-301	27 IR 2570	
864 IAC 1.1-14	N	03-125	26 IR 3739	**27 IR 875**

TITLE 865 STATE BOARD OF REGISTRATION FOR LAND SURVEYORS

865 IAC 1-7-3	A	03-22	26 IR 3950	**27 IR 1882**
865 IAC 1-10-23	R	03-22	26 IR 3958	**27 IR 1889**
865 IAC 1-10-24	R	03-22	26 IR 3958	**27 IR 1889**
865 IAC 1-11-1	A	03-300	27 IR 2570	
865 IAC 1-12-2	A	03-22	26 IR 3951	**27 IR 1882**
865 IAC 1-12-3	A	03-22	26 IR 3952	**27 IR 1883**
865 IAC 1-12-5	A	03-22	26 IR 3952	**27 IR 1884**
865 IAC 1-12-6	A	03-22	26 IR 3953	**27 IR 1884**
865 IAC 1-12-7	A	03-22	26 IR 3953	**27 IR 1884**
865 IAC 1-12-9	A	03-22	26 IR 3954	**27 IR 1885**
865 IAC 1-12-10	A	03-22	26 IR 3954	**27 IR 1885**
865 IAC 1-12-11	A	03-22	26 IR 3954	**27 IR 1886**
865 IAC 1-12-12	A	03-22	26 IR 3954	**27 IR 1886**
865 IAC 1-12-13	A	03-22	26 IR 3955	**27 IR 1887**
865 IAC 1-12-14	A	03-22	26 IR 3956	**27 IR 1888**
865 IAC 1-12-18	A	03-22	26 IR 3956	**27 IR 1888**
865 IAC 1-13-4	A	03-41	26 IR 3739	**27 IR 875**
865 IAC 1-13-5	A	03-187	27 IR 943	**27 IR 2732**
				*ERR (27 IR 2744)
865 IAC 1-13-7	A	03-41	26 IR 3739	**27 IR 875**
865 IAC 1-13-20	R	03-41	26 IR 3740	**27 IR 876**
865 IAC 1-14-13	A	03-41	26 IR 3740	**27 IR 876**
865 IAC 1-14-14	A	03-41	26 IR 3740	**27 IR 876**
865 IAC 1-14-15	A	03-41	26 IR 3740	**27 IR 876**
865 IAC 1-14-20	R	03-41	26 IR 3740	**27 IR 876**

TITLE 868 STATE PSYCHOLOGY BOARD

868 IAC 2	N	03-60	26 IR 3741	*CPH (27 IR 905)
				*AROC (27 IR 1300)
				*DG (27 IR 3346)

TITLE 872 INDIANA BOARD OF ACCOUNTANCY

872 IAC 1-1-2	A	03-126	27 IR 277	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2733
872 IAC 1-1-6.1	A	04-41	27 IR 2574	
872 IAC 1-1-6.2	A	03-126	27 IR 277	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2733
872 IAC 1-1-6.4	A	03-126	27 IR 277	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2734
872 IAC 1-1-6.5	A	03-126	27 IR 278	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2734
872 IAC 1-1-6.6	A	03-126	27 IR 278	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2734
872 IAC 1-1-8	A	03-126	27 IR 278	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2734
872 IAC 1-1-8.3	A	03-126	27 IR 279	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2735
872 IAC 1-1-9	A	03-126	27 IR 279	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2735
872 IAC 1-1-9.5	A	03-126	27 IR 279	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2735
872 IAC 1-1-10	A	03-126	27 IR 279	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2735
872 IAC 1-1-12	A	03-126	27 IR 280	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2736
872 IAC 1-1-14	A	03-126	27 IR 280	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2737
872 IAC 1-1-17	R	03-126	27 IR 282	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2738
872 IAC 1-1-19	A	03-126	27 IR 281	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2737
872 IAC 1-1-22	R	03-126	27 IR 282	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2738
872 IAC 1-1-23	R	03-126	27 IR 282	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2738
872 IAC 1-1-25	A	03-126	27 IR 282	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2738
872 IAC 1-3-3.3	A	04-98	27 IR 3336	
872 IAC 1-3-16	A	04-5	27 IR 2335	
872 IAC 1-6	N	03-270	27 IR 2571	

TITLE 876 INDIANA REAL ESTATE COMMISSION

876 IAC 1-1-19	A	03-124	26 IR 3744	**27 IR 877**
876 IAC 1-4-1	A	03-42	26 IR 3142	**27 IR 186**
876 IAC 1-4-2	A	03-42	26 IR 3142	**27 IR 186**
876 IAC 2-18	N	03-256	27 IR 2575	
876 IAC 3-2-7	A	03-273	27 IR 1642	**27 IR 2740**
	A	03-255	27 IR 2574	
876 IAC 3-3-3	A	03-23	26 IR 3415	**27 IR 530**
876 IAC 3-3-4	A	03-23	26 IR 3416	**27 IR 531**
876 IAC 3-3-5	A	03-23	26 IR 3417	**27 IR 532**
876 IAC 3-4-8	A	03-23	26 IR 3418	**27 IR 533**
				*ERR (27 IR 538)
876 IAC 3-5-1	A	02-245	26 IR 3139	**27 IR 184**
876 IAC 3-5-1.5	A	02-245	26 IR 3140	**27 IR 185**
876 IAC 3-5-2.5	N	03-273	27 IR 1643	**27 IR 2740**
876 IAC 3-5-6.1	N	03-23	26 IR 3418	**27 IR 533**
876 IAC 3-5-7	A	02-245	26 IR 3141	**27 IR 185**
876 IAC 3-6-2	A	03-225	27 IR 1287	**27 IR 2738**
876 IAC 3-6-3	A	03-225	27 IR 1287	**27 IR 2739**
876 IAC 3-6-4	A	02-245	26 IR 3141	**27 IR 186**
876 IAC 3-6-9	A	03-196	27 IR 282	**27 IR 1182**

TITLE 880 SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD

880 IAC 1-2	R	03-53	26 IR 3422	**27 IR 537**
880 IAC 1-2.1	N	03-53	26 IR 3419	**27 IR 534**

TITLE 888 INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS

888 IAC 1.1-6-1	A	04-74	27 IR 2875	
	A	04-137	27 IR 3704	
888 IAC 1.1-10-1	RA	03-77	26 IR 3148	**27 IR 946**
888 IAC 1.1-10-2	RA	03-77	26 IR 3148	**27 IR 946**
888 IAC 1.1-10-3	RA	03-77	26 IR 3148	**27 IR 946**
888 IAC 1.1-10-4	RA	03-77	26 IR 3148	**27 IR 946**

TITLE 905 ALCOHOL AND TOBACCO COMMISSION

905 IAC 1-5.2-9	R	03-38	26 IR 2688	*ARR (27 IR 1185)
			27 IR 1289	**27 IR 2282**
905 IAC 1-5.2-9.1	N	03-38	26 IR 2687	*ARR (27 IR 1185)
			27 IR 1288	**27 IR 2281**
905 IAC 1-5.2-9.2	N	03-38	26 IR 2687	*ARR (27 IR 1185)
			27 IR 1289	**27 IR 2281**
	A	04-111	27 IR 3337	
905 IAC 1-11.1-1	A	03-39	26 IR 2688	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2282
905 IAC 1-11.1-2	A	03-39	26 IR 2688	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2282
905 IAC 1-13-3	A	03-40	26 IR 2689	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2283
905 IAC 1-13-6	N	03-40	26 IR 2689	*ARR (27 IR 1185)
				*CPH (27 IR 1196)
				27 IR 2283
905 IAC 1-15.2-3	A	03-94	26 IR 3745	*ARR (27 IR 1185)
				*AWR (27 IR 2501)
	A	04-110	27 IR 3337	
905 IAC 1-26-3	N	04-112	27 IR 3338	
905 IAC 1-35.1	N	03-96	26 IR 3745	*ARR (27 IR 1185)
	N	03-96	27 IR 1290	*AROC (27 IR 1653)
				*AROC (27 IR 2580)
				27 IR 2497
905 IAC 1-36-2	A	03-97	26 IR 3747	
905 IAC 1-43	RA	04-14	27 IR 2579	*CPH (27 IR 3096)
905 IAC 1-44	RA	04-109	27 IR 3343	
905 IAC 1-45	N	02-338	26 IR 2128	*ERR (26 IR 2375)
				27 IR 189
905 IAC 1-45-2	A	03-319	27 IR 2576	*CPH (27 IR 3096)
905 IAC 1-45-3	A	03-319	27 IR 2576	*CPH (27 IR 3096)
905 IAC 1-46	N	03-279	27 IR 1291	
905 IAC 1-47	N	03-280	27 IR 1292	
905 IAC 1-48	N	04-115	27 IR 3339	

TITLE 910 CIVIL RIGHTS COMMISSION

910 IAC 2-4-6	N	03-254	27 IR 1644	**27 IR 3074**
910 IAC 2-4-7	N	03-254	27 IR 1644	**27 IR 3075**
910 IAC 2-4-8	N	03-254	27 IR 1645	**27 IR 3076**
910 IAC 2-4-9	N	03-254	27 IR 1645	**27 IR 3076**
910 IAC 2-4-10	N	03-254	27 IR 1646	**27 IR 3077**

NONCODE RULES

Accountancy, Indiana Board of			
	A	04-33	*ETR (27 IR 1931)
Air Pollution Control Board			
	N	04-9	*ETR (27 IR 1608)
	N	04-81	*ETR (27 IR 2516)
	N	04-154	*ETR (27 IR 3091)
Animal Health, Indiana State Board of			
	A	04-29	*ETR (27 IR 1930)
	A	04-119	*ETR (27 IR 2758)
Boiler and Pressure Vessel Rules Board			
	A	04-37	*ETR (27 IR 2296)
Children's Health Insurance Program, Office of the			
	A	04-104	*ETR (27 IR 2519)
	N	04-192	*ETR (27 IR 3587)
Family and Social Services, Office of the Secretary of			
	N	03-265	*ETR (27 IR 544)
	N	03-266	*ETR (27 IR 546)
	A	03-340	*ETR (27 IR 1608)
	A	04-85	*ETR (27 IR 2516)
	A	04-151	*ETR (27 IR 3092)
Local Government Finance, Department of			
	N	03-268	*ETR (27 IR 541)
	N	04-78	*ETR (27 IR 2502)
Lottery Commission, State			
	N	03-238	*ETR (27 IR 193)
	N	03-239	*ETR (27 IR 194)
	N	03-240	*ETR (27 IR 196)
	N	03-241	*ETR (27 IR 198)
	N	03-248	*ETR (27 IR 203)
	N	03-249	*ETR (27 IR 204)
	N	03-287	*ETR (27 IR 884)
	N	03-288	*ETR (27 IR 885)
	N	03-289	*ETR (27 IR 886)
	N	03-290	*ETR (27 IR 888)
	N	03-291	*ETR (27 IR 889)
	N	03-295	*ETR (27 IR 894)
	N	03-307	*ETR (27 IR 1187)
	N	03-308	*ETR (27 IR 1187)
	N	03-309	*ETR (27 IR 1188)
	N	03-335	*ETR (27 IR 1598)
	N	03-336	*ETR (27 IR 1599)
	N	03-337	*ETR (27 IR 1601)
	N	03-339	*ETR (27 IR 1605)
	N	04-10	*ETR (27 IR 1892)
	N	04-11	*ETR (27 IR 1892)
	N	04-12	*ETR (27 IR 1893)
	N	04-24	*ETR (27 IR 1894)
	N	04-25	*ETR (27 IR 1895)
	N	04-27	*ETR (27 IR 1899)
	N	04-48	*ETR (27 IR 2287)
	N	04-49	*ETR (27 IR 2288)
			*ERR (27 IR 2284)
	N	04-50	*ETR (27 IR 2290)
	N	04-51	*ETR (27 IR 2292)
	N	04-52	*ETR (27 IR 2293)
	N	04-53	*ETR (27 IR 2294)
	N	04-80	*ETR (27 IR 2506)
	N	04-89	*ETR (27 IR 2506)
	N	04-90	*ETR (27 IR 2508)
	N	04-91	*ETR (27 IR 2509)
	N	04-92	*ETR (27 IR 2510)
	N	04-128	*ETR (27 IR 2747)
	N	04-129	*ETR (27 IR 2747)
	N	04-131	*ETR (27 IR 2751)
	N	04-132	*ETR (27 IR 2752)
	N	04-165	*ETR (27 IR 3080)
	N	04-166	*ETR (27 IR 3080)
	N	04-167	*ETR (27 IR 3082)
	N	04-168	*ETR (27 IR 3083)
	N	04-185	*ETR (27 IR 3582)
	N	04-186	*ETR (27 IR 3583)
Natural Resources Commission			
	N	03-217	*ETR (27 IR 206)
	N	03-242	*ETR (27 IR 544)
	N	03-243	*ETR (27 IR 544)

	N	03-306	*ETR (27 IR 1192)
	N	03-341	*ETR (27 IR 1607)
	N	04-20	*ETR (27 IR 1922)
	N	04-45	*ETR (27 IR 2295)
	N	04-59	*ETR (27 IR 2296)
	N	04-79	*ETR (27 IR 2513)
	N	04-82	*ETR (27 IR 2513)
	N	04-83	*ETR (27 IR 2514)
	N	04-86	*ETR (27 IR 2514)
	N	04-87	*ETR (27 IR 2514)
			*ERR (27 IR 2499)
	R	04-116	*ETR (27 IR 2757)
	N	04-118	*ETR (27 IR 2757)
	N	04-126	*ETR (27 IR 2758)
	N	04-150	*ETR (27 IR 3088)
	N	04-152	*ETR (27 IR 3089)
	N	04-153	*ETR (27 IR 3091)
	N	04-183	*ETR (27 IR 3587)
Revenue, Department of State			
	A	03-304	*ETR (27 IR 879)
Tax Review, Indiana Board of			
	N	03-327	*ETR (27 IR 1577)
	N	03-328	*ETR (27 IR 1585)
	N	04-108	*ETR (27 IR 2504)
	N	04-184	*ETR (27 IR 3581)
Utility Regulatory Commission, Indiana			
	N	03-267	*ETR (27 IR 543)
Water Pollution Control Board			
	A	03-299	*ETR (27 IR 897)
	A	04-38	*ETR (27 IR 1923)

*Key:

A:	Amended Text
AGA:	Attorney General's Action
AROC:	Administrative Rules Oversight Committee Notice
ARR:	Agency Recalls Rule
AWR:	Agency Withdrew Rule
CPH:	Change in Public Hearing
DAG:	Disapproved by Attorney General
DG:	Disapproved by Governor
ER:	Emergency Rule
ERR:	Errata
ETR:	Emergency Temporary Rule
ETS:	Emergency Temporary Standard
GRAT:	Governor Requires Additional Time
I:	Document Ineffective
N:	New Text
NRA:	Notice of Rule Adoption
OAC:	Objection to Errata
ON:	Other Notices of Administrative Action
R:	Repealed Text
RA:	Readopted Rule
SAC:	Solicitation of Advance Comment
SPE:	Statutory Period for Promulgation Expired
SPE-SE:	Statutory Period for Promulgation Expired; Signed After Expiration
††:	Renumbered or Added in Final Rule

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

*The index is cumulative for all proposed and final rulemaking actions published after September 1, 2003. Final rules published before that date have been incorporated into the 2004 edition of the Indiana Administrative Code. Indiana Register citations in roman type are to the volume and page on which the proposed version of the rule appears. Entries in **bold** type indicate the page on which a final rule filed with the Secretary of State appears.

ACCOUNTANCY, INDIANA BOARD OF
GENERAL PROVISIONS
Permits to Practice; Continuing Education
College courses as CPE
872 IAC 1-3-3.3 27 IR 3336
Prorated continuing education requirements for holders of certificates granted during a reporting period
872 IAC 1-3-16 27 IR 2335
Quality Review
872 IAC 1-6 27 IR 2571
Requirements for Certification, Licensure, and Registration
Acceptance of degrees; previously not accredited
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-6.5 27 IR 278
27 IR 2734
Accredited degree equivalency requirements
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-6.4 27 IR 277
27 IR 2734
Application; fees
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-10 27 IR 279
27 IR 2735
Applications for examination or registration; use of forms; filing deadlines
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-2 27 IR 277
27 IR 2733
Certified public accountants; passing grades; conditioned candidates; reexaminations
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-19 27 IR 281
27 IR 2737
Contents of examinations; grading
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-12 27 IR 280
27 IR 2736
Courses taken at nonaccredited institutions
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-6.6 27 IR 278
27 IR 2734
Degree required
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-9.5 27 IR 279
27 IR 2735
Educational requirements
872 IAC 1-1-6.1 27 IR 2574
Experience requirements; credit for types of experience
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-8 27 IR 278
27 IR 2734
Experience verification
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-8.3 27 IR 279
27 IR 2735
Graduation; accreditation
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-6.2 27 IR 277
27 IR 2733
Requirements for examination
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-9 27 IR 279
27 IR 2735
Time of holding examinations; notice
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-14 27 IR 280
27 IR 2737
Transfer of credits
LSA Document #04-33(E) **27 IR 1931**
872 IAC 1-1-25 27 IR 282
27 IR 2738

ADMINISTRATION, INDIANA DEPARTMENT OF
EXECUTIVE AGENCY LOBBYING
25 IAC 6 27 IR 3595

AIR POLLUTION CONTROL BOARD
ASBESTOS MANAGEMENT
Asbestos Management Personnel; Licensing
Applicability
326 IAC 18-1-1 27 IR 3128
Asbestos license; application
326 IAC 18-1-5 26 IR 2086
27 IR 3132
Asbestos license; qualifications
326 IAC 18-1-4 27 IR 3131
Asbestos license; revocation; denial
326 IAC 18-1-7 26 IR 2087
Definitions
326 IAC 18-1-2 26 IR 2084
27 IR 3128
General provisions
326 IAC 18-1-3 27 IR 3130
License fee; application fee
326 IAC 18-1-9 27 IR 3134
License requirements for contractors performing asbestos projects
326 IAC 18-1-8 26 IR 2088
Renewal of asbestos license
326 IAC 18-1-6 27 IR 3133
Asbestos Training Courses; Requirements for Approval
Applicability
326 IAC 18-2-1 24 IR 2778
Application fees
326 IAC 18-2-12 24 IR 2790
Application requirements for reapproval
326 IAC 18-2-8 24 IR 2789
Approval revocation
326 IAC 18-2-11 24 IR 2790
Asbestos training course provider instructor qualifications
326 IAC 18-2-10.1 24 IR 2789
Course notification and record submittal
326 IAC 18-2-14 24 IR 2791
Definitions
326 IAC 18-2-2 24 IR 2778
26 IR 2088
27 IR 3134
Initial and refresher training courses; application for approval
326 IAC 18-2-7 24 IR 2787
26 IR 2097
Initial and refresher training courses; examination requirements
326 IAC 18-2-5 24 IR 2786
Initial and refresher training courses; qualifications for approval
326 IAC 18-2-6 24 IR 2787
26 IR 2096
Initial training course requirements
326 IAC 18-2-3 24 IR 2779
26 IR 2089
27 IR 3136
Record keeping requirements for training providers
326 IAC 18-2-13 24 IR 2790
Refresher training course requirements
326 IAC 18-2-4 24 IR 2786
Representation of training course approval
326 IAC 18-2-9 24 IR 2789
EMISSION LIMITATIONS FOR SPECIFIC TYPE OF OPERATIONS
Coke Oven Batteries
Compliance determination
326 IAC 11-3-4 26 IR 2060
Municipal Waste Combustors
Applicability
326 IAC 11-7-1 26 IR 2061
EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS
Emission Limitations for Benzene from Furnace Coke Oven By-Product Plants
Equipment leaks
326 IAC 14-9-5 26 IR 2070
Record keeping and reporting requirements
326 IAC 14-9-9 26 IR 2071
Test methods and procedures
326 IAC 14-9-8 26 IR 2071
Emission Standards for Asbestos; Demolition and Renovation Operations
Applicability
326 IAC 14-10-1 26 IR 2072
Definitions
326 IAC 14-10-2 26 IR 2074
Notification requirements
326 IAC 14-10-3 26 IR 2076
Procedures for asbestos emission control
326 IAC 14-10-4 26 IR 2078
Emission Standard for Beryllium
Applicability; incorporation by reference of federal standards
326 IAC 14-3-1 26 IR 2067
Emission Standard for Beryllium Rocket Motor Firing
Applicability; incorporation by reference of federal standards
326 IAC 14-4-1 26 IR 2067
Emission Standard for Equipment Leaks (Fugitive Emission Sources)
Applicability
326 IAC 14-8-1 26 IR 2068

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Record keeping requirements
326 IAC 14-8-4 26 IR 2069
Reporting requirements
326 IAC 14-8-5 26 IR 2069
Test methods and procedures
326 IAC 14-8-3 26 IR 2068
Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene
Applicability; incorporation by reference of federal standards
326 IAC 14-7-1 26 IR 2068
Emission Standard for Mercury
Applicability; incorporation by reference of federal standards
326 IAC 14-5-1 26 IR 2068
General Provisions
Applicability
326 IAC 14-1-1 26 IR 2066
Definitions
326 IAC 14-1-2 26 IR 2067
GENERAL PROVISIONS
Ambient Air Quality Standards
Ambient air quality standards
326 IAC 1-3-4 26 IR 3376
27 IR 2224
27 IR 3121
Definitions
"Particulate matter" defined
326 IAC 1-2-52 27 IR 3120
"$PM_{2.5}$" defined
326 IAC 1-2-52.2 27 IR 3120
"PM_{10}" defined
326 IAC 1-2-52.4 27 IR 3121
"Reconstruction" definition
326 IAC 1-2-65 26 IR 1997
"Title I conditions" defined
326 IAC 1-2-82.5 24 IR 3107
"Total suspended particulate" or "TSP" defined
326 IAC 1-2-82.5 27 IR 3121
"Volatile organic compound (VOC)" definition
326 IAC 1-2-90 26 IR 1998
Malfunctions
Applicability
326 IAC 1-6-1 24 IR 2752
Conditions under which malfunction not considered violation
326 IAC 1-6-4 24 IR 2753
Excessive malfunctions; department actions
326 IAC 1-6-5 24 IR 2753
Malfunction emission reduction program
326 IAC 1-6-6 24 IR 2754
Preventive maintenance plans
326 IAC 1-6-3 24 IR 2753
Records; notice of malfunction
326 IAC 1-6-2 24 IR 2752
Nonattainment/attainment/unclassifiable Area Designations for Sulfur Dioxide; Total Suspended Particulates, Carbon Monoxide; Ozone; and Nitrogen Dioxides
Designations
326 IAC 1-4-1 26 IR 3092
27 IR 1167
27 IR 3606
Provisions Applicable Throughout Title 326
References to the Code of Federal Regulations
326 IAC 1-1-3 26 IR 1997
References to the Compilation of Air Pollution Emission Factors Ap-42 and Supplement
326 IAC 1-1-3.5 26 IR 1997
HAZARDOUS AIR POLLUTANTS
Amino and Phenolic Resins
326 IAC 20-58 27 IR 1619
Asphalt Processing and Asphalt Roofing
326 IAC 20-71 27 IR 3168
Brick and Structural Clay Products
326 IAC 20-72 27 IR 3169
Cellulose Products Manufacturing
326 IAC 20-54 26 IR 3091
27 IR 2474
Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills
326 IAC 20-49 26 IR 3090
27 IR 2473
Clay Ceramics Manufacturing
326 IAC 20-73 27 IR 3169
Coke Ovens: Pushing, Quenching, and Battery Stacks
326 IAC 20-74 27 IR 3169
Emissions from Reinforced Plastics Composites Fabricating Emission Units
Applicability
326 IAC 20-25-1 27 IR 3123
Definitions
326 IAC 20-25-2 27 IR 3124
Engine Test Cells/Stands
326 IAC 20-75 27 IR 3169
Flexible Polyurethane Foam Fabrication Operations
326 IAC 20-66 27 IR 2323
Friction Material Manufacturing Facilities
326 IAC 20-68 27 IR 2323
Hydrochloric Acid Production
326 IAC 20-76 27 IR 3169
Leather Finishing Operations
326 IAC 20-53 26 IR 3091
27 IR 2474
Manufacturing of Nutritional Yeast
326 IAC 20-51 26 IR 3090
27 IR 2473
Municipal Solid Waste Landfills
326 IAC 20-67 27 IR 2323
Paper and Other Web Coating
326 IAC 20-65 27 IR 2322
Petroleum Refineries; Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units
326 IAC 20-50 26 IR 3090
27 IR 2473
Pharmaceutical Production
326 IAC 20-57 27 IR 1618
Polyether Polyols Production
326 IAC 20-59 27 IR 1619
Polyvinyl Chloride and Copolymers Production
326 IAC 20-69 27 IR 2323
Printing, Coating, and Dyeing of Fabrics and Other Textiles
326 IAC 20-77 27 IR 3170
Refractory Products Manufacturing
326 IAC 20-62 27 IR 1619
Reinforced Plastic Composites Production
326 IAC 20-56 27 IR 3126
Rubber Tire Manufacturing
326 IAC 20-55 26 IR 3091
27 IR 2474
Secondary Aluminum
326 IAC 20-70 27 IR 1620
Semiconductor Manufacturing
326 IAC 20-61 27 IR 1619
Solvent Extraction for Vegetable Oil Production
326 IAC 20-60 27 IR 1619
Surface Coating of Large Appliances
326 IAC 20-63 27 IR 2322
Surface Coating of Metal Coil
326 IAC 20-64 27 IR 2322
Surface Coating of Metal Furniture
326 IAC 20-78 27 IR 3170
Surface Coating of Wood Building Products
326 IAC 20-79 27 IR 3170
Wet-Formed Fiberglass Mat Production
326 IAC 20-52 26 IR 3091
27 IR 2473
LEAD-BASED PAINT PROGRAM
Definitions
"Approved initial training course and approved refresher training course" defined
326 IAC 23-1-4 26 IR 2407
27 IR 459
"Approved training course provider" defined
326 IAC 23-1-5 26 IR 2408
27 IR 460
"Arithmetic mean" defined
326 IAC 23-1-5.5 26 IR 2408
27 IR 460
"Chewable surface" defined
326 IAC 23-1-6.5 26 IR 2408
27 IR 460
"Clearance examination" defined
326 IAC 23-1-7.5 26 IR 2408
27 IR 460
"Clearance examiner" defined
326 IAC 23-1-7.6 26 IR 2408
27 IR 460
"Common area group" defined
326 IAC 23-1-9 26 IR 2408
27 IR 460
"Completion date" defined
326 IAC 23-1-10 26 IR 2409
27 IR 461
"Component or building component" defined
326 IAC 23-1-11 26 IR 2409
27 IR 461
"Concentration" defined
326 IAC 23-1-11.5 26 IR 2409
27 IR 461
"Contractor" defined
326 IAC 23-1-12.5 26 IR 2409
27 IR 461
"Deteriorated paint" defined
326 IAC 23-1-17 26 IR 2409
27 IR 462
"Dripline" defined
326 IAC 23-1-21 26 IR 2410
27 IR 462

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

"Dust-lead hazard" defined
326 IAC 23-1-21.5 26 IR 2410
27 IR 462
"Elevated blood lead level" or "EBL" defined
326 IAC 23-1-22 **27 IR 462**
"Environmental intervention blood lead level" or "EIBLL" defined
326 IAC 23-1-26.5 26 IR 2410
"Facility" defined
326 IAC 23-1-27 26 IR 2410
27 IR 462
"Friction surface" defined
326 IAC 23-1-27.5 26 IR 2410
27 IR 463
"Hazardous waste" defined
326 IAC 23-1-31 26 IR 2099
"Impact surface" defined
326 IAC 23-1-32.1 26 IR 2410
27 IR 463
"Inspector" defined
326 IAC 23-1-32.2 26 IR 2411
27 IR 463
"Interim controls" defined
326 IAC 23-1-34 26 IR 2411
27 IR 463
"Interior window sill" defined
326 IAC 23-1-34.5 26 IR 2411
27 IR 463
"Lead abated waste" defined
326 IAC 23-1-34.8 26 IR 2411
27 IR 463
"Loading" defined
326 IAC 23-1-48.5 26 IR 2411
27 IR 463
"Paint in poor condition" defined
326 IAC 23-1-52 26 IR 2411
27 IR 463
"Paint-lead hazard" defined
326 IAC 23-1-52.5 26 IR 2411
27 IR 464
"Play area" defined
326 IAC 23-1-54.5 26 IR 2412
27 IR 464
"Project designer" defined
326 IAC 23-1-55.5 26 IR 2412
27 IR 464
"Renovation" defined
326 IAC 23-1-58.5 26 IR 2412
27 IR 464
"Residential building" defined
326 IAC 23-1-58.7 26 IR 2412
27 IR 464
"Risk assessor" defined
326 IAC 23-1-60.1 26 IR 2412
27 IR 464
"Room" defined
326 IAC 23-1-60.5 26 IR 2412
27 IR 465
"Soil-lead hazard" defined
326 IAC 23-1-60.6 26 IR 2413
27 IR 465
"Soil sample" defined
326 IAC 23-1-61.5 26 IR 2413
27 IR 465
"Supervisor" defined
326 IAC 23-1-62.5 26 IR 2413
27 IR 465
"Surface-by-surface investigation"
326 IAC 23-1-62.6 26 IR 2413
27 IR 465
"Target housing" defined
326 IAC 23-1-63 26 IR 2413
27 IR 466
"Third-party examination" defined
326 IAC 23-1-64 26 IR 2414
27 IR 466
"Weighted arithmetic mean" defined
326 IAC 23-1-69.5 26 IR 2414
27 IR 466
"Window trough or window well" defined
326 IAC 23-1-69.6 26 IR 2414
27 IR 466
"Wipe sample" defined
326 IAC 23-1-69.7 26 IR 2414
27 IR 466
"Worker" defined
326 IAC 23-1-71 26 IR 2414
27 IR 467
Licensing
Applicability
326 IAC 23-2-1 26 IR 2414
27 IR 467
Compliance requirements for lead-based paint activities contractors
326 IAC 23-2-6 26 IR 2419
27 IR 471
Duplicate lead-based paint program licenses
326 IAC 23-2-9 26 IR 2422
27 IR 474
Fees
326 IAC 23-2-8 26 IR 2421
27 IR 474
Lead-based paint license reciprocity
326 IAC 23-2-6.5 26 IR 2419
27 IR 472
Lead-based paint license revocation; denial
326 IAC 23-2-7 26 IR 2420
27 IR 473
License; application
326 IAC 23-2-4 26 IR 2416
27 IR 469
Licensing; qualifications
326 IAC 23-2-3 26 IR 2415
27 IR 467
Renewal of lead-based paint license
326 IAC 23-2-5 26 IR 2418
27 IR 470
Training Courses and Instructors
Applicability
326 IAC 23-3-1 26 IR 2422
27 IR 475
Application
326 IAC 23-3-12 26 IR 2428
27 IR 481
Course notification and record submittal requirements
326 IAC 23-3-11 26 IR 2428
27 IR 480
Examination requirements
326 IAC 23-3-5 26 IR 2426
27 IR 479
Expiration of course approval; reapproval
326 IAC 23-3-7 26 IR 2426
27 IR 479
Initial and refresher training course and rules awareness course application for approval
326 IAC 23-3-2 26 IR 2422
27 IR 475
Initial training course requirements
326 IAC 23-3-3 26 IR 2423
27 IR 476
Representation of training course approval
326 IAC 23-3-13 26 IR 2428
27 IR 481
Work Practices for Abatement Activities
Abatement procedures for all projects
326 IAC 23-4-5 26 IR 2431
27 IR 484
Analysis of samples
326 IAC 23-4-12 26 IR 2435
27 IR 488
Applicability
326 IAC 23-4-1 26 IR 2429
27 IR 481
Inspections
326 IAC 23-4-2 26 IR 2429
27 IR 482
Lead abatement notification procedures
326 IAC 23-4-6 26 IR 2432
27 IR 485
Lead abatement procedures; interior
326 IAC 23-4-7 26 IR 2434
27 IR 486
Lead-based paint abatement disposal procedures
326 IAC 23-4-11 26 IR 2435
27 IR 488
Lead hazard screen
326 IAC 23-4-3 26 IR 2429
27 IR 482
Post-abatement clearance procedures
326 IAC 23-4-9 26 IR 2434
27 IR 487
Record keeping
326 IAC 23-4-13 26 IR 2435
27 IR 488
Risk assessment
326 IAC 23-4-4 26 IR 2430
27 IR 483
Work Practice Standards for Nonabatement Activities
326 IAC 23-5 26 IR 2436
27 IR 489

LEAD RULES
Lead Emissions Limitations
Compliance
326 IAC 15-1-4 26 IR 2083
Source-specific provisions
326 IAC 15-1-2 26 IR 2080
MONITORING REQUIREMENTS
Continuous Monitoring of Emissions
Minimum performance and operating specifications
326 IAC 3-5-2 26 IR 2017
Monitor system certification
326 IAC 3-5-3 26 IR 2019
Quality assurance requirements
326 IAC 3-5-5 26 IR 2020
Standard operating procedures
326 IAC 3-5-4 26 IR 2019

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Fuel Sampling and Analysis Procedures
Coal sampling and analysis methods
326 IAC 3-7-2 26 IR 2024
Fuel oil sampling; analysis methods
326 IAC 3-7-4 26 IR 2025
General Provisions
Conversion factors
326 IAC 3-4-3 26 IR 2016
Definitions
326 IAC 3-4-1 26 IR 2016
Source Sampling Procedures
Applicability; test procedures
326 IAC 3-6-1 26 IR 2022
Emission testing
326 IAC 3-6-3 26 IR 2022
Specific testing procedures; particulate matter; sulfur dioxide; nitrogen oxides; volatile organic compounds
326 IAC 3-6-5 26 IR 2023
MOTOR VEHICLE EMISSION AND FUEL STANDARDS
Motor Vehicle Inspection and Maintenance Requirements
Definitions
326 IAC 13-1.1-1 26 IR 2062
Facility and testing requirements
326 IAC 13-1.1-14 26 IR 2065
Facility quality assurance program
326 IAC 13-1.1-16 26 IR 2066
Testing procedures and standards
326 IAC 13-1.1-8 26 IR 2063
Test reports; repair forms
326 IAC 13-1.1-13 26 IR 2064
Waivers and compliance through diagnostic inspection
326 IAC 13-1.1-10 26 IR 2063
NITROGEN OXIDE RULES
Nitrogen Oxides Control in Clark and Floyd Counties
Compliance procedures
326 IAC 10-1-5 26 IR 2059
Definitions
326 IAC 10-1-2 26 IR 2056
Emissions limits
326 IAC 10-1-4 26 IR 2057
Emissions monitoring
326 IAC 10-1-6 26 IR 2059
OPACITY REGULATIONS
Opacity Limitations
Compliance determination
326 IAC 5-1-4 26 IR 2026
Opacity limitations
326 IAC 5-1-2 26 IR 2025
Violations
326 IAC 5-1-5 26 IR 2026
PARTICULATE RULES
County Specific Particulate Matter Limitations
Applicability
326 IAC 6-1-1 25 IR 710
Lake County PM_{10} coke battery emission requirements
326 IAC 6-1-10.2 26 IR 1994
27 IR 85
Lake County PM_{10} emission requirements
326 IAC 6-1-10.1 26 IR 1970
27 IR 61
Vigo County
326 IAC 6-1-13 27 IR 2318
PERMIT REVIEW RULES
Actuals Plantwide Applicability Limitations in Attainment Areas
326 IAC 2-2.4 27 IR 2005
Actuals Plantwide Applicability Limitations in Nonattainment Areas
326 IAC 2-3.4 27 IR 2033
Clean Unit Designations in Attainment Areas
326 IAC 2-2.2 27 IR 2000
Clean Unit Designations in Nonattainment Areas
326 IAC 2-3.2 27 IR 2027
Construction of New Sources
Exemption
326 IAC 2-5.1-1 27 IR 3144
Registrations
326 IAC 2-5.1-2 27 IR 3145
Transition procedures
326 IAC 2-5.1-4 27 IR 2041
Emission Offset
Applicable requirements
326 IAC 2-3-3 27 IR 2025
Applicability
326 IAC 2-3-2 27 IR 2023
Definitions
326 IAC 2-3-1 26 IR 2000
27 IR 2014
Emission Reporting
Applicability
326 IAC 2-6-1 24 IR 3700
27 IR 2210
Compliance schedule
326 IAC 2-6-3 24 IR 3702
27 IR 2212
Definitions
326 IAC 2-6-2 24 IR 3700
27 IR 2210
Requirements
326 IAC 2-6-4 24 IR 3703
27 IR 2213
26 IR 2005
Violations
326 IAC 2-6-5 24 IR 3705
27 IR 2215
Federal NSR Requirements for Sources Subject to P.L.231-2003, SECTION 6, Endangered Industries
326 IAC 2-2.6 27 IR 2013
Federally Enforceable State Operating Permit Program
Permit application
326 IAC 2-8-3 26 IR 2008
General Provisions
Fees
326 IAC 2-1.1-7 27 IR 1981
Minor Source Operating Permit Program
Applicability
326 IAC 2-6.1-2 27 IR 3149
Application requirements
326 IAC 2-6.1-4 27 IR 3149
Compliance schedule
326 IAC 2-6.1-3 27 IR 3149
Exemptions
326 IAC 2-6.1-1 27 IR 3149
Operating permit content
326 IAC 2-6.1-5 27 IR 3150
Operating permit renewal
326 IAC 2-6.1-7 27 IR 3154
Permit revisions
326 IAC 2-6.1-6 27 IR 3151
Part 70 Permit Program
Administrative permit amendments
326 IAC 2-7-11 27 IR 2045
Part 70 permits; source modifications
326 IAC 2-7-10.5 27 IR 2041
Permit issuance, renewal, and revisions
326 IAC 2-7-8 26 IR 2006
Permit modification
326 IAC 2-7-12 27 IR 2046
Permit review by the U.S. EPA
326 IAC 2-7-18 26 IR 2007
Requirement for a permit
326 IAC 2-7-3 26 IR 2006
Permit by Rule
LSA Document #04-9(E) **27 IR 1608**
LSA Document #04-81(E) **27 IR 2516**
LSA Document #04-154(E) **27 IR 3091**
Compliance with other provisions
326 IAC 2-10-5.1 27 IR 2325
Conditions
326 IAC 2-10-3.1 27 IR 2325
Definitions
326 IAC 2-10-2.1 27 IR 2325
Demonstration of compliance
326 IAC 2-10-4.1 27 IR 2325
Enforcement
326 IAC 2-10-6.1 27 IR 2325
Limiting potential to emit
326 IAC 2-10-1 27 IR 2324
Permit by Rule for Specific Source Categories
Gasoline dispensing operations
326 IAC 2-11-2 27 IR 2327
General provisions
326 IAC 2-11-1 27 IR 2326
Grain elevators
326 IAC 2-11-3 27 IR 2327
Grain processing or milling
326 IAC 2-11-4 27 IR 2328
Pollution Control Project Exclusion Procedural Requirements in Attainment Areas
326 IAC 2-2.3 27 IR 2004
Pollution Control Project Exclusion Procedural Requirements in Nonattainment Areas
326 IAC 2-3.3 27 IR 2032
Prevention of Significant Deterioration (PSD) Requirements
Additional analysis; requirements
326 IAC 2-2-7 27 IR 1998
Air quality analysis; requirements
326 IAC 2-2-4 27 IR 1995
Air quality impact; requirements
326 IAC 2-2-5 27 IR 1996
Ambient air ceilings
326 IAC 2-2-16 26 IR 1999
Applicability
326 IAC 2-2-2 27 IR 1993
Area designation and redesignation
326 IAC 2-2-13 26 IR 1998
Control technology review; requirements
326 IAC 2-2-3 27 IR 1995

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Definitions
326 IAC 2-2-1 27 IR 250
27 IR 2216
27 IR 1983
Increment consumption; requirements
326 IAC 2-2-6 27 IR 256
27 IR 2222
27 IR 1997
Permit rescission
326 IAC 2-2-12 27 IR 257
27 IR 2223
Source information
326 IAC 2-2-10 27 IR 1999
Source obligation
326 IAC 2-2-8 27 IR 1998
Registrations
Applicability
326 IAC 2-5.5-1 27 IR 3146
Application requirements
326 IAC 2-5.5-3 27 IR 3146
Compliance schedule
326 IAC 2-5.5-2 27 IR 3146
Public notice
326 IAC 2-5.5-5 27 IR 3147
Registration content
326 IAC 2-5.5-4 27 IR 3147
Source modification
326 IAC 2-5.5-6 27 IR 3147
Source Specific Operating Agreement Program
Abrasive cleaning operations
326 IAC 2-9-5 27 IR 3158
Automobile refinishing operations
326 IAC 2-9-11 27 IR 3164
Coal mines and coal preparation plants
326 IAC 2-9-10 26 IR 2013
27 IR 3163
Crushed stone processing plants
326 IAC 2-9-8 26 IR 2010
27 IR 3160
Degreasing operations
326 IAC 2-9-12 27 IR 3165
External combustion sources
326 IAC 2-9-13 26 IR 2014
27 IR 3165
General provisions
326 IAC 2-9-1 27 IR 3155
Grain elevators
326 IAC 2-9-6 27 IR 3159
Industrial or commercial surface coating operations not subject to 326 IAC 8-2; graphic arts operation not subject to 326 IAC 8-5-5
326 IAC 2-9-2.5 27 IR 3156
Internal combustion sources
326 IAC 2-9-14 27 IR 3167
Ready-mix concrete batch plants
326 IAC 2-9-9 26 IR 2011
27 IR 3162
Sand and gravel plants
326 IAC 2-9-7 26 IR 2009
27 IR 3159
Surface coating or graphic arts operations
326 IAC 2-9-3 27 IR 3156
Woodworking operations
326 IAC 2-9-4 27 IR 3157
STATE ENVIRONMENTAL POLICY
General Conformity
Applicability; incorporation by reference of federal standards
326 IAC 16-3-1 26 IR 2084
STRATOSPHERIC OZONE PROTECTION
General Provisions
Incorporation of federal regulations
326 IAC 22-1-1 26 IR 2098
SULFUR DIOXIDE RULES
Compliance
Reporting requirements; methods to determine compliance
326 IAC 7-2-1 26 IR 2028
Emission Limitations and Requirements by County
Dearborn County sulfur dioxide emission limitations
326 IAC 7-4-13 27 IR 2768
Vigo County sulfur dioxide emission limitations
326 IAC 7-4-3 27 IR 2319
Warrick County sulfur dioxide emission limitations
326 IAC 7-4-10 26 IR 2029
VOLATILE ORGANIC COMPOUND RULES
Automobile Refinishing
Test procedures
326 IAC 8-10-7 26 IR 2044
General Provisions
Testing procedures
326 IAC 8-1-4 26 IR 2030
Petroleum Sources
Gasoline dispensing facilities
326 IAC 8-4-6 26 IR 2032
Leaks from transports and vapor collection systems; records
326 IAC 8-4-9 26 IR 2035
Shipbuilding or Ship Repair Operations in Clark, Floyd, Lake, and Porter Counties
Compliance requirements
326 IAC 8-12-5 26 IR 2052
Definitions
326 IAC 8-12-3 26 IR 2050
Record keeping, notification, and reporting requirements
326 IAC 8-12-7 26 IR 2054
Test methods and procedures
326 IAC 8-12-6 26 IR 2053
Sinter Plants
Test procedures
326 IAC 8-13-5 26 IR 2054
Specific VOC Reduction Requirements for Lake, Porter, Clark, and Floyd Counties
Applicability
326 IAC 8-7-2 24 IR 2755
Certification, record keeping, and reporting requirements for coating facilities
326 IAC 8-7-6 24 IR 2758
Compliance methods
326 IAC 8-7-4 24 IR 2756
Compliance plan
326 IAC 8-7-5 24 IR 2758
Control system monitoring, record keeping, and reporting
326 IAC 8-7-10 24 IR 2759
Control system operation, maintenance, and testing
326 IAC 8-7-9 24 IR 2758
Definitions
326 IAC 8-7-1 24 IR 2754
Emission limits
326 IAC 8-7-3 24 IR 2755
General record keeping and reports
326 IAC 8-7-8 24 IR 2758
Test methods and procedures
326 IAC 8-7-7 24 IR 2758
26 IR 2036
Volatile Organic Liquid Storage Vessels
Applicability
326 IAC 8-9-1 24 IR 2760
Definitions
326 IAC 8-9-3 24 IR 2760
26 IR 2037
Exemptions
326 IAC 8-9-2 24 IR 2760
26 IR 2036
Record keeping and reporting requirements
326 IAC 8-9-6 24 IR 2765
26 IR 2042
Standards
326 IAC 8-9-4 24 IR 2761
26 IR 2038
Testing and procedures
326 IAC 8-9-5 24 IR 2763
26 IR 2040
Wood Furniture Coatings
Applicability
326 IAC 8-11-1 24 IR 2767
Compliance procedures and monitoring requirements
326 IAC 8-11-6 24 IR 2771
26 IR 2046
Continuous compliance plan
326 IAC 8-11-5 24 IR 2771
Definitions
326 IAC 8-11-2 24 IR 2767
26 IR 2044
Emission limits
326 IAC 8-11-3 24 IR 2769
Provisions for sources electing to use emissions averaging
326 IAC 8-11-10 24 IR 2777
Record keeping requirements
326 IAC 8-11-8 24 IR 2775
Reporting requirements
326 IAC 8-11-9 24 IR 2776
Test procedures
326 IAC 8-11-7 24 IR 2775
26 IR 2050
Work practice standards
326 IAC 8-11-4 24 IR 2770

ALCOHOL AND TOBACCO COMMISSION
GENERAL PROVISIONS
Auto Race Tracks
905 IAC 1-35.1 26 IR 3745
27 IR 1290
27 IR 2497
Clubs
Requirement to publicly post operating dates
905 IAC 1-13-6 26 IR 2689
27 IR 2283

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Service to nonmembers
905 IAC 1-13-3 26 IR 2689
27 IR 2283
Minors
Loitering
905 IAC 1-15.2-3 26 IR 3745
27 IR 3337
Municipal Riverfront Development Projects
905 IAC 1-47 27 IR 1292
Permit Renewal; Letter of Extension
Revocation of letter of extension
905 IAC 1-26-3 27 IR 3338
Procedure after Local Board Investigation and Recommendation
Review of local alcoholic beverage board's approval or denial of an application for an alcoholic beverage permit
905 IAC 1-36-2 26 IR 3747
Temporary Beer/Wine Permit Fees
Qualification requirements
905 IAC 1-11.1-2 26 IR 2688
27 IR 2282
Temporary beer and wine permits
905 IAC 1-11.1-1 26 IR 2688
27 IR 2282
Tobacco Retail Sales Certificates
905 IAC 1-46 27 IR 1291
Tracking Beer Kegs
905 IAC 1-45 26 IR 2128
27 IR 189
Identification numbers
905 IAC 1-45-2 27 IR 2576
Receipt for the keg
905 IAC 1-45-3 27 IR 2576
Trade practices; permissible activity between primary sources of supply, wholesalers, and retailers
Samples; consumer product sampling
905 IAC 1-5.2-9.2 26 IR 2687
27 IR 1289
27 IR 2281
27 IR 3337
Samples; wholesale to retail
905 IAC 1-5.2-9.1 26 IR 2687
27 IR 1288
27 IR 2281
Withdrawal of Consent to Transfer Permit
905 IAC 1-48 27 IR 3339

ANIMAL HEALTH, INDIANA STATE BOARD OF
CATTLE, GOATS, AND OTHER TUBERCULOSIS OF BRUCELLOSIS CARRYING ANIMALS
Chronic Wasting Disease
Herd registration
345 IAC 2-7-3 25 IR 1999
25 IR 2776
26 IR 347
26 IR 3107
27 IR 92
Interstate movement
345 IAC 2-7-2.4 26 IR 3106
27 IR 92
Intrastate movement
345 IAC 2-7-2.5 26 IR 3107
27 IR 92
DOMESTIC ANIMAL DISEASE CONTROL; GENERAL PROVISIONS
Importation of Domestic Animals
Chronic wasting disease
345 IAC 1-3-30 26 IR 3102
27 IR 87
Chronic wasting disease; carcasses
345 IAC 1-3-31 26 IR 3104
27 IR 89
Duties of applicants and shippers; violations; penalties
345 IAC 1-3-32 26 IR 3104
27 IR 90
Rabies vaccination required for dogs, cats, and ferrets
345 IAC 1-3-22 26 IR 3108
27 IR 490
Rabies Immunization
Rabies vaccination
345 IAC 1-5-1 26 IR 3108
27 IR 491
Reportable Diseases
Individual and veterinarian responsibility
345 IAC 1-6-2 26 IR 3105
27 IR 90
Laboratory responsibility
345 IAC 1-6-3 26 IR 3105
27 IR 90
LIVESTOCK DEALERS, MARKETING, EXHIBITIONS, AND SLAUGHTER LIVESTOCK
Exhibition of Domestic Animals and Poultry
Pseudorabies tests for swine
345 IAC 7-5-15.1 27 IR 2797
Vaccinations and tests required for dogs and cats
345 IAC 7-5-22 27 IR 2798
Licensing and Bonding of Livestock Dealers and Markets
Care and handling; nonambulatory livestock
345 IAC 7-3.5-16 27 IR 2328
MEAT AND MEAT PRODUCTS INSPECTION
Incorporation by Reference
Incorporation by reference
LSA Document #04-29(E) **27 IR 1930**
LSA Document #04-119(E) **27 IR 2758**
345 IAC 9-2.1-1 27 IR 2329
Postmortem Inspection
Animals tested for bovine spongiform encephalopathy
345 IAC 9-10.5-2 27 IR 2329

ARCHITECTS AND LANDSCAPE ARCHITECTS, BOARD OF REGISTRATION FOR
REGISTRATION; CODE OF CONDUCT FOR ARCHITECTS
General Provisions
Definitions and abbreviations
804 IAC 1.1-1-1 26 IR 3136
27 IR 180

ATTORNEY GENERAL FOR THE STATE, OFFICE OF
TORT CLAIMS
Tort Claims
Claim forms available
10 IAC 3-1-2 26 IR 3911
27 IR 825
Tort claims against the state; form
10 IAC 3-1-1 26 IR 3909
27 IR 824
UNCLAIMED PROPERTY
Filing dates for reports required to be filed
10 IAC 1.5-6 26 IR 3374
27 IR 450

ATTORNEY GENERAL'S OPINIONS
(See Cumulative Table of Executive Orders and Attorney General's Opinions at 27 IR 3430)

BOILER AND PRESSURE VESSEL RULES BOARD
GENERAL PROVISIONS
Adoption by Reference; Title; Scope; Applicability; Classification; Availability of Rule; Violations; Penalties; Appeals
Adoption by reference; approval of revisions
LSA Document #04-37(E) **27 IR 2296**

BOXING COMMISSION, STATE
BOXING AND OTHER RING EXHIBITIONS
Contestants
Athletic costumes and protective equipment
808 IAC 2-1-5 27 IR 2564
Female boxers
808 IAC 2-1-12 27 IR 2564
Gloves
Gloves; mouthpiece; inspection; specifications
808 IAC 2-22-1 27 IR 2565
Physician; Testing for the Use of Prohibited Drugs
Confidentiality
808 IAC 2-12-8 27 IR 2568
Costs
808 IAC 2-12-7 27 IR 2568
Definitions
808 IAC 2-12-0.5 27 IR 2566
Disciplinary actions
808 IAC 2-12-6 27 IR 2567
Refusal to submit to drug test
808 IAC 2-12-5 27 IR 2567
Test for prohibited drugs
808 IAC 2-12-3 27 IR 2567
Testing procedures
808 IAC 2-12-4 27 IR 2567
Use of prohibited drugs
808 IAC 2-12-2 27 IR 2567
Referees
Discontinuation of fight; declaration of winner
808 IAC 2-7-14 27 IR 2564
Scoring Decisions
Exhibitions
808 IAC 2-9-5 27 IR 2564
Weighing Time
Weighing-in; attendance
808 IAC 2-18-1 27 IR 2565
GENERAL PROVISIONS
Licenses and Permits
Security for the purse; forms
808 IAC 1-3-6 27 IR 2563
Seats for Commission and Officials
Bond of promoter license applicant
808 IAC 1-5-2 27 IR 2563

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Seats for commission, judges, timekeepers, and other officials
808 IAC 1-5-1 27 IR 2563

CHILDREN'S HEALTH INSURANCE PROGRAM, OFFICE OF THE
BENEFITS AND MEDICAL POLICY
Mental Health and Substance Abuse Services
Reimbursement limitations
LSA Document #04-104(E) **27 IR 2519**
LSA Document #04-192(E) **27 IR 3587**
407 IAC 3-7-1 27 IR 2535
Services Not Covered by CHIP
Noncovered services
LSA Document #04-104(E) **27 IR 2519**
LSA Document #04-192(E) **27 IR 3587**
407 IAC 3-13-1 27 IR 2535

CIVIL RIGHTS COMMISSION
FAIR HOUSING COMPLAINTS
Housing for Older Persons
80 percent occupancy
910 IAC 2-4-7 27 IR 1644
27 IR 3075
Good faith against money damages
910 IAC 2-4-10 27 IR 1646
27 IR 3077
Housing for persons who are at least 55 years of age
910 IAC 2-4-6 27 IR 1644
27 IR 3074
Intent to operate as housing designed for persons who are at least 55 years of age
910 IAC 2-4-8 27 IR 1645
27 IR 3076
Verification of occupancy
910 IAC 2-4-9 27 IR 1645
27 IR 3076

CONSUMER PROTECTION DIVISION OF THE OFFICE OF THE ATTORNEY GENERAL
PROFESSIONAL FUNDRAISER CONSULTANTS AND PROFESSIONAL SOLICITORS
11 IAC 3 26 IR 3911
27 IR 826
PROVISION OF LISTING TELEPHONE NUMBERS NOT TO BE SOLICITED
Removal of Telephone Numbers from the Telephone Privacy List
Obtaining changed, transferred, and disconnected telephone numbers
11 IAC 2-5-5 26 IR 1598

CONTROLLED SUBSTANCES ADVISORY COMMITTEE
CONTROLLED SUBSTANCE MONITORING
Electronic Prescription Monitoring Program
Applicability
858 IAC 2-1-2 27 IR 1286
27 IR 2731
Application for payment of pharmacy costs
858 IAC 2-1-4 27 IR 1286
27 IR 2732
Definitions
858 IAC 2-1-1 27 IR 1285
27 IR 2731
Prescription monitoring program
858 IAC 2-1-3 27 IR 1286
27 IR 2731

COSMETOLOGY EXAMINERS, STATE BOARD OF
CONTINUING EDUCATION
Approved Cosmetology Educators
Certificate of course completion
820 IAC 6-1-3 26 IR 3137
27 IR 516
Distance Learning Continuing Education
820 IAC 6-3 26 IR 3137
27 IR 516
COSMETOLOGY SCHOOLS
General Requirements
Graduation defined
820 IAC 4-1-11 26 IR 3137
27 IR 515

DEAF BOARD, INDIANA SCHOOL FOR THE
514 IAC 27 IR 1634

DENTISTRY, STATE BOARD OF
LICENSURE OF DENTISTS AND DENTAL HYGIENISTS
Continuing Education for Renewal of License
Continuing education course requirement
828 IAC 1-5-6 27 IR 2334
Dental Hygienists; Licensure by Examination
Clinical examination; two sections; required score
828 IAC 1-2-7 26 IR 3410
27 IR 2280
Examinations required for licensure
828 IAC 1-2-3 26 IR 3409
27 IR 2279
Failure; reexamination
828 IAC 1-2-12 26 IR 3410
27 IR 2280
National board examination; dental and dental hygiene law examination
828 IAC 1-2-6 26 IR 3410
27 IR 2280
Dentists; Licensure by Examination
Clinical examination; scope; passing score
828 IAC 1-1-7 26 IR 3409
27 IR 2279
Examinations required for licensure
828 IAC 1-1-3 26 IR 3408
27 IR 2278
Failure; reexamination
828 IAC 1-1-12 26 IR 3409
27 IR 2279
National board examination; dental and dental hygiene law examinations
828 IAC 1-1-6 26 IR 3409
27 IR 2279

DISABILITY, AGING, AND REHABILITATIVE SERVICES, DIVISION OF
AGING
Caretaker Support Program
460 IAC 1-10 27 IR 3303
ASSISTED LIVING MEDICAID WAVIER SERVICES
460 IAC 8 26 IR 3392
27 IR 2489
DIVISION OF REHABILITATION SERVICES
Board of Interpreter Standards
460 IAC 2-2.1 27 IR 3701
HOME AND COMMUNITY BASED SERVICES
460 IAC 1.1 27 IR 2799
RATES FOR ADULT DAY SERVICES PROVIDED BY COMMUNITY MENTAL RETARDATION AND OTHER DEVELOPMENTAL DISABILITIES CENTERS
Definitions, Purpose, and Applicability
Definitions
460 IAC 3.5-1-1 27 IR 269
Unit of Service Reimbursement Rates
Unit of service reimbursement rates
460 IAC 3.5-2-1 27 IR 269
SUPPORTED LIVING SERVICES AND SUPPORTS
Applicability
Rules applicable to all providers
460 IAC 6-2-2 26 IR 3935
27 IR 2724
Rules applicable to specific providers
460 IAC 6-2-3 26 IR 3935
27 IR 2724
Application and Approval Process
Action on application
460 IAC 6-6-3 26 IR 2670
27 IR 107
Initial application
460 IAC 6-6-2 26 IR 2670
27 IR 106
Applied Behavior Analysis Services
460 IAC 6-35 26 IR 2678
27 IR 115
Case Management
Monitoring of services
460 IAC 6-19-6 26 IR 2676
27 IR 113
26 IR 3936
27 IR 2725
Code of Ethics
460 IAC 6-36 26 IR 3937
27 IR 2726
Definitions
"Adult foster care services" defined
460 IAC 6-3-2.1 26 IR 2664
27 IR 101
"Applied behavior analysis services" defined
460 IAC 6-3-5.1 26 IR 2665
27 IR 101
"Applied behavior analysis support plan" defined
460 IAC 6-3-5.2 26 IR 2665
27 IR 101
"BDDS behavior management committee" defined
460 IAC 6-3-6.1 26 IR 2665
27 IR 101
"Children's foster care services" defined
460 IAC 6-3-10.1 26 IR 2665
27 IR 101

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

"Community transition supports" defined
460 IAC 6-3-15.1 26 IR 2665
27 IR 101
"Conflict of interest" defined
460 IAC 6-3-15.2 26 IR 3935
27 IR 2724
"Cost comparison budget" or "CCB" defined
460 IAC 6-3-15.3 26 IR 2665
27 IR 101
"Direct care staff" defined
460 IAC 6-3-18 26 IR 2666
27 IR 102
"Facility-based sheltered employment services" defined
460 IAC 6-3-25 26 IR 2666
27 IR 102
"Independence assistance services" defined
460 IAC 6-3-29.5 26 IR 2666
27 IR 102
"Individual community living budget" or "ICLB" defined
460 IAC 6-3-31 26 IR 2666
27 IR 102
"Individualized support plan" or "ISP" defined
460 IAC 6-3-32 26 IR 2666
27 IR 102
"Person centered planning" defined
460 IAC 6-3-38.5 26 IR 2666
27 IR 102
"Person centered planning facilitation services" defined
460 IAC 6-3-38.6 26 IR 2667
27 IR 103
"PRN" defined
460 IAC 6-3-41.1 26 IR 2667
27 IR 103
"Service planner" defined
460 IAC 6-3-52.1 26 IR 2667
27 IR 103
"Therapy services" defined
460 IAC 6-3-56 26 IR 2667
27 IR 103
General Administrative Requirements for Providers
Documentation of criminal histories
460 IAC 6-10-5 26 IR 2673
27 IR 110
Emergency behavioral support
460 IAC 6-10-13 26 IR 2674
27 IR 110
Resolution of disputes
460 IAC 6-10-8 26 IR 2674
27 IR 110
Health Care Coordination Services
Investigation of death
460 IAC 6-25-10 26 IR 2677
27 IR 114
Maintenance of Records of Services Provided
Individual's personal file; provider's office
460 IAC 6-17-4 26 IR 2676
27 IR 112
Individual's personal file; site of service delivery
460 IAC 6-17-3 26 IR 2675
27 IR 111
Monitoring; Sanctions; Administrative Review
Effect of noncompliance; notice
460 IAC 6-7-3 26 IR 2671
27 IR 108
Monitoring; corrective action
460 IAC 6-7-2 26 IR 2671
27 IR 107
Personnel Records
Maintenance of personnel files
460 IAC 6-15-2 26 IR 3935
27 IR 2724
Physical Environment
Change in location of residence
460 IAC 6-29-9 26 IR 2678
27 IR 115
Compliance of environment with building and fire codes
460 IAC 6-29-4 26 IR 2678
27 IR 114
Professional Qualifications and Requirements
Policies and procedures for code of ethics
460 IAC 6-14-7 26 IR 3935
27 IR 2724
Policies and procedures for conflicts of interest
460 IAC 6-14-6 26 IR 3935
27 IR 2724
Training
460 IAC 6-14-4 26 IR 2675
27 IR 111
Protection of an Individual
Incident reporting
460 IAC 6-9-5 26 IR 2672
27 IR 108
Notice of termination of services
460 IAC 6-9-7 26 IR 2673
27 IR 109
Provider Qualifications
Applied behavioral analysis services provider qualifications
460 IAC 6-5-32 26 IR 2669
27 IR 105
Behavioral support services provider qualifications
460 IAC 6-5-4 26 IR 2668
27 IR 104
Children's foster care provider qualifications
460 IAC 6-5-33 26 IR 2670
27 IR 106
Community education and therapeutic activity services provider qualifications
460 IAC 6-5-7 26 IR 2669
27 IR 105
Community transition supports provider qualifications
460 IAC 6-5-34 26 IR 2670
27 IR 106
Independence assistance services provider qualifications
460 IAC 6-5-35 26 IR 2670
27 IR 106
Person centered planning facilitation services provider qualifications
460 IAC 6-5-36 26 IR 2670
27 IR 106
Therapy services provider qualifications
460 IAC 6-5-21 26 IR 2669
27 IR 105
Respite Care Services
Documentation required
460 IAC 6-31-1 26 IR 3936
27 IR 2725
Training Services
Coordination of training services and training plan
460 IAC 6-24-1 26 IR 2677
27 IR 113
Required documentation
460 IAC 6-24-2 26 IR 2677
27 IR 114
Transportation of an Individual
Transportation of an individual
460 IAC 6-13-2 26 IR 2675
27 IR 111
Types of Supported Living Services and Supports
Types of supported living services and supports
460 IAC 6-4-1 26 IR 2667
27 IR 103

EDUCATION, INDIANA STATE BOARD OF
ADMINISTRATION; INFORMATION COLLECTION PROCESSING; SCHOOL FINANCE; GENERAL PROVISIONS
Determining and Reporting Attendance and Membership for State Support
Definitions
511 IAC 1-3-1 27 IR 270
27 IR 3504
27 IR 3305
CURRICULUM; REQUIREMENTS FOR COMMISSIONED SCHOOLS
Graduation Requirements
Academic honors diploma; additional course requirements
511 IAC 6-7-6.5 27 IR 2552
Required and elective credits
511 IAC 6-7-6.1 26 IR 3938
27 IR 1211
27 IR 3499
SCHOOL ACCREDITATION
Approved High School Courses
Business technology education; technology education
511 IAC 6.1-5.1-9 26 IR 3939
27 IR 3500
27 IR 2557
Fine arts courses
511 IAC 6.1-5.1-8 27 IR 2556
Language arts courses
511 IAC 6.1-5.1-2 27 IR 2553
Mathematics
511 IAC 6.1-5.1-5 27 IR 2555
Science courses
511 IAC 6.1-5.1-6 27 IR 2555
Social studies courses
511 IAC 6.1-5.1-3 27 IR 2553
Vocational-technical courses
511 IAC 6.1-5.1-10.1 26 IR 3940
27 IR 3501
27 IR 2550

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

World language courses
511 IAC 6.1-5.1-4 27 IR 2554
School Accreditation System
Definitions
511 IAC 6.1-1-2 27 IR 561
SCHOOL PERFORMANCE AND IMPROVEMENT; ACCOUNTABILITY
Adequate Year Progress
511 IAC 6.2-7 26 IR 1720
27 IR 163
Other indicators
511 IAC 6.2-7-8 27 IR 564
Assessing School Improvement and Performance
Additional requirements for category placement
511 IAC 6.2-6-6.1 26 IR 1720
27 IR 163
Appeal of category placement
511 IAC 6.2-6-12 26 IR 1720
27 IR 163
Disaggregated data and category placement
511 IAC 6.2-6-8 26 IR 1720
27 IR 163
School improvement and performance categories; placement of school and school corporation in categories; measures used; nonmobile cohort group of students
511 IAC 6.2-6-4 26 IR 1719
27 IR 162
Graduation Rate Determination
511 IAC 6.2-2.5 27 IR 563

EMERGENCY MEDICAL SERVICES COMMISSION, INDIANA
ADVANCED LIFE SUPPORT
Advanced Life Support Nontransport Vehicles; Standards and Certification
Advanced life support nontransport vehicle emergency care equipment
836 IAC 2-14-5 27 IR 1255
27 IR 3549
Advanced life support nontransport vehicle specifications
836 IAC 2-14-3 27 IR 1253
27 IR 3548
Application for certification
836 IAC 2-14-2 27 IR 1253
27 IR 3547
General certification provisions
836 IAC 2-14-1 27 IR 1252
27 IR 3547
Definitions
Definitions
836 IAC 2-1-1 27 IR 1239
27 IR 3534
Requirements and Standards for Emergency Medical Technician-Intermediate Provider Organizations
Application for certification; renewal
836 IAC 2-7.2-2 27 IR 1250
27 IR 3544
Application for provisional certification
836 IAC 2-7.2-4 27 IR 1252
27 IR 3547
Emergency medical technician-intermediate provider organization operating procedures
836 IAC 2-7.2-3 27 IR 1250
27 IR 3545
General requirements for emergency medical technician-intermediate provider organizations
836 IAC 2-7.2-1 27 IR 1247
27 IR 3542
Requirements and Standards for Paramedic Organizations
Application for certification; renewal
836 IAC 2-2-2 27 IR 1243
27 IR 3537
Application for provisional certification
836 IAC 2-2-4 27 IR 1245
27 IR 3540
General requirements for paramedic provider organizations
836 IAC 2-2-1 27 IR 1240
27 IR 3535
Paramedic provider organization operating procedures
836 IAC 2-2-3 27 IR 1244
27 IR 3538
Supervising Hospitals
Certification as a supervising hospital; renewal
836 IAC 2-4.1-2 27 IR 1246
27 IR 3541
General requirements
836 IAC 2-4.1-1 27 IR 1245
27 IR 3540
AIR AMBULANCES
Advanced life support rotorcraft ambulance service provider
Air ambulances; general requirements
836 IAC 3-2-1 27 IR 1256
27 IR 3551
Certification; application
836 IAC 3-2-2 27 IR 1258
27 IR 3552
Communications systems requirements
836 IAC 3-2-7 27 IR 1261
27 IR 3556
Equipment list
836 IAC 3-2-6 27 IR 1261
27 IR 3555
Minimum specifications
836 IAC 3-2-3 27 IR 1258
27 IR 3553
Operating procedures; flight and medical
836 IAC 3-2-4 27 IR 1259
27 IR 3554
Staffing
836 IAC 3-2-5 27 IR 1260
27 IR 3555
Definitions
Definitions
836 IAC 3-1-1 27 IR 1256
27 IR 3550
Fixed-wing air ambulance service provider organization
Air ambulances; general requirements
836 IAC 3-3-1 27 IR 1262
27 IR 3556
Certification; application
836 IAC 3-3-2 27 IR 1263
27 IR 3558
Communications systems requirements
836 IAC 3-3-7 27 IR 1267
27 IR 3561
Equipment list
836 IAC 3-3-6 27 IR 1266
27 IR 3561
Minimum specifications
836 IAC 3-3-3 27 IR 1264
27 IR 3558
Operating procedures; flight and medical
836 IAC 3-3-4 27 IR 1264
27 IR 3559
Staffing
836 IAC 3-3-5 27 IR 1266
27 IR 3560
Registry for Out-of-State Advanced Life Support Fixed-Wing Ambulance Service Provider Organization
Certificate of registry
836 IAC 3-5-1 27 IR 1267
27 IR 3562
EMERGENCY MEDICAL SERVICES
Certification of Ambulance Service Providers
Ambulance service provider organization operating procedures
836 IAC 1-2-3 27 IR 1222
27 IR 3517
Application for certification; renewal
836 IAC 1-2-2 27 IR 1222
27 IR 3517
General certification provisions
836 IAC 1-2-1 27 IR 1221
27 IR 3516
Interfacility transfers and response
836 IAC 1-2-5 27 IR 1225
27 IR 3520
Communications System Requirements
Emergency medical services vehicle radio equipment
836 IAC 1-4-2 27 IR 1230
27 IR 3525
Provider dispatch requirements
836 IAC 1-4-1 27 IR 1230
27 IR 3525
Definitions and General Requirements
Audit and review
836 IAC 1-1-6 27 IR 1219
27 IR 3514
Definitions
836 IAC 1-1-1 27 IR 1212
27 IR 3507
Enforcement
836 IAC 1-1-2 27 IR 1215
27 IR 3510
Exemptions
836 IAC 1-1-4 27 IR 1217
27 IR 3512
Operating procedures
836 IAC 1-1-8 27 IR 1220
27 IR 3515
Reports and records
836 IAC 1-1-5 27 IR 1217
27 IR 3512

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Request for waiver
836 IAC 1-1-3 27 IR 1216
27 IR 3511
Training
836 IAC 1-1-7 27 IR 1220
27 IR 3514
Emergency Medical Technician-Basic Advanced Provider Organizations; Requirements; Standards
836 IAC 1-12 27 IR 1235
27 IR 3530
Nontransport Providers
Application for certification; renewal
836 IAC 1-11-2 27 IR 1231
27 IR 3526
Basic life support nontransport provider organization emergency care equipment
836 IAC 1-11-4 27 IR 1234
27 IR 3529
Emergency medical services nontransport provider organization operating procedures
836 IAC 1-11-3 27 IR 1232
27 IR 3527
General certification provisions
836 IAC 1-11-1 27 IR 1231
27 IR 3526
Standards and Certification Requirements for Ambulances
Application for certification
836 IAC 1-3-2 27 IR 1226
27 IR 3520
Emergency care equipment
836 IAC 1-3-5 27 IR 1228
27 IR 3523
General certification provisions
836 IAC 1-3-1 27 IR 1225
27 IR 3520
Insurance
836 IAC 1-3-6 27 IR 1229
27 IR 3524
Land ambulance specifications
836 IAC 1-3-3 27 IR 1226
27 IR 3521
TRAINING AND CERTIFICATION
Certification of Emergency Medical Technicians
Application for original certification or certification renewal
836 IAC 4-4-2 27 IR 1274
27 IR 3569
Certification based upon reciprocity
836 IAC 4-4-3 27 IR 1275
27 IR 3570
General certification provisions
836 IAC 4-4-1 27 IR 1273
27 IR 3568
Definitions
Definitions
836 IAC 4-1-1 27 IR 1267
27 IR 3562
Emergency Medical Services Primary Instructor Certification
Certification and recertification; general
836 IAC 4-5-2 27 IR 1275
27 IR 3570
Emergency Medical Services Training Institution
Educational staff qualifications and responsibilities
836 IAC 4-2-3 27 IR 1271
27 IR 3566
General requirements for training institutions; staff
836 IAC 4-2-1 27 IR 1270
27 IR 3564
Institutional responsibilities
836 IAC 4-2-2 27 IR 1270
27 IR 3565
Institution reporting requirements
836 IAC 4-2-4 27 IR 1272
27 IR 3567
Emergency Medical Technician-Intermediate; Certification
Application for certification; renewal
836 IAC 4-7.1-4 27 IR 1280
27 IR 3575
Continuing education requirements
836 IAC 4-7.1-5 27 IR 1280
27 IR 3575
Emergency medical technician-intermediate certification based upon reciprocity
836 IAC 4-7.1-6 27 IR 1281
27 IR 3576
General certification
836 IAC 4-7.1-3 27 IR 1279
27 IR 3574
Registered nurses; qualification to enter training
836 IAC 4-7.1-2 27 IR 1278
27 IR 3573
Student qualification to enter training
836 IAC 4-7.1-1 27 IR 1278
27 IR 3573
Emergency Medical Technicians-Basic Advanced; Certification
Application for certification
836 IAC 4-7-3 27 IR 1277
27 IR 3572
Certification provisions; general
836 IAC 4-7-2 27 IR 1276
27 IR 3571
Continuing education requirements
836 IAC 4-7-3.5 27 IR 1277
27 IR 3573
Emergency medical technician-basic advanced certification based upon reciprocity
836 IAC 4-7-4 27 IR 1278
27 IR 3573
Student qualification to enter training
836 IAC 4-7-1 27 IR 1276
27 IR 3571
Emergency Paramedics; Certification
Application for certification; renewal
836 IAC 4-9-4 27 IR 1282
27 IR 3577
Continuing education requirements
836 IAC 4-9-5 27 IR 1282
27 IR 3578
General certification
836 IAC 4-9-3 27 IR 1282
27 IR 3577
Paramedic certification based upon reciprocity
836 IAC 4-9-6 27 IR 1283
27 IR 3578
Registered nurses; qualification to enter training
836 IAC 4-9-2 27 IR 1281
27 IR 3576
Student qualification to enter training
836 IAC 4-9-1 27 IR 1281
27 IR 3576
First Responders
Certification based upon reciprocity
836 IAC 4-3-3 27 IR 1273
27 IR 3568
Certification standards
836 IAC 4-3-2 27 IR 1272
27 IR 3567

ENGINEERS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL
ADMINISTRATION; GENERAL REQUIREMENTS
Fees
Fee for examination administration
864 IAC 1.1-12-2 27 IR 2570
Fees charged by board
864 IAC 1.1-12-1 27 IR 2569
Limited Liability Company Practice
864 IAC 1.1-14 26 IR 3739
27 IR 875
Qualifications for Examination
Engineering intern; education and work experience
864 IAC 1.1-2-4 27 IR 2569
Engineers; education and work experience
864 IAC 1.1-2-2 26 IR 3737
27 IR 873

EXECUTIVE ORDERS
(See Cumulative Table of Executive Orders and Attorney General's Opinions at 27 IR 3430)

FAMILY AND CHILDREN, DIVISION OF
CHILD WELFARE SERVICES
Child care centers; licensing
470 IAC 3-4.7 26 IR 1675
27 IR 116
Child care development fund voucher program; provider eligibility
470 IAC 3-18 27 IR 1627
Child Care Homes
Activities for healthy development
470 IAC 3-1.1-38 27 IR 2847
Annual inspection
470 IAC 3-1.1-28.5 27 IR 2842
"Applicant" defined
470 IAC 3-1.1-1 27 IR 2837
"Assistant caregiver" defined
470 IAC 3-1.1-2 27 IR 2838
"Caregiver" defined
470 IAC 3-1.1-4 27 IR 2838
Child abuse and neglect
470 IAC 3-1.1-35 27 IR 2846
"Child care" defined
470 IAC 3-1.1-6 27 IR 2838

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Child care home capacity
470 IAC 3-1.1-24 27 IR 2841
"Child care provider" defined
470 IAC 3-1.1-8 27 IR 2839
Child to staff ratio
470 IAC 3-1.1-36.5 27 IR 2846
"Class I child care home" defined
470 IAC 3-1.1-7.2 27 IR 2838
"Design professional" defined
470 IAC 3-1.1-7.4 27 IR 2839
Discipline policy
470 IAC 3-1.1-41 27 IR 2848
Extended hours
470 IAC 3-1.1-51 27 IR 2853
Fire prevention
470 IAC 3-1.1-46 27 IR 2851
General environment
470 IAC 3-1.1-45 27 IR 2850
Health
470 IAC 3-1.1-44 27 IR 2849
Inappropriate discipline
470 IAC 3-1.1-41.2 27 IR 2848
"Infant" defined
470 IAC 3-1.1-10 27 IR 2839
Initial licensure
470 IAC 3-1.1-28 27 IR 2841
"Licensee" defined
470 IAC 3-1.1-12 27 IR 2839
License provisions
470 IAC 3-1.1-29.5 27 IR 2842
Medical requirements
470 IAC 3-1.1-34 27 IR 2845
Medication
470 IAC 3-1.1-44.5 27 IR 2850
Minimum standards
470 IAC 3-1.1-0.5 27 IR 2837
Nutrition
470 IAC 3-1.1-42 27 IR 2849
Outdoor environment
470 IAC 3-1.1-38.5 27 IR 2847
Pets
470 IAC 3-1.1-45.5 27 IR 2850
Positive discipline
470 IAC 3-1.1-41.1 27 IR 2848
"Probationary license" defined
470 IAC 3-1.1-12.5 27 IR 2839
"Protected outdoor play area" defined
470 IAC 3-1.1-13 27 IR 2839
"Provisional license" defined
470 IAC 3-1.1-14 27 IR 2840
Record requirements
470 IAC 3-1.1-32.1 27 IR 2843
"Relatives" defined
470 IAC 3-1.1-15 27 IR 2840
Relicensure
470 IAC 3-1.1-29 27 IR 2842
Requirements for admission to the home
470 IAC 3-1.1-37 27 IR 2846
"Residential structure" defined
470 IAC 3-1.1-16 27 IR 2840
Safety
470 IAC 3-1.1-48 27 IR 2852
Sanitation
470 IAC 3-1.1-47 27 IR 2852
School age child care services
470 IAC 3-1.1-50 27 IR 2853
Staff orientation, training, and development
470 IAC 3-1.1-33.5 27 IR 2845
Staff requirements
470 IAC 3-1.1-33 27 IR 2845
"Student assistant" defined
470 IAC 3-1.1-20 27 IR 2840
Supervision
470 IAC 3-1.1-36.6 27 IR 2846
"Supervision" defined
470 IAC 3-1.1-20.1 27 IR 2840
Swimming
470 IAC 3-1.1-39 27 IR 2848
Transportation and activities away from the child care home
470 IAC 3-1.1-40 27 IR 2848
"Volunteer caregiver" defined
470 IAC 3-1.1-22.5 27 IR 2840
Class II Child Care Homes
Application for Class II child care home license
470 IAC 3-1.3-3 27 IR 2855
Class II child care home capacity
470 IAC 3-1.3-6 27 IR 2856
"Class II child care home" defined
470 IAC 3-1.3-2 27 IR 2855
Class II child care home services
470 IAC 3-1.3-1 27 IR 2855
Fire prevention and safety
470 IAC 3-1.3-7 27 IR 2856
Personnel requirements
470 IAC 3-1.3-4 27 IR 2856
Staff orientation, training, and development
470 IAC 3-1.3-5 27 IR 2856
Emergency or temporary closure of child care centers and child care homes
470 IAC 3-4.8 27 IR 1626
Infant and Toddler Services
Activities for healthy development
470 IAC 3-1.2-4 27 IR 2854
Cribs
470 IAC 3-1.2-3.2 27 IR 2853
Diaper changing and toilet training
470 IAC 3-1.2-6 27 IR 2854
Feeding
470 IAC 3-1.2-7 27 IR 2855
"Full-sized crib" defined
470 IAC 3-1.2-2 27 IR 2853
Naps
470 IAC 3-1.2-5 27 IR 2854
"Portacrib" defined
470 IAC 3-1.2-3 27 IR 2853
Sanitizing
470 IAC 3-1.2-8 27 IR 2855
FOOD STAMP PROGRAM
Benefit calculation
Change reporting
470 IAC 6-4.1-4 26 IR 3710
27 IR 871
Household reporting and budgeting
Certification periods
470 IAC 6-2-13 26 IR 3709
27 IR 870
Household reporting requirements
470 IAC 6-2-1 26 IR 3709
27 IR 870
TEMPORARY ASSISTANCE TO NEEDY FAMILIES
470 IAC 10.2 26 IR 2680
27 IR 498

FAMILY AND SOCIAL SERVICES, OFFICE OF THE SECRETARY OF
INDIANA PRESCRIPTION DRUG PROGRAM
Application and Enrollment; General Requirements
Date of availability
LSA Document #04-151(E) **27 IR 3092**
405 IAC 6-3-3 27 IR 919
27 IR 2487
27 IR 3210
Benefits
Benefit defined by family income level
LSA Document #04-151(E) **27 IR 3092**
405 IAC 6-5-2 27 IR 920
27 IR 2488
27 IR 3211
Benefit duration
LSA Document #04-151(E) **27 IR 3092**
405 IAC 6-5-4 27 IR 921
27 IR 2488
27 IR 3212
Benefit period
LSA Document #04-151(E) **27 IR 3092**
405 IAC 6-5-3 27 IR 921
27 IR 2488
27 IR 3211
Benefits; program appropriations
LSA Document #04-151(E) **27 IR 3092**
405 IAC 6-5-6 27 IR 921
27 IR 2489
27 IR 3212
Prescription drug coverage
LSA Document #04-151(E) **27 IR 3092**
405 IAC 6-5-1 27 IR 920
27 IR 2487
27 IR 3211
Definitions
"Benefit period" defined
405 IAC 6-2-3 27 IR 919
27 IR 2486
"Complete application" defined
LSA Document #04-151(E) **27 IR 3092**
405 IAC 6-2-5 27 IR 919
27 IR 2486
27 IR 3210
Eligibility Requirements
Income
LSA Document #04-151(E) **27 IR 3092**
405 IAC 6-4-2 27 IR 919
27 IR 2487
27 IR 3210
Ineligibility
LSA Document #04-151(E) **27 IR 3092**
405 IAC 6-4-3 27 IR 920
27 IR 2487
27 IR 3210
MEDICAID PROVIDERS AND SERVICES
Hospital and Ambulatory Surgical Center Reimbursement for Outpatient Services
Policy; scope
405 IAC 1-8-2 26 IR 3929
27 IR 2247

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Reimbursement methodology
405 IAC 1-8-3 26 IR 3929
27 IR 2247
Managed Care Provider Reimbursement Dispute Resolution
405 IAC 1-1.6 27 IR 3699
Payments for Psychiatric Residential Treatment Facility Services
405 IAC 1-21 27 IR 258
27 IR 2475
Provider Reimbursement Appeal Procedures
Scope
405 IAC 1-1.5-1 27 IR 3699
Rate-setting Criteria for State-owned Intermediate Care Facilities for the Mentally Retarded
Accounting records; retention schedule; audit trail; cash basis; segregation of accounts by nature of business and by location
405 IAC 1-17-3 26 IR 3112
27 IR 94
Active providers; rate review; annual request; additional requests; requests due to change in law
405 IAC 1-17-6 26 IR 3114
27 IR 96
Criteria limiting rate adjustment granted by office
405 IAC 1-17-9 26 IR 3115
27 IR 98
Definitions
405 IAC 1-17-2 26 IR 3111
27 IR 94
Financial report to office; annual schedule; prescribed form; extensions
405 IAC 1-17-4 26 IR 3113
27 IR 95
New provider; initial financial report to office; criteria for establishing initial rates; supplemental report
405 IAC 1-17-5 26 IR 3113
27 IR 96
Policy; scope
405 IAC 1-17-1 26 IR 3111
27 IR 93
Request for rate review; budget component; occupancy level assumptions; effect of inflation assumptions
405 IAC 1-17-7 26 IR 3114
27 IR 97
Reimbursement for Inpatient Hospital Services
Definitions
405 IAC 1-10.5-2 26 IR 3930
27 IR 2248
27 IR 914
27 IR 2482
Prospective reimbursement methodology
405 IAC 1-10.5-3 26 IR 3378
27 IR 863
26 IR 3932
27 IR 2249
27 IR 916
27 IR 2484
MEDICAID RECIPIENTS; ELIGIBILITY
Claims Against Estate of Medicaid Recipients
Claims against estate; exemption
LSA Document #03-265(E) **27 IR 544**
405 IAC 2-8-1.1 26 IR 3707
Claims against estate for benefits paid
LSA Document #03-265(E) **27 IR 544**
405 IAC 2-8-1 26 IR 3706
Eligibility Requirements Based on Need; Aged, Blind, and Disabled Program
Spend-down eligibility
405 IAC 2-3-10 27 IR 1210
Transfer of property; penalty
LSA Document #03-266(E) **27 IR 546**
LSA Document #03-340(E) **27 IR 1608**
LSA Document #04-85(E) **27 IR 2516**
405 IAC 2-3-1.1 27 IR 262
27 IR 2479
Lien Attachment and Enforcement
Criteria for instituting a TEFRA lien
LSA Document #03-265(E) **27 IR 544**
405 IAC 2-10-3 26 IR 3707
Effect of filing; duration
LSA Document #03-265(E) **27 IR 544**
405 IAC 2-10-7 26 IR 3707
Enforcement; foreclosure
LSA Document #03-265(E) **27 IR 544**
405 IAC 2-10-8 26 IR 3708
Exemption
405 IAC 2-10-11 26 IR 3709
Notice to office to file an action to foreclose the lien
405 IAC 2-10-7.1 26 IR 3707
Release; subordination
LSA Document #03-265(E) **27 IR 544**
405 IAC 2-10-9 26 IR 3708
MEDICAID SERVICES
Community Mental Health Rehabilitation Services
Assertive community treatment intensive case management
405 IAC 5-21-8 26 IR 3382
27 IR 2245
Definitions
405 IAC 5-21-1 26 IR 3381
27 IR 2245
Prior authorization
405 IAC 5-21-7 26 IR 3382
27 IR 2245
Mental Health Services
Individually developed plan of care
405 IAC 5-20-4 27 IR 260
27 IR 2477
Psychiatric residential treatments facilities; requirements
405 IAC 5-20-3.1 27 IR 260
27 IR 2477
Reimbursement limitations
405 IAC 5-20-1 27 IR 259
27 IR 2476
Reserving beds in psychiatric hospitals and psychiatric residential treatment facilities
405 IAC 5-20-2 27 IR 260
27 IR 2476
Unnecessary services
405 IAC 5-20-7 27 IR 261
27 IR 2478
Pharmacy Services
Copayment for legend and nonlegend drugs
405 IAC 5-24-7 27 IR 266
27 IR 2252
Prior Authorization
Services requiring prior authorization
405 IAC 5-3-13 26 IR 3381
27 IR 2244

FINANCIAL INSTITUTIONS, DEPARTMENT OF
UNIFORM CONSUMER CREDIT CODE
Dollar Amounts
Dollar amounts in consumer credit code
750 IAC 1-1-1 **27 IR 2297**

FIRE PREVENTION AND BUILDING SAFETY COMMISSION
ADMINISTRATION
Development and Application of Rules
Occupancy of existing buildings
675 IAC 12-4-11 27 IR 941
27 IR 3505
ELECTRICAL CODES
Indiana Electrical Code, 2002 Edition
Section 210.12; arc-fault circuit-interrupter protection
675 IAC 17-1.6-12 26 IR 3736
Section 250.104; bonding of piping and exposed structural steel
675 IAC 17-1.6-16 26 IR 3737
27 IR 2278
ENERGY CONSERVATION CODES
Indiana Energy Conservation Code, 1992 Edition
Section 101.3; scope
675 IAC 19-3-4 26 IR 3737
27 IR 2278
FIRE PREVENTION CODES
Indiana Fire Code, 2003 Edition
Section 308.3.6; Group A occupancies
675 IAC 22-2.3-29.5 27 IR 2860
Section 315.2.1; ceiling clearance
675 IAC 22-2.3-35.5 27 IR 2860
Section 316; outdoor carnivals and fairs
675 IAC 22-2.3-36 27 IR 2860
Section 317; haunted houses and similar temporary installations
675 IAC 22-2.3-36.3 27 IR 2860
Section 318; fire safety in race track stables
675 IAC 22-2.3-36.4 27 IR 2861
Section 403.3; fire watch
675 IAC 22-2.3-36.6 27 IR 2863
Section 403.4; overcrowding
675 IAC 22-2.3-36.8 27 IR 2863
Section 1003.3.1.3.4; access-controlled egress doors
675 IAC 22-2.3-140.5 27 IR 2863
Section 1005.3.2.2
675 IAC 22-2.3-147.5 27 IR 2863
Section 147.6; fire escapes
675 IAC 22-2.3-147.6 27 IR 2863
Section 1008.10; seat stability
675 IAC 22-2.3-148 27 IR 2864
Section 1008.10.1; chairs and benches
675 IAC 22-2.3-148.5 27 IR 2864
Section 2416.1; crowd managers
675 IAC 22-2.3-237.5 27 IR 2864
Section 3404.3.2.3; number of storage cabinets
675 IAC 22-2.3-298.5 27 IR 2864

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Section 3405.3.7.5.3; spill control and secondary containment
675 IAC 22-2.3-304.5 27 IR 2864
ONE AND TWO FAMILY DWELLING CODE
Indiana Residential Code
Adoption by reference; title; availability; purpose
675 IAC 14-4.2-1 26 IR 3712 **27 IR 2253**
Chapter 1; administration
675 IAC 14-4.2-2 26 IR 3712 **27 IR 2253**
Chapter 11; energy efficiency
675 IAC 14-4.2-107 26 IR 3729 **27 IR 2271**
Figures R301.2(1), R301.2(2), R301.2(3), R301.2(4), R301.2(5), R301.2(6), and R301.2(7)
675 IAC 14-4.2-7 26 IR 3719 **27 IR 2260**
Figure R502.8; cutting, notching, and drilling
675 IAC 14-4.2-69.6 **27 IR 2267**
Section E3509.7; metal gas piping bonding
675 IAC 14-4.2-189 26 IR 3736 **27 IR 2277**
Section E3509.8; bonding other metal piping
675 IAC 14-4.2-189.2 26 IR 3736 **27 IR 2277**
Section E3801.11; HVAC outlet; Section E3802; ground-fault and arc-fault circuit-interrupter protection
675 IAC 14-4.2-191.4 26 IR 3736 **27 IR 2278**
Section M1411.3.1; auxiliary and secondary drain systems
675 IAC 14-4.2-112.5 26 IR 3735 **27 IR 2277**
Section M2005.5; anchorage of water heaters in seismic design Category C_1
675 IAC 14-4.2-117 26 IR 3735 **27 IR 2277**
Section P2801.5; required pan
675 IAC 14-4.2-171.5 26 IR 3736 **27 IR 2277**
Section P2903.5; water hammer
675 IAC 14-4.2-174.5 26 IR 3736 **27 IR 2277**
Section P3103.1; roof extension
675 IAC 14-4.2-177.5 26 IR 3736 **27 IR 2277**
Section R202; definitions
675 IAC 14-4.2-3 26 IR 3713 **27 IR 2254**
Section R301.2.2; seismic provisions
675 IAC 14-4.2-9 26 IR 3719 **27 IR 2260**
Section R301.2.2.3; anchored stone and masonry veneer in seismic design Category C
675 IAC 14-4.2-13.5 26 IR 3719 **27 IR 2260**
Section R301.4; live load
675 IAC 14-4.2-15.5 26 IR 3719 **27 IR 2260**
Section R303.4; stairway illumination
675 IAC 14-4.2-19.5 26 IR 3720 **27 IR 2260**
Section R308.4; hazardous locations
675 IAC 14-4.2-20.5 26 IR 3720 **27 IR 2261**
Section R309; garages and carports
675 IAC 14-4.2-21 26 IR 3720 **27 IR 2261**
Section R310; emergency escape and rescue openings
675 IAC 14-4.2-22 26 IR 3721 **27 IR 2262**
Section R314.8; under-stair protection
675 IAC 14-4.2-26.5 26 IR 3722 **27 IR 2263**
Section R315.1; handrails
675 IAC 14-4.2-27.5 26 IR 3722 **27 IR 2263**
Section R316.1; guards required
675 IAC 14-4.2-29 26 IR 3722 **27 IR 2263**
Section R316.2; guard opening limitations
675 IAC 14-4.2-30 27 IR 2333
Section R317; smoke alarm
675 IAC 14-4.2-31 26 IR 3722 **27 IR 2263**
Section R323.1; location required
675 IAC 14-4.2-34 26 IR 3723 **27 IR 2264**
Section R324.1; subterranean termite control
675 IAC 14-4.2-37.5 26 IR 3724 **27 IR 2265**
Section R403.1.1; minimum size
675 IAC 14-4.2-45.3 26 IR 3724 **27 IR 2265**
Section R403.1.6; foundation anchorage
675 IAC 14-4.2-46.8 26 IR 3724 **27 IR 2265**
Section R403.1.8.1; expansive soils classifications
675 IAC 14-4.2-49.1 26 IR 3724 **27 IR 2265**
Section R404.1.1; masonry foundation walls
675 IAC 14-4.2-52 26 IR 3725 **27 IR 2266**
Section R404.1.2; concrete foundation walls
675 IAC 14-4.2-53 26 IR 3725 **27 IR 2266**
Section R404.1.5; foundation wall thickness based on walls supported
675 IAC 14-4.2-53.7 26 IR 3725 **27 IR 2266**
Section R408.2; openings for under-floor ventilation
675 IAC 14-4.2-61 26 IR 3726 **27 IR 2267**
Section R408.6; flood resistance
675 IAC 14-4.2-63 26 IR 3726 **27 IR 2267**
Section R502.8.1; sawn lumber
675 IAC 14-4.2-69.5 26 IR 3726 **27 IR 2267**
Section R502.11.3; alterations to trusses
675 IAC 14-4.2-71 26 IR 3726 **27 IR 2268**
Section R602.3(1); fastener schedule for structural members
675 IAC 14-4.2-73.5 26 IR 3727 **27 IR 2268**
Section R602.7; headers
675 IAC 14-4.2-77.6 26 IR 3727 **27 IR 2268**
Section R602.8.1; materials
675 IAC 14-4.2-77.7 26 IR 3727 **27 IR 2268**
Section R606.2; thickness of masonry
675 IAC 14-4.2-81.2 26 IR 3727 **27 IR 2268**
Section R606.2.1; minimum thickness
675 IAC 14-4.2-81.3 26 IR 3727 **27 IR 2269**
Section R606.10; anchorage
675 IAC 14-4.2-81.7 26 IR 3727 **27 IR 2269**
Section R606.11; seismic requirements
675 IAC 14-4.2-82 26 IR 3727 **27 IR 2269**
Section R606.11.2; seismic design Category C
675 IAC 14-4.2-83 26 IR 3728 **27 IR 2269**
Section R703.7.4.3; mortar or grout filled
675 IAC 14-4.2-89.6 26 IR 3728 **27 IR 2269**
Section R703.7.6; weepholes
675 IAC 14-4.2-89.8 26 IR 3728 **27 IR 2270**
Section R802.10.4; alterations to trusses
675 IAC 14-4.2-95 26 IR 3728 **27 IR 2270**
Section R806.1; ventilation required
675 IAC 14-4.2-97.5 26 IR 3729 **27 IR 2270**
Section R808.1; combustible insulation
675 IAC 14-4.2-97.9 26 IR 3729 **27 IR 2270**
Sections R703.7.2.1; support by a steel angle; R703.2.2; support by roof construction; and R703.7.4.2; air space
675 IAC 14-4.2-89.9 26 IR 3728 **27 IR 2270**
Table R301.2(1); climatic and geographical design criteria
675 IAC 14-4.2-6 26 IR 3715 **27 IR 2256**
Table R403.2; size of footings supporting piers and columns
675 IAC 14-4.2-49.3 26 IR 3724 **27 IR 2265**
Table R703.4; weather-resistant siding attachment and minimum thickness
675 IAC 14-4.2-89.2 26 IR 3728 **27 IR 2269** 27 IR 2333
Table 802.11
675 IAC 14-4.2-96.2 26 IR 3729 **27 IR 2270**

FIREFIGHTING PERSONNEL STANDARDS AND EDUCATION, BOARD OF
PERSONNEL STANDARDS AND EDUCATION
General Administrative Rule
Certifications under this rule; requirements
655 IAC 1-1-5.1 27 IR 931
Mandatory Training Program
Administrative adjudication
655 IAC 1-3-2 27 IR 939

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Certification by the board
655 IAC 1-3-7 27 IR 940
Fire chief responsibility
655 IAC 1-3-4 27 IR 940
Mandatory training program
655 IAC 1-3-5 27 IR 940
Title, purpose, availability
655 IAC 1-3-1 27 IR 939
Mandatory Training Requirements
General requirements for firefighter mandatory training
655 IAC 1-4-2 27 IR 940
Title, purpose, availability
655 IAC 1-4-1 27 IR 940
Training for Voluntary Certification Program (1996)
Basic Firefighter requirements
655 IAC 1-2.1-3 27 IR 934
Driver/Operator-Aerial
655 IAC 1-2.1-6.1 27 IR 935
Driver/Operator-Aircraft Crash and Rescue
655 IAC 1-2.1-6.3 27 IR 935
Driver/Operator-Mobile Water Supply
655 IAC 1-2.1-6.4 27 IR 936
Driver/Operator-Wildland Fire Apparatus
655 IAC 1-2.1-6.2 27 IR 935
Firefighter certification; general
655 IAC 1-2.1-2 27 IR 934
Firefighter-Wildland Fire Suppression I
655 IAC 1-2.1-23 27 IR 938
Firefighter-Wildland Fire Suppression II
655 IAC 1-2.1-23.1 27 IR 938
Fire Inspector I
655 IAC 1-2.1-12 27 IR 936
Fire Inspector III
655 IAC 1-2.1-14 27 IR 936
Fire Investigator I
655 IAC 1-2.1-15 27 IR 936
Hazardous Materials First Responder-Awareness
655 IAC 1-2.1-24 27 IR 938
Hazardous Materials First Responder-Operations
655 IAC 1-2.1-24.1 27 IR 938
Hazardous Materials-Incident Command
655 IAC 1-2.1-24.3 27 IR 939
Hazardous Materials-Technician
655 IAC 1-2.1-24.2 27 IR 938
Instructor I
655 IAC 1-2.1-19 27 IR 937
Instructor II/III
655 IAC 1-2.1-20 27 IR 937
Instructor-Swift Water Rescue
655 IAC 1-2.1-19.1 27 IR 937
Land-Based Firefighter-Marine Vessel Fires
655 IAC 1-2.1-88 27 IR 939

GAMING COMMISSION, INDIANA
ACCOUNTING RECORDS AND PROCEDURES
General Provisions
Reports by the executive director
68 IAC 15-1-8 27 IR 3112
Main Bank Responsibilities
Cage variances
68 IAC 15-10-4.1 27 IR 3113
Manually Paid Jackpots
Pouch pay jackpots
68 IAC 15-13-2.5 27 IR 3113
Tips and Gratuities; Chips and Tokens Redeemed by Nongaming Occupational Licensees
Chips and tokens redeemed by nongaming occupational licensees
68 IAC 15-9-4 27 IR 3112
CONDUCT OF GAMING
Rules of Game; General Provisions
Table limits
68 IAC 10-1-5 27 IR 3110
CORPORATIONS
Publicly Traded Corporations
Applicability
68 IAC 4-1-2 26 IR 3751
27 IR 1296
Consequences of violation of rule
68 IAC 4-1-9 26 IR 3753
27 IR 1299
Definitions
68 IAC 4-1-1 26 IR 3750
27 IR 1295
Fraudulent and deceptive practices prohibited
68 IAC 4-1-5 26 IR 3752
27 IR 1297
Notice of public offering
68 IAC 4-1-4 26 IR 3751
27 IR 1296
Public offerings
68 IAC 4-1-3 26 IR 3751
27 IR 1296
Reporting requirements
68 IAC 4-1-7 26 IR 3752
27 IR 1297
Required charter provisions
68 IAC 4-1-8 26 IR 3753
27 IR 1298
Submission of proxy and information statements
68 IAC 4-1-6 26 IR 3752
27 IR 1297
Waiver, alteration, or restriction of requirements
68 IAC 4-1-10 26 IR 3754
27 IR 1299
CREDIT
General Provisions
Reports by the executive director
68 IAC 16-1-16 27 IR 3113
DISPUTE PROCEDURES
Patron Dispute Procedures
Patron dispute process
68 IAC 18-1-2 27 IR 3114
Reports by the executive director
68 IAC 18-1-6 27 IR 3114
ETHICS
Restriction on Gaming
Reports by the executive director
68 IAC 9-4-8 27 IR 3110
EXCLUSION AND EVICTION OF PERSONS
Voluntary Exclusion Program
68 IAC 6-3 27 IR 212
27 IR 2440
GAMING EQUIPMENT
Chip Specifications
Destruction of chips
68 IAC 14-4-8 27 IR 3112
Token Specifications
Destruction of tokens
68 IAC 14-5-6 27 IR 3112
GENERAL PROVISIONS
Transfer of Ownership
Obligation to report certain events
68 IAC 1-5-1 27 IR 3115
INTERNAL CONTROL PROCEDURES
General Provisions
Reports by the executive director
68 IAC 11-1-8 27 IR 3110
Soft Count Procedure
General Provisions
68 IAC 11-3-1 27 IR 3110
LICENSES AND APPROVAL OF ASSOCIATED EQUIPMENT
Associated Equipment
Reports by the executive director
68 IAC 2-7-12 27 IR 3109
Electronic Gaming Device Rules
Reports by the executive director
68 IAC 2-6-49 27 IR 3109
Occupational Licenses
Duty to maintain suitability; duty to disclose
68 IAC 2-3-9 27 IR 3118
Identification badge
68 IAC 2-3-6 27 IR 3117
Licensing procedures
68 IAC 2-3-5 27 IR 3115
MOVEMENT OF GAMING EQUIPMENT
Electronic Gaming Device Movements
Reports by the executive director
68 IAC 17-1-5 27 IR 3114
Live Gaming Device Movements
Reports by the executive director
68 IAC 17-2-6 27 IR 3114
PUBLIC SAFETY AND EXCURSIONS
Excursions, Routes, and Public Safety
Reports by the executive director
68 IAC 8-1-11 27 IR 3110
Medical Services; Emergency Response
Reports by the executive director
68 IAC 8-2-29 27 IR 3110
SECURITY AND SURVEILLANCE
General Provisions for Surveillance System
Reports by the executive director
68 IAC 12-1-15 27 IR 3111
TRANSFER OF OWNERSHIP
Debt Acquisition
Commission approval required; approval process
68 IAC 5-3-2 27 IR 3109
Reports by the executive director
68 IAC 5-3-7 27 IR 3109

GEOLOGISTS, INDIANA BOARD OF LICENSURE FOR PROFESSIONAL
PROFESSIONAL GEOLOGISTS
Code of Ethics
305 IAC 1-5 26 IR 1600
27 IR 217

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Definitions
"Professional geological work" defined
305 IAC 1-2-6 26 IR 1598
27 IR 216
Issuance, Renewal, and Denial of Geologist Licensure
Issuance of a renewal certificate
305 IAC 1-3-4 26 IR 1599
27 IR 216
Special Provisions
Publication of roster; responsibility of a licensed professional geologist to maintain a current address with the Indiana geological survey
305 IAC 1-4-2 26 IR 1599
27 IR 217
Seal and responsibilities of licensed professional geologist for documents
305 IAC 1-4-1 26 IR 1599
27 IR 216

HEALTH, INDIANA STATE DEPARTMENT OF
COMMUNICABLE DISEASE CONTROL
Disease Reporting and Control
Laboratories; reporting requirements
410 IAC 1-2.3-48 26 IR 3134
27 IR 869
Reporting requirements for physicians and hospital administrators
410 IAC 1-2.3-47 26 IR 3131
27 IR 865
Smallpox; specific control measures
410 IAC 1-2.3-97.5 26 IR 3135
27 IR 870
HIV Counseling and Testing of Pregnant Women
410 IAC 1-7 27 IR 2048
27 IR 3496
FOOD AND DRUGS
Food Establishment; Schedule of Civil Penalties for Violations
410 IAC 7-23 26 IR 3383
27 IR 1167
Schedule of civil penalties
410 IAC 7-23-1 27 IR 3301
Sanitary Standards for the Operation of Retail Food Establishments
410 IAC 7-24 27 IR 3216
HEALTH FACILITIES; LICENSING AND OPERATIONAL STANDARDS
Comprehensive Care Facilities
Administrative and management
410 IAC 16.2-3.1-13 27 IR 2054
Dining assistants
410 IAC 16.2-3.1-53 27 IR 2545
Environment and physical standards
410 IAC 16.2-3.1-19 27 IR 922
27 IR 2715
Licenses
410 IAC 16.2-3.1-2 27 IR 2536
Notice of rights and services
410 IAC 16.2-3.1-4 27 IR 2053
Personnel
410 IAC 16.2-3.1-14 27 IR 2056
27 IR 2542
Preadmission evaluation
410 IAC 16.2-3.1-29 27 IR 2060
Resident behavior and facility practices
410 IAC 16.2-3.1-26 27 IR 2059
Residents' rights
410 IAC 16.2-3.1-3 27 IR 2051
Definitions
"Cognitive" defined
410 IAC 16.2-1.1-11.5 27 IR 2051
"Dining assistant" defined
410 IAC 16.2-1.1-19.3 27 IR 2542
Incorporation by Reference
Incorporation by reference
410 IAC 16.2-8-1 27 IR 924
27 IR 2718
Resident Care Facilities
Administration and management
410 IAC 16.2-5-1.3 27 IR 2066
Dining assistants
410 IAC 16.2-5-13 27 IR 2548
Evaluation
410 IAC 16.2-5-2 27 IR 2069
Health services
410 IAC 16.2-5-4 27 IR 2069
Licenses
410 IAC 16.2-5-1.1 27 IR 2539
Personnel
410 IAC 16.2-5-1.4 27 IR 2067
27 IR 2547
Residents' rights
410 IAC 16.2-5-1.2 27 IR 2060
HOSPITAL LICENSURE RULES
Incorporation by Reference
Incorporation by reference
410 IAC 15-1.7-1 27 IR 1622
27 IR 2720
Incorporations by Reference
Incorporation by reference
410 IAC 15-2.7-1 27 IR 1624
27 IR 2722
Required Ambulatory Outpatient Surgical Center Services
Physical plant, equipment maintenance, and environmental services
410 IAC 15-2.5-7 27 IR 1623
27 IR 2721
Required Hospital Services
Physical plant, maintenance, and environmental services
410 IAC 15-1.5-8 27 IR 1620
27 IR 2718
MATERNAL AND CHILD HEALTH
Examination of Infants for Disorders
Newborn screening fund; fees; disposition; reporting requirements
410 IAC 3-3-7.1 26 IR 3385
27 IR 1568
SANITARY ENGINEERING
On-Site Sewage Systems
410 IAC 6-8.2 26 IR 3116
Plan Review, Construction Permits, and Fees for Services
"Absorption field" defined
410 IAC 6-12-1 27 IR 3212
Applicability
410 IAC 6-12-0.5 27 IR 3212
Application for construction permit
410 IAC 6-12-8 27 IR 3213
"Commissioner" defined
410 IAC 6-12-3 27 IR 3213
"Community wastewater disposal facility" defined
410 IAC 6-12-3.1 27 IR 3213
Construction permit revocations and modifications
410 IAC 6-12-13 27 IR 3215
Denial of an application for construction permit
410 IAC 6-12-14 27 IR 3215
"Department" defined
410 IAC 6-12-3.2 27 IR 3213
Fees
410 IAC 6-12-17 27 IR 3216
Official's signature; effective date
410 IAC 6-12-10 27 IR 3214
Permit conditions
410 IAC 6-12-11 27 IR 3215
Permit requirement
410 IAC 6-12-7 27 IR 3213
"Person" defined
410 IAC 6-12-4 27 IR 3213
Right of entry
410 IAC 6-12-9 27 IR 3214
Standards for issuance
410 IAC 6-12-12 27 IR 3215
Youth Camps
Buildings and sleeping shelters
410 IAC 6-7.2-29 26 IR 2662
27 IR 99
General health
410 IAC 6-7.2-17 26 IR 2662
27 IR 98
Water recreation
410 IAC 6-7.2-30 26 IR 2663
27 IR 99

HEALTH FACILITY ADMINISTRATORS, INDIANA STATE BOARD OF
GENERAL PROVISIONS
Continuing Education for Renewal of License
Continuing education; credit requirements
840 IAC 1-2-1 27 IR 566
27 IR 1881
Definitions; Licensure; Examinations
Examination
840 IAC 1-1-6 27 IR 566
27 IR 1880

HORSE RACING COMMISSION, INDIANA
ASSOCIATIONS
Facilities and Equipment
Pylons
71 IAC 4-3-15 **27 IR 1912**
DEFINITIONS
Definitions
Applicability
71 IAC 1-1-1 **27 IR 2753**
FLAT RACING; DEFINITIONS
Definitions
"Breeder" defined
71 IAC 1.5-1-19 **27 IR 1911**

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

FLAT RACING; HUMAN AND EQUINE HEALTH
Ban on Possession of Drugs
Prohibited practices
71 IAC 8.5-5-2 **27 IR 1921**
Erythropoietin and Darbepoietin
71 IAC 8.5-12 **27 IR 2756**
Prohibition of Alcohol
Penalties
71 IAC 8.5-11-3 **27 IR 1921**
FLAT RACING; LICENSEES
General Provisions
Fingerprinting and licensing reciprocity
71 IAC 5.5-1-2 **27 IR 1913**
Multi-state licensing information
71 IAC 5.5-1-3 **27 IR 1913**
Jockeys
Apprentice jockeys
71 IAC 5.5-4-2 **27 IR 1915**
Trainers
Other responsibilities
71 IAC 5.5-3-3 **27 IR 1914**
FLAT RACING; OFFICIALS
Stewards
Steward's list
71 IAC 3.5-2-9 **27 IR 2754**
FLAT RACING; RULES OF THE RACE
Entries and Nominations
Coupled entries
71 IAC 7.5-1-4 **27 IR 205**
No change permitted
71 IAC 7.5-1-15 **27 IR 1919**
Procedures
71 IAC 7.5-1-2 **27 IR 1919**
Running of the Race
Equipment
71 IAC 7.5-6-1 **27 IR 1919**
Jockey requirements
71 IAC 7.5-6-3 **27 IR 206**
Violations
Designated races
71 IAC 7.5-7-5 **27 IR 1920**
HUMAN AND EQUINE HEALTH
Ban on Possession of Drugs
Prohibited practices
71 IAC 8-6-2 **27 IR 1920**
Erythropoietin and Darbepoietin
71 IAC 8-12 **27 IR 2755**
Prohibition of Alcohol
Penalties
71 IAC 8-11-3 **27 IR 1920**
LICENSEES
General Provisions
Fingerprinting and licensing reciprocity
71 IAC 5-1-2 **27 IR 1912**
Multi-state licensing information
71 IAC 5-1-3 **27 IR 1913**
OFFICIALS
Judges
Judge's list
71 IAC 3-2-9 **27 IR 1911**
27 IR 2754
Official Timer
Error in reported time
71 IAC 3-9-4 **27 IR 1912**
RULES OF THE RACE
Driving Rules and Violations
Attire
71 IAC 7-3-6 **27 IR 205**
Improper conduct in race
71 IAC 7-3-11 **27 IR 1918**
Whip restriction
71 IAC 7-3-13 **27 IR 1919**
Entries and Scratches
Horses ineligible to be entered
71 IAC 7-1-15 **27 IR 1917**
Proof of identity
71 IAC 7-1-11 **27 IR 1917**
Qualifying races
71 IAC 7-1-28 **27 IR 1918**
Starter and the Start of the Race
Riding in gate, equipment, two tiers
71 IAC 7-2-8 **27 IR 1918**
SATELLITE FACILITY AND SIMULCASTING
Operations
Allocation of riverboat gambling admissions tax revenue
71 IAC 12-2-15 **27 IR 896**
THOROUGHBRED DEVELOPMENT PROGRAM
Awards
Breeder awards
71 IAC 13.5-3-2 **27 IR 1922**
Out-of-state breeder's awards
71 IAC 13.5-3-3 **27 IR 1922**
Owner awards
71 IAC 13.5-3-1 **27 IR 1921**
Stallion owner awards
71 IAC 13.5-3-4 **27 IR 1922**
TYPES OF RACES
Claiming Races
Claiming procedure
71 IAC 6-1-3 **27 IR 1915**
Overnight Events
General provisions
71 IAC 6-3-1 **27 IR 1917**

HOSPITAL COUNCIL
414 IAC 27 IR 1625
27 IR 2723

INSURANCE, DEPARTMENT OF
GENERAL PROVISIONS
Actuarial Opinion and Memorandum
Additional considerations for analysis
760 IAC 1-57-10 26 IR 3407
27 IR 514
Authority
760 IAC 1-57-1 26 IR 3398
27 IR 505
Definitions
760 IAC 1-57-4 26 IR 3399
27 IR 505
Description of actuarial memorandum including an asset adequacy analysis
760 IAC 1-57-9 26 IR 3405
27 IR 512
General requirements
760 IAC 1-57-5 26 IR 3399
27 IR 506
Purpose
760 IAC 1-57-2 26 IR 3398
27 IR 505
Required opinions
760 IAC 1-57-6 26 IR 3400
27 IR 507
Scope
760 IAC 1-57-3 26 IR 3398
27 IR 505
Statement of actuarial opinion based on an asset adequacy analysis
760 IAC 1-57-8 26 IR 3401
27 IR 508
Continuing Education
Application requirements
760 IAC 1-50-4 27 IR 272
27 IR 1569
Continuing education credit hour defined
760 IAC 1-50-3 27 IR 271
27 IR 1569
Definitions
760 IAC 1-50-2 27 IR 271
27 IR 1568
Record keeping requirements
760 IAC 1-50-7 27 IR 273
27 IR 1570
Requirements for self-study continuing education courses
760 IAC 1-50-5 27 IR 272
27 IR 1569
Retirement exemption
760 IAC 1-50-13 27 IR 273
27 IR 1570
Retirement exemption form
760 IAC 1-50-13.5 27 IR 273
27 IR 1571
Health Maintenance Organization Plan for Continuation of Benefits in the Event of Receivership
760 IAC 1-70 27 IR 2560
Medical Malpractice Insurance
Definitions
760 IAC 1-21-2 26 IR 1724
Financial responsibility of hospital
760 IAC 1-21-5 26 IR 1724
Payment into patient's compensation fund; annual surcharge
760 IAC 1-21-8 26 IR 1724
Physician Specialty Classes
List of physician specialty classes
760 IAC 1-60-3 27 IR 2070
27 IR 2729
Part-time and retired physicians
760 IAC 1-60-5 27 IR 2072
27 IR 2730
Recognition of the 2001 CSO Mortality Table for Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits
760 IAC 1-69 26 IR 3945
27 IR 871
LONG TERM CARE INSURANCE COVERAGE
Application Forms and Replacement Coverage
Any other health insurance policies
760 IAC 2-8-2 27 IR 3314
Direct response solicitations
760 IAC 2-8-4 27 IR 3315

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Life insurance policies
760 IAC 2-8-6 27 IR 3315
Notice regarding replacement of accident and sickness or long term care insurance
760 IAC 2-8-3 27 IR 3314
Questions
760 IAC 2-8-1 27 IR 3314
Definitions
"Activities of daily living" defined
760 IAC 2-2-1.5 27 IR 3306
"Bathing" defined
760 IAC 2-2-3.1 27 IR 3307
"Cognitive impairment" defined
760 IAC 2-2-3.2 27 IR 3307
"Continence" defined
760 IAC 2-2-3.3 27 IR 3307
"Department of insurance" defined
760 IAC 2-2-3.4 27 IR 3307
"Dressing" defined
760 IAC 2-2-3.5 27 IR 3307
"Eating" defined
760 IAC 2-2-3.6 27 IR 3307
"Federally tax-qualified long term care insurance contract" defined
760 IAC 2-2-3.7 27 IR 3307
"Hands-on assistance" defined
760 IAC 2-2-3.8 27 IR 3308
"Skilled nursing care", intermediate care", "personal care", "home care", and "other services" defined
760 IAC 2-2-8 27 IR 3308
General Provisions
Applicability and scope
760 IAC 2-1-1 27 IR 3306

Indiana Long Term Care Program
Auditing and correcting deficiencies in issuer record keeping
760 IAC 2-20-42 27 IR 3335
"Case management agency" defined
760 IAC 2-20-10 27 IR 3329
Determining asset protection
760 IAC 2-20-38.1 27 IR 3334
Minimum benefit standards for qualifying policies, certificates, and riders
760 IAC 2-20-35 27 IR 3332
Minimum benefit standards and required policy and certificate provisions for integrated policies
760 IAC 2-20-36.1 27 IR 3332
Minimum benefit standards and required policy and certificate provisions for long term care facility policies
760 IAC 2-20-36.2 27 IR 3333
Reporting of insurance producer data
760 IAC 2-20-37.2 27 IR 3334
Reporting of sales data
760 IAC 2-20-37.3 27 IR 3334
"Residential care facility" defined
760 IAC 2-20-31.1 27 IR 3329
Standards for marketing
760 IAC 2-20-34 27 IR 3329
Inflation Protection Offer
General provisions
760 IAC 2-7-1 27 IR 3313
Licensing
Licensing
760 IAC 2-10-1 27 IR 3316
Loss Ratio
Relevant factors
760 IAC 2-13-1 27 IR 3317
Marketing
Standards
760 IAC 2-15-1 27 IR 3317
Nonforfeiture Benefit Requirement
760 IAC 2-16.1 27 IR 3320
Outline of Coverage
Standard
760 IAC 2-17-1 27 IR 3323
Penalties
Other sanctions
760 IAC 2-19-2 27 IR 3325
Policy Practices and Provisions
Electronic enrollment
760 IAC 2-3-7 27 IR 3310
Exclusions
760 IAC 2-3-2 27 IR 3308
Group long term care policies
760 IAC 2-3-4 27 IR 3309
Individual long term care policies
760 IAC 2-3-1 27 IR 3308
Premiums
760 IAC 2-3-6 27 IR 3310
Unintentional lapse
760 IAC 2-3-8 27 IR 3311
Purchase or Replacement
Appropriateness of recommended purchase
760 IAC 2-16-1 27 IR 3320
Reporting Requirements
Reporting
760 IAC 2-9-1 27 IR 3316
Required Disclosure Provisions
Renewability provisions
760 IAC 2-4-1 27 IR 3311
Required disclosure of rating practices to consumers
760 IAC 2-4-2 27 IR 3312
Shopper's Guide
Delivery
760 IAC 2-18-1 27 IR 3325
Standard Forms
760 IAC 2-19.5 27 IR 3325
Suitability
760 IAC 2-15.5 27 IR 3319

LABOR, DEPARTMENT OF
SAFETY EDUCATION AND TRAINING–OCCUPATIONAL SAFETY
Recording and Reporting Occupational Injuries and Illnesses
Recording criteria for cases involving occupational hearing loss
610 IAC 4-6-11 26 IR 2464
27 IR 1879
Reporting fatalities and multiple hospitalization incidents
610 IAC 4-6-23 27 IR 564
27 IR 2727
Public Sector-Public Employee Safety Program
IOSHA applicable to public sector employers; volunteer fire companies
610 IAC 4-2-1 26 IR 2464
27 IR 1879

LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR
GENERAL PROVISIONS
Continuing Education
Courses from approved and unapproved providers
865 IAC 1-13-5 27 IR 943
27 IR 2732
Elective topics
865 IAC 1-13-7 26 IR 3739
27 IR 875
Length of instruction hour; length of course
865 IAC 1-13-4 26 IR 3739
27 IR 875
Continuing Education Providers
Certifications of completion
865 IAC 1-14-13 26 IR 3740
27 IR 876
Courses not completed
865 IAC 1-14-14 26 IR 3740
27 IR 876
Reporting attendance to the board
865 IAC 1-14-15 26 IR 3740
27 IR 876
Fees
Fees charged by board
865 IAC 1-11-1 27 IR 2570
Land Surveying; Competent Practice
Definitions; abbreviations
865 IAC 1-12-2 26 IR 3951
27 IR 1882
Field investigation for retracement surveys
865 IAC 1-12-10 26 IR 3954
27 IR 1885
Field notes
865 IAC 1-12-6 26 IR 3953
27 IR 1884
Measurements for retracement surveys and original surveys
865 IAC 1-12-7 26 IR 3953
27 IR 1884
Original and retracement survey monumentation
865 IAC 1-12-18 26 IR 3956
27 IR 1888
Original survey preliminary research
865 IAC 1-12-14 26 IR 3956
27 IR 1888
Preliminary research and investigation on retracement surveys
865 IAC 1-12-9 26 IR 3954
27 IR 1885
Property surveys affected
865 IAC 1-12-5 26 IR 3952
27 IR 1884
Publication of retracement survey results
865 IAC 1-12-12 26 IR 3954
27 IR 1886
Retracement survey plats
865 IAC 1-12-13 26 IR 3955
27 IR 1887
Surveyor conclusions in retracement survey
865 IAC 1-12-11 26 IR 3954
27 IR 1886
Surveyor responsibility
865 IAC 1-12-3 26 IR 3952
27 IR 1883

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Registrant's Seal
Use of seal and signature; acceptance of full responsibility
865 IAC 1-7-3 26 IR 3950
27 IR 1882

LAW ENFORCEMENT TRAINING BOARD
GENERAL PROVISIONS
250 IAC 2 26 IR 3679
27 IR 1552

LOCAL GOVERNMENT FINANCE, DEPARTMENT OF
LSA Document #04-78(E) **27 IR 2502**
INDUSTRIAL FACILITY; REAL PROPERTY ASSESSMENT
50 IAC 18 27 IR 909
27 IR 2710
LAKE COUNTY INDUSTRIAL FACILITY; REAL PROPERTY ASSESSMENT
50 IAC 19 26 IR 2397
27 IR 450
REMUNERATION FOR INITIAL TRAINING AND CONTINUING EDUCATION SESSIONS
50 IAC 20 27 IR 908
27 IR 3603

LOTTERY COMMISSION, STATE
DRAW GAMES
Daily3
Definitions
65 IAC 5-5-2 **27 IR 1587**
Determination of winners
65 IAC 5-5-5 **27 IR 1588**
Independent on-line games
65 IAC 5-5-1.5 **27 IR 1587**
Name
65 IAC 5-5-1 **27 IR 1587**
Odds of winning
65 IAC 5-5-6 **27 IR 1589**
Procedure for playing
65 IAC 5-5-4 **27 IR 1588**
Ticket price
65 IAC 5-5-3 **27 IR 1587**
Daily4
Definitions
65 IAC 5-6-2 **27 IR 1590**
Determination of winners
65 IAC 5-6-5 **27 IR 1591**
Independent on-line games
65 IAC 5-6-1.5 **27 IR 1589**
Name
65 IAC 5-6-1 **27 IR 1589**
Odds of winning
65 IAC 5-6-6 **27 IR 1593**
Procedure for playing
65 IAC 5-6-4 **27 IR 1591**
Ticket price
65 IAC 5-6-3 **27 IR 1590**
Definitions
"Draw entry coupon" defined
65 IAC 5-1-2.2 **27 IR 1909**
"Draw game" defined
65 IAC 5-1-2.4 **27 IR 1910**
"Draw ticket" defined
65 IAC 5-1-2.6 **27 IR 1910**
"On-line entry coupon" defined
65 IAC 5-1-6 **27 IR 1910**
"On-line game" defined
65 IAC 5-1-7 **27 IR 1910**
"On-line ticket" defined
65 IAC 5-1-8 **27 IR 1910**
"Valid draw ticket" defined
65 IAC 5-1-11.2 **27 IR 1910**
"Valid on-line ticket" defined
65 IAC 5-1-12 **27 IR 1910**
Lucky 5
Definitions
65 IAC 5-9-2 **27 IR 1594**
Determination of winning numbers
65 IAC 5-9-9 **27 IR 1595**
Independent on-line games
65 IAC 5-9-1.5 **27 IR 1594**
Name
65 IAC 5-9-1 **27 IR 1575**
Odds of winning
65 IAC 5-9-12 **27 IR 1595**
Procedure for playing
65 IAC 5-9-4 **27 IR 1594**
Ticket price
65 IAC 5-9-3 **27 IR 1594**
PULL-TAB GAMES
Specific Pull-Tab Games
Pull-tab game 004
LSA Document #04-10(E) **27 IR 1892**
Pull-tab game 005
LSA Document #04-11(E) **27 IR 1892**
Pull-tab game 008
LSA Document #04-12(E) **27 IR 1893**
Pull-tab game 009
LSA Document #04-53(E) **27 IR 2294**
Pull-tab game 010
LSA Document #03-287(E) **27 IR 884**
Pull-tab game 011
LSA Document #04-165(E) **27 IR 3080**
Pull-tab game 012
LSA Document #04-80(E) **27 IR 2506**
Pull-tab game 013
LSA Document #04-92(E) **27 IR 2510**
Pull-tab game 014
LSA Document #04-91(E) **27 IR 2509**
Pull-tab game 015
LSA Document #04-132(E) **27 IR 2752**
Pull-tab game 016
LSA Document #04-185(E) **27 IR 3582**
Pull-tab game 017
LSA Document #04-186(E) **27 IR 3583**
SCRATCH-OFF GAMES
Definitions
"Instant game" defined
65 IAC 4-1-6 **27 IR 1909**
"Instant prize" defined
65 IAC 4-1-6.5 **27 IR 1909**
"Instant ticket" defined
65 IAC 4-1-7 **27 IR 1909**
"Scratch-off game" defined
65 IAC 4-1-12.2 **27 IR 1909**
"Scratch-off prize" defined
65 IAC 4-1-12.3 **27 IR 1909**
"Scratch-off ticket" defined
65 IAC 4-1-12.4 **27 IR 1909**
General Provisions
Termination of an instant game
65 IAC 4-2-3 **27 IR 1596**
Validation of tickets
65 IAC 4-2-5 **27 IR 1596**
Instant Game 658
LSA Document #03-238(E) **27 IR 193**
Instant Game 659
LSA Document #03-239(E) **27 IR 194**
Instant Game 661
LSA Document #03-240(E) **27 IR 196**
Instant Game 663
LSA Document #03-248(E) **27 IR 203**
Instant Game 664
65 IAC 4-330 **27 IR 199**
Instant Game 660
65 IAC 4-331 **27 IR 200**
Instant game 665
LSA Document #03-249(E) **27 IR 204**
Instant Game 668
LSA Document #03-288(E) **27 IR 885**
Instant Game 669
LSA Document #03-289(E) **27 IR 886**
Instant Game 670
LSA Document #03-290(E) **27 IR 888**
Instant Game 671
LSA Document #03-295(E) **27 IR 894**
Instant Game 672
LSA Document #03-241(E) **27 IR 198**
Instant Game 673
LSA Document #03-307(E) **27 IR 1187**
Instant Game 674
LSA Document #03-308(E) **27 IR 1187**
Instant Game 675
LSA Document #03-309(E) **27 IR 1188**
Instant Game 676
LSA Document #03-310(E) **27 IR 1190**
Instant Game 677
LSA Document #03-335(E) **27 IR 1598**
Instant Game 678
LSA Document #03-336(E) **27 IR 1599**
Instant Game 679
LSA Document #03-337(E) **27 IR 1601**
Instant Game 680
65 IAC 4-336 **27 IR 1602**
Instant Game 681
LSA Document #04-24(E) **27 IR 1894**
Instant Game 682
LSA Document #04-25(E) **27 IR 1895**
Instant Game 684
65 IAC 4-338 **27 IR 1896**
Instant Game 685
65 IAC 4-329 **27 IR 192**
Instant Game 686
LSA Document #04-52(E) **27 IR 2293**
Instant Game 688
LSA Document #04-48(E) **27 IR 2287**
Instant Game 693
LSA Document #04-49(E) **27 IR 2288**
Instant Game 703
LSA Document #04-27(E) **27 IR 1899**
Instant Game 707
65 IAC 4-333 **27 IR 891**
Instant Game 708
LSA Document #03-291(E) **27 IR 889**
Instant Game 710
65 IAC 4-337 **27 IR 1900**

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Instant Game 711
LSA Document #04-50(E) **27 IR 2290**
Instant Game 712
LSA Document #03-339(E) **27 IR 1605**
Instant Game 716
65 IAC 4-339 **27 IR 1903**
Instant Game 717
LSA Document #04-51(E) **27 IR 2292**
Instant Game 718
65 IAC 4-340 **27 IR 1905**
Instant Game 719
65 IAC 4-341 **27 IR 1907**
Payment of Prizes
Claiming prizes from the commission
65 IAC 4-3-2 **27 IR 1597**
Prize-winning tickets
65 IAC 4-3-1 **27 IR 1597**
Scratch-Off Game 690
LSA Document #04-89(E) **27 IR 2506**
Scratch-Off Game 691
LSA Document #04-90(E) **27 IR 2508**
Scratch-Off Game 692
LSA Document #04-166(E) **27 IR 3080**
Scratch-Off Game 695
LSA Document #04-128(E) **27 IR 2747**
Scratch-Off Game 697
LSA Document #04-129(E) **27 IR 2747**
Scratch-Off Game 698
LSA Document #04-193(E) **27 IR 3584**
Scratch-Off Game 699
LSA Document #04-167(E) **27 IR 3082**
Scratch-Off Game 701
LSA Document #04-168(E) **27 IR 3083**
Scratch-Off Game 702
65 IAC 4-346 **27 IR 2748**
Scratch-Off Game 704
LSA Document #04-131(E) **27 IR 2751**
Scratch-Off Game 706
65 IAC 4-342 **27 IR 3085**
Scratch-Off Game 715
LSA Document #04-93(E) **27 IR 2511**

MEDICAL LICENSING BOARD OF INDIANA
MEDICAL DOCTORS; OSTEOPATHIC DOCTORS
Licensure to Practice
Passing requirements for United States Medical Licensing Examination Step III
844 IAC 4-4.5-12 27 IR 2334 **27 IR 3072**
OCCUPATIONAL THERAPISTS AND OCCUPATIONAL THERAPY ASSISTANTS
Certification
Mandatory registration; renewal
844 IAC 10-4-1 27 IR 2568
PHYSICAL THERAPISTS AND PHYSICAL THERAPISTS' ASSISTANTS
Admission to Practice
Applications for licensure as a physical therapist or certification as a physical therapist's assistant
844 IAC 6-3-4 27 IR 1637
Licensure by endorsement
844 IAC 6-3-1 27 IR 1636
Licensure by examination
844 IAC 6-3-2 27 IR 1636
Social Security numbers
844 IAC 6-3-6 27 IR 1638
Temporary permits
844 IAC 6-3-5 27 IR 1637
General Provisions
Accreditation of educational programs
844 IAC 6-1-4 27 IR 1635
Definitions
844 IAC 6-1-2 27 IR 1284
Registration of Licensed Physical Therapists and Physical Therapists' Assistants
Reinstatement of delinquent license
844 IAC 6-4-3 27 IR 1638
Reinstatement of Suspended License
Duties of suspended licensees, certificate holders
844 IAC 6-6-3 27 IR 1638
Protection of patients' interest
844 IAC 6-6-4 27 IR 1639
Standards of Professional Conduct
Standards of professional conduct and competent practice
844 IAC 6-7-2 27 IR 1639
STANDARDS OF PROFESSIONAL CONDUCT AND COMPETENT PRACTICE OF MEDICINE
Appropriate Use of the Internet in Medical Practice
844 IAC 5-3 26 IR 2118 **27 IR 522**
General Provisions
Definitions
844 IAC 5-1-1 26 IR 2116 **27 IR 521**
Disciplinary action
844 IAC 5-1-3 26 IR 2118 **27 IR 522**
Prescribing to Persons Not Seen by the Physician
844 IAC 5-4 26 IR 2120 **27 IR 524**

MENTAL HEALTH AND ADDICTION, DIVISION OF
ASSERTIVE COMMUNITY TREATMENT TEAMS CERTIFICATION
440 IAC 5.2 26 IR 3386 **27 IR 492**

NATURAL RESOURCES COMMISSION
LSA Document #04-153(E) **27 IR 3091**
COAL MINING AND RECLAMATION OPERATIONS
Bonding Liability Insurance
Performance bond release; requirements
312 IAC 25-5-16 27 IR 232 **27 IR 2455**
Period of liability
312 IAC 25-5-7 27 IR 231 **27 IR 2455**
Definitions
"Affected area" defined
312 IAC 25-1-8 27 IR 221 **27 IR 2444**
"Land eligible for remining" defined
312 IAC 25-1-75.5 27 IR 222 **27 IR 2445**
"Unanticipated event or condition" defined
312 IAC 25-1-155.5 27 IR 222 **27 IR 2445**
Inspection and Enforcement Procedures
Civil penalties; hearing request
312 IAC 25-7-20 27 IR 246 **27 IR 2470**
Inspections of sites
312 IAC 25-7-1 27 IR 244 **27 IR 2468**
Performance Standards
Hydrologic balance; water rights and replacement
312 IAC 25-6-25 27 IR 238 **27 IR 2462**
Surface mining; explosives; publication of blasting schedule
312 IAC 25-6-31 27 IR 248 **27 IR 2713**
Surface mining; hydrologic balance; permanent and temporary impoundments
312 IAC 25-6-20 27 IR 234 **27 IR 2458**
Surface mining; hydrologic balance; siltation structures
312 IAC 25-6-17 27 IR 233 **27 IR 2457**
Surface mining; hydrologic balance; surface and ground water monitoring
312 IAC 25-6-23 27 IR 237 **27 IR 2461**
Surface mining; primary roads
312 IAC 25-6-66 27 IR 238 **27 IR 2462**
Underground mining; hydrologic balance; permanent and temporary impoundments
312 IAC 25-6-84 27 IR 241 **27 IR 2465**
Underground mining; hydrologic balance; siltation structures
312 IAC 25-6-81 27 IR 239 **27 IR 2463**
Underground mining; primary roads
312 IAC 25-6-130 27 IR 243 **27 IR 2467**
Permitting Procedures
Review, public participation, and approval or disapproval of permit applications; permit terms and conditions; permit approval or denial
312 IAC 25-4-115 27 IR 229 **27 IR 2453**
Review, public participation, and approval or disapproval of permit applications; permit terms and conditions; permit conditions
312 IAC 25-4-118 27 IR 230 **27 IR 2454**
Review, public participation, and approval or disapproval of permit applications; permit terms and conditions; public availability
312 IAC 25-4-113 27 IR 228 **27 IR 2451**

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Review, public participation, and approval or disapproval of permit applications; permit terms and conditions; review of permit applications
312 IAC 25-4-114 27 IR 228
27 IR 2452
Special categories of mining; lands eligible for remining
312 IAC 25-4-105.5 27 IR 227
27 IR 2451
Special categories of mining; prime farmland
312 IAC 25-4-102 27 IR 226
27 IR 2449
Surface mining permit applications; identification of interests
312 IAC 25-4-17 27 IR 222
27 IR 2445
Surface mining permit applications; reclamation and operations plan; reclamation plan; general requirements
312 IAC 25-4-45 27 IR 223
27 IR 2446
Surface mining permit applications; reclamation and operations plan; reclamation plan for siltation structures, impoundments, dams, and embankments, and refuse piles
312 IAC 25-4-49 27 IR 224
27 IR 2447
Underground mining permit applications; reclamation plan for siltation structures, impoundments, dams, embankments, and refuse piles
312 IAC 25-4-87 27 IR 225
27 IR 2448
Training, Examination, and Certification of Blasters
Examinations
312 IAC 25-9-5 27 IR 249
27 IR 2714
Renewal
312 IAC 25-9-8 27 IR 249
27 IR 2714

DEFINITIONS
Definitions
"Includes" defined
312 IAC 1-1-19.5 27 IR 1617
27 IR 3065
"State plane coordinate" or "SPC" defined
312 IAC 1-1-27.5 27 IR 1617
27 IR 3065
"Universal transverse mercator" or "UTM" defined
312 IAC 1-1-29.3 27 IR 1617
27 IR 3065

ENTOMOLOGY AND PLANT PATHOLOGY
LSA Document #04-87(E) **27 IR 2514**
Control of Pests or Pathogens
LSA Document #04-118(E) **27 IR 2757**
LSA Document #04-126(E) **27 IR 2758**
LSA Document #04-150(E) **27 IR 3088**
LSA Document #04-152(E) **27 IR 3089**
Control of kudzu (Pueraria lobata)
312 IAC 18-3-16 27 IR 560
27 IR 2471
Control of larger pine shoot beetles
LSA Document #03-217(E) **27 IR 206**
312 IAC 18-3-12 27 IR 1203
Release of a beneficial organism or a pest or pathogen
312 IAC 18-3-15 27 IR 559
27 IR 2470
Technical committees
312 IAC 18-3-17 27 IR 560
27 IR 2472
Special Service Fees
Florist or greenhouse stock; voluntary certification
312 IAC 18-5-2 27 IR 561
27 IR 2472
Phytosanitary document fees and related fees
312 IAC 18-5-4 26 IR 3375
27 IR 1166

FISH AND WILDLIFE
Raccoons
LSA Document #04-59(E) **27 IR 2296**
Birds
Endangered and threatened species; birds
312 IAC 9-4-14 27 IR 1952
Geese
LSA Document #04-20(E) **27 IR 1922**
Ruffed grouse
312 IAC 9-4-10 27 IR 1951
Wild turkeys
LSA Document #04-79(E) **27 IR 2513**
312 IAC 9-4-11 27 IR 1951
Definitions
"Ice fishing shelter" defined
312 IAC 9-1-9.5 27 IR 1946
"Portable ice fishing shelter" defined
312 IAC 9-1-11.5 27 IR 1946
Mammals
Beavers
312 IAC 9-3-11 27 IR 1949
Commercial processing of deer
312 IAC 9-3-10 27 IR 1949
Foxes, coyotes, and skunks
312 IAC 9-3-12 27 IR 1949
General requirements for deer; exemptions; tagging; tree blinds; maximum taking of antlered deer in a calendar year
312 IAC 9-3-2 27 IR 1946
Hunting deer by bow and arrows
312 IAC 9-3-4 27 IR 1948
Hunting deer by firearms
312 IAC 9-3-3 27 IR 1947
Hunting deer in a designated county by authority of an extra deer license
LSA Document #03-306 **27 IR 1192**
Minks, muskrats, and long-tailed weasels
312 IAC 9-3-13 27 IR 1950
Opossums and raccoons
312 IAC 9-3-14 27 IR 1950
Squirrels
312 IAC 9-3-17 27 IR 1950
Taking beavers, minks, muskrats, long-tailed weasels, red foxes, gray foxes, opossums, skunks, raccoons, or squirrels to protect property
312 IAC 9-3-15 27 IR 1950
Reptiles and Amphibians
Collection and possession of reptiles and amphibians native to Indiana
312 IAC 9-5-6 27 IR 1953
Endangered and threatened species; reptiles and amphibians
312 IAC 9-5-4 27 IR 1953
Reptile captive breeding license
312 IAC 9-5-9 27 IR 1955
Sale and transport for sale of reptiles and amphibians native to Indiana
312 IAC 9-5-7 27 IR 1953
Special purpose turtle possession permit
312 IAC 9-5-11 27 IR 1956
Restrictions and Standards Applicable to Wild Animals
State parks and state historic sites
312 IAC 9-2-11 26 IR 3089
27 IR 459
Special Licenses; Permits and Standards
Aquaculture permit
312 IAC 9-10-17 27 IR 1964
Aquatic vegetation control permits
312 IAC 9-10-3 26 IR 3374
27 IR 1165
Game breeder licenses
312 IAC 9-10-4 26 IR 1602
27 IR 246
27 IR 1789
Hunting permit for persons with disabilities
312 IAC 9-10-10 27 IR 1962
Special purpose educational permit
312 IAC 9-10-9.5 27 IR 1961
Special purpose salvage permit
312 IAC 9-10-13.5 27 IR 1963
Wild animal rehabilitation permit
312 IAC 9-10-9 27 IR 1960
Sport Fishing
Black bass
312 IAC 9-7-6 27 IR 1959
Sport fishing methods, except on the Ohio River
312 IAC 9-7-2 27 IR 1957
Trout and salmon
312 IAC 9-7-13 27 IR 1960
Sport Fishing, Commercial Fishing; Definitions, Restrictions, and Standards
Endangered and threatened species of fish
312 IAC 9-6-9 27 IR 1957
Wild Animal Possession Permits
Applicability
312 IAC 9-11-1 27 IR 1964
First permit to possess a wild animal
312 IAC 9-11-2 27 IR 1965
Maintaining a wild animal possessed under this rule
312 IAC 9-11-14 27 IR 1965

FLOOD PLAIN MANAGEMENT
Definitions
"Reconstruction" defined
312 IAC 10-2-33.5 27 IR 1617
27 IR 3065
General Licenses and Specific Exemptions from Floodway Licensing
LSA Document #04-183(E) **27 IR 3587**

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Aerial electric, telephone, or cable television lines; general license
312 IAC 10-5-3 27 IR 1941
Determining project eligibility for a general license; general criteria
312 IAC 10-5-0.3 27 IR 1940
Qualified logjam and sandbar removals from beneath bridges; general license
312 IAC 10-5-7 27 IR 1944
Qualified outfall projects; general license
312 IAC 10-5-8 27 IR 1945
Qualified utility line crossings; general license
312 IAC 10-5-4 27 IR 1941
Relief from general criteria for determining project eligibility for a general license
312 IAC 10-5-0.6 27 IR 1940
Removal of logjams from a waterway; general license
312 IAC 10-5-6 27 IR 1943
Utility line placement that does not qualify for a general license; waivers for burial depth or clearance
312 IAC 10-5-5 27 IR 1942
GREAT LAKES BASIN WATER MANAGEMENT
312 IAC 6.2 27 IR 3119
HISTORIC PRESERVATION REVIEW BOARD
Definitions
"Certificate" defined
312 IAC 20-2-1.7 26 IR 3084 **27 IR 454**
"Indiana register" defined
312 IAC 20-2-4.3 26 IR 3084 **27 IR 454**
"National Register" defined
312 IAC 20-2-4.7 26 IR 3085 **27 IR 454**
Indiana Register
312 IAC 20-5 26 IR 2658 **27 IR 452**
Membership and Meetings
Submission of application before review board meeting
312 IAC 20-3-3 26 IR 3085 **27 IR 454**
LAKE CONSTRUCTION ACTIVITIES
LSA Document #04-45 **27 IR 2295**
Innovative Practices and Nonconforming Uses
Alternative licenses
312 IAC 11-5-1 26 IR 2661 **27 IR 61**
Nonconforming uses; nuisances; modifications
312 IAC 11-5-2 27 IR 1617 **27 IR 3065**
Licensing of Particular Types of Structures
Marinas
312 IAC 11-4-1 27 IR 2316
Seawall refacing
312 IAC 11-4-3 27 IR 1202 **27 IR 3063**
Temporary Structures and Permanent Structures
General licenses for qualified temporary structures; dry hydrants; glacial stone refaces
312 IAC 11-3-1 27 IR 1201 **27 IR 3062**
NAVIGABLE WATERS
Marinas
Sewage pumpout facilities for watercraft
312 IAC 6-4-3 27 IR 2316
OFF-ROAD VEHICLES AND SNOWMOBILES
LSA Document #03-341(E) **27 IR 1607**
312 IAC 6.5 27 IR 2767
OIL AND GAS
Definitions
"Completed zone" defined
312 IAC 16-1-9.5 27 IR 1206
"Permanent plugback" defined
312 IAC 16-1-39.5 27 IR 1206
"Static well" defined
312 IAC 16-1-44.6 27 IR 1206
Performance Standards and Enforcement
Mechanical integrity
312 IAC 16-5-15 27 IR 1206
Operating requirements for a Class II well
312 IAC 16-5-14 27 IR 2532
Plugging and abandoning wells
312 IAC 16-5-19 27 IR 1207
OTHER PETROLEUM REGULATION
Geophysical Surveying
Applications
312 IAC 17-3-3 27 IR 2532
Bond type
312 IAC 17-3-6 27 IR 2533
Definitions
312 IAC 17-3-2 27 IR 2532
General provisions and application of definitions
312 IAC 17-3-1 27 IR 2532
Permit issuance, expiration, revocation, denial, transfer, and review
312 IAC 17-3-4 27 IR 2533
Reports
312 IAC 17-3-9 27 IR 2534
Shothole plugging; surface reclamation
312 IAC 17-3-8 27 IR 2534
PROCEDURES AND DELEGATIONS
Delegations by the Natural Resources Commission
Applicability
312 IAC 2-2-1 27 IR 1205 **27 IR 3064**
Preliminary adoption of rules and readoption of rules
312 IAC 2-2-4 27 IR 1205 **27 IR 3064**
Organized Activities and Tournaments on Designated Public Waters; Administration
Limitations on fishing tournaments at lakes administered by the division of state parks and reservoirs
312 IAC 2-4-12 27 IR 3604
Public Hearings Prior to the Issuance of an Agency Order (Subject to 312 IAC 3-1)
Applicability of rule; late or incomplete license application; time for giving notice
312 IAC 2-3-1 27 IR 1205 **27 IR 3064**
PUBLIC USE OF NATURAL AND RECREATIONAL AREAS
Administration and Definitions
Administration
312 IAC 8-1-2 26 IR 3085 **27 IR 455**
Definitions
312 IAC 8-1-4 26 IR 3085 **27 IR 455**
General Restrictions on the Use of DNR Properties
Animals brought by people to DNR properties
312 IAC 8-2-6 26 IR 3088 **27 IR 457**
Campsites and camping
312 IAC 8-2-11 26 IR 3088 **27 IR 458**
Firearms, hunting, and trapping
312 IAC 8-2-3 26 IR 3086 **27 IR 456**
Marinas and wastewater holding facilities for watercraft
312 IAC 8-2-13 27 IR 2316
Swimming, snorkeling, scuba diving, and tow kite flying
312 IAC 8-2-9 26 IR 3088 **27 IR 458**
RESEARCH, COLLECTION, QUOTAS, AND SALES OF PLANTS
Ginseng
Application for license; fee
312 IAC 19-1-3 27 IR 1617 **27 IR 3065**
WATERCRAFT OPERATIONS ON PUBLIC WATERS OF INDIANA
Boat Excise Tax
312 IAC 5-12.5 27 IR 2315
Lake Michigan; Restrictions
LaPorte County waters of Lake Michigan and Trail Creek; watercraft restrictions
LSA Documents #04-86(E) **27 IR 2514**
Specified Navigable Waterways Other Than Lake Michigan; Restrictions
Tippecanoe River in White County and Carroll County; watercraft speed restrictions
LSA Document #04-83(E) **27 IR 2514**
Specified public freshwater lakes; restrictions
Lake James Chain of Lakes; special watercraft zones
312 IAC 5-6-5 27 IR 220
LSA Document #04-82(E) **27 IR 2513**
Lake Wawasee and Syracuse Lake; special watercraft zones
312 IAC 5-6-6 26 IR 2660 **27 IR 59**

NURSING, INDIANA STATE BOARD OF
PRESCRIPTIVE AUTHORITY FOR ADVANCED PRACTICE NURSING
Prescriptive Authority
Initial authority to prescribe legend drugs
848 IAC 5-1-1 26 IR 3947 **27 IR 1571**
Renewal of authority to prescribe legend drugs
848 IAC 5-1-3 26 IR 3948 **27 IR 1573**
REGISTERED NURSES AND PRACTICAL NURSES
Accreditation
Accreditation status
848 IAC 1-2-5 27 IR 2866

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Change of ownership
848 IAC 1-2-8 27 IR 2868
Clinical experience; all programs
848 IAC 1-2-19 27 IR 2873
Curriculum; all programs
848 IAC 1-2-16 27 IR 2871
Curriculum; licensed practical nurse program
848 IAC 1-2-18 27 IR 2872
Curriculum; registered nurse programs
848 IAC 1-2-17 27 IR 2872
Educational resources
848 IAC 1-2-20 27 IR 2873
Eligible institutions
848 IAC 1-2-7 27 IR 2868
Faculty
848 IAC 1-2-12 27 IR 2869
Faculty qualifications; licensed practical nurse programs
848 IAC 1-2-14 27 IR 2870
Faculty qualifications; registered nurse programs
848 IAC 1-2-13 27 IR 2870
Opening a program
848 IAC 1-2-1 27 IR 2866
Organization and administration
848 IAC 1-2-10 27 IR 2869
Philosophy, mission, and objectives
848 IAC 1-2-9 27 IR 2869
Progression and graduation
848 IAC 1-2-21 27 IR 2873
Records
848 IAC 1-2-24 27 IR 2874
Records and program catalog
848 IAC 1-2-22 27 IR 2874
Reports to the board
848 IAC 1-2-23 27 IR 2874
Survey visits
848 IAC 1-2-6 27 IR 2867
Transfer of program to another controlling organization
848 IAC 1-2-8.5 27 IR 2868
Definitions; Administration
Definitions
848 IAC 1-1-2.1 27 IR 2865

OPINIONS OF THE ATTORNEY GENERAL
(See Cumulative Table of Executive Orders and Attorney General's Opinions at 27 IR 3430)

PESTICIDE REVIEW BOARD, INDIANA
DEFINITION; USE OF PESTICIDES
Community-wide Mosquito Abatement Pesticide Applicators and Technicians
357 IAC 1-11 26 IR 3109
27 IR 1877

PHARMACY, INDIANA BOARD OF
CONTROLLED SUBSTANCES
Limited Permits
856 IAC 2-7 25 IR 3871
26 IR 1725
27 IR 181
PHARMACIES AND PHARMACISTS
Counseling
Definitions
856 IAC 1-33-1 26 IR 3949
27 IR 274
27 IR 2073
27 IR 3073
Institutional patient exception
856 IAC 1-33-4 26 IR 3950
27 IR 275
27 IR 2074
27 IR 3074
Offer requirements
856 IAC 1-33-1.5 27 IR 274
27 IR 2073
27 IR 3073
Patient counseling requirements
856 IAC 1-33-2 26 IR 3949
27 IR 275
27 IR 2073
27 IR 3073
Patient counseling violations
856 IAC 1-33-5 27 IR 275
27 IR 2074
27 IR 3074
Fee Structure
Fees
856 IAC 1-27-1 27 IR 276
27 IR 1574

PODIATRIC MEDICINE, BOARD OF
PODIATRISTS
Admission to Practice
Licensure by endorsement
845 IAC 1-3-1 26 IR 2683
27 IR 526
Licensure by examination
845 IAC 1-3-2 26 IR 2683
27 IR 526
Progressive graduate podiatric medical training defined
845 IAC 1-3-3 26 IR 2684
27 IR 527
Continuing Education
Approval of continuing education programs
845 IAC 1-5-3 26 IR 2685
27 IR 528
Credit hours required
845 IAC 1-5-1 26 IR 2685
27 IR 527
Reporting continuing education credit; audit
845 IAC 1-5-2.1 25 IR 3455
26 IR 2682
27 IR 525
License Renewal
Inactive status
845 IAC 1-4.1-7 26 IR 2685
27 IR 527
Mandatory renewal; notice
845 IAC 1-4.1-2 26 IR 2684
27 IR 527
Mandatory renewal; time
845 IAC 1-4.1-1 26 IR 2684
27 IR 527
Standards of Professional Conduct
Licensure fees
845 IAC 1-6-9 26 IR 2686
27 IR 529

PRIVATE DETECTIVES LICENSING BOARD
PRIVATE DETECTIVES
General Provisions
Experience requirement
862 IAC 1-1-3 27 IR 2074

PROFESSIONAL STANDARDS BOARD
ACCOMPLISHED PRACTITIONER LICENSE
515 IAC 12 26 IR 3943
27 IR 2727
27 IR 3703
INITIAL PRACTITIONER AND OTHER LICENSES
515 IAC 8 26 IR 2437
27 IR 166
General Provisions
District level administrator; director of career and technical education; administrative license
515 IAC 8-1-42 27 IR 2330
World language
515 IAC 8-1-23 27 IR 2330
ISSUANCE AND REVOCATION OF VARIOUS LICENSES AND PERMITS
515 IAC 9 26 IR 2451
27 IR 1169
General Provisions
Emergency permits for director of career and technical education
515 IAC 9-1-22 27 IR 2331
PROFESSIONAL EDUCATOR LICENSE TEACHERS
515 IAC 4 27 IR 925
27 IR 3066
TEACHER TRAINING AND LICENSING: REQUIREMENTS FOR EDUCATION BEGUN AFTER ACADEMIC YEAR 1977-78
Renewal of Licenses
515 IAC 1-7 26 IR 1254
27 IR 501
Teacher Proficiency Examination
Minimum acceptable scores
515 IAC 1-4-2 27 IR 2558
Test requirements and exemptions
515 IAC 1-4-1 27 IR 2558

PSYCHOLOGY BOARD, STATE
RESTRICTED PSYCHOLOGY TESTS AND INSTRUMENTS
868 IAC 2 26 IR 3741

PUBLIC EMPLOYEES' RETIREMENT FUND, BOARD OF TRUSTEES OF THE
ADDITIONAL CONTRIBUTIONS
35 IAC 11 26 IR 3678
27 IR 1164
ANNUAL COMPENSATION LIMIT
35 IAC 12 27 IR 2308
MODEL PLAN AMENDMENTS
Adoption of IRS Model Amendment to Comply with the Unemployment Compensation Amendments of 1992
Definitions
35 IAC 8-1-1 27 IR 2305
Introduction
35 IAC 8-1-2 27 IR 2305
Model Language Amendment
Model language amendment
35 IAC 8-2-1 27 IR 2306
ROLLOVERS AND TRUSTEE-TO-TRUSTEE TRANSFERS
35 IAC 10 27 IR 2307

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

REAL ESTATE COMMISSION, INDIANA
GENERAL PROVISIONS
Definitions; Licensing; Miscellaneous Provisions
Termination of association with principal broker; duties of parties
876 IAC 1-1-19 26 IR 3744
27 IR 877
Residential Real Estate Sales Disclosure
Residential real estate sales disclosure
876 IAC 1-4-1 26 IR 3142
27 IR 186
Residential sales disclosure; form
876 IAC 1-4-2 26 IR 3142
27 IR 186
REAL ESTATE APPRAISER LICENSURE AND CERTIFICATION
Continuing Education
Continuing education requirements
876 IAC 3-5-1 26 IR 3139
27 IR 184
Criteria for approval of continuing education course
876 IAC 3-5-2.5 27 IR 1643
27 IR 2740
Instructors
876 IAC 3-5-7 26 IR 3141
27 IR 185
Mandatory continuing education courses; approved providers
876 IAC 3-5-1.5 26 IR 3140
27 IR 185
Required instructional materials
876 IAC 3-5-6.1 26 IR 3418
27 IR 533
General Provisions
Fee schedule
876 IAC 3-2-7 27 IR 1642
27 IR 2740
27 IR 2574
Real Estate Appraiser Course Provider Approval
Instructors; requirements
876 IAC 3-4-8 26 IR 3418
27 IR 533
Real Estate Appraisers; Licensure and Certification
Educational requirements for Indiana certified general appraiser
876 IAC 3-3-5 26 IR 3417
27 IR 532
Educational requirements for Indiana certified residential appraiser
876 IAC 3-3-4 26 IR 3416
27 IR 530
Educational requirements for Indiana licensed residential appraiser
876 IAC 3-3-3 26 IR 3415
27 IR 529
Standards of Practice for Appraisers
Deletions from the Uniform Standards of Professional Appraisal Practice
876 IAC 3-6-3 27 IR 1287
27 IR 2739
Indiana licensed trainee appraisers; supervision
876 IAC 3-6-9 27 IR 282
27 IR 1182
Supervision of licensed residential, certified residential, and certified general appraisers
876 IAC 3-6-4 26 IR 3141
27 IR 186
Uniform Standards of Professional Appraisal Practice
876 IAC 3-6-2 27 IR 1287
27 IR 2738
REAL ESTATE COURSES AND LICENSING REQUIREMENTS FOR BROKERS AND SALESPERSONS
Fee Schedule
876 IAC 2-18 27 IR 2575

REVENUE, DEPARTMENT OF STATE
SALES AND USE TAX
Definitions
General definitions
LSA Document #03-304(E) **27 IR 879**
Exempt Transactions of a Retail Merchant
Agricultural production; definitions
LSA Document #03-304(E) **27 IR 879**
Food for human consumption; exemption examples
LSA Document #03-304(E) **27 IR 879**
Food for human consumption; exemptions
LSA Document #03-304(E) **27 IR 879**
Food not exempt
LSA Document #03-304(E) **27 IR 879**
Medical equipment, supplies and devices; exemptions
LSA Document #03-304(E) **27 IR 879**
Medical equipment, supplies and devices; rental
LSA Document #03-304(E) **27 IR 879**
Medical exemptions; definitions
LSA Document #03-304(E) **27 IR 879**
Retail Transactions of Retail Merchant
Selling at retail; application
LSA Document #03-304(E) **27 IR 879**
Tangible personal property; renting and leasing
LSA Document #03-304(E) **27 IR 879**
UTILITY RECEIPTS TAX
45 IAC 1.3 27 IR 3101

SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST, AND MENTAL HEALTH COUNSELOR BOARD
GENERAL PROVISIONS
Marriage and Family Therapists
Supervision for marriage and family therapist licensure applicants
839 IAC 1-4-5 26 IR 871
26 IR 3411
27 IR 518
Mental Health Counselors
Educational requirements for mental health counselors
839 IAC 1-5-1 26 IR 872
26 IR 3412
27 IR 518
Experience requirements for mental health counselors
839 IAC 1-5-1.5 26 IR 874
26 IR 3414
27 IR 520
Social Workers; Clinical Social Workers
Licensure by examination for social workers and clinical social workers
839 IAC 1-3-2 26 IR 871
26 IR 3411
27 IR 517

SOIL SCIENTISTS, INDIANA BOARD OF REGISTRATION FOR
307 IAC 26 IR 2652
27 IR 53

SOLID WASTE MANAGEMENT BOARD
HAZARDOUS WASTE MANAGEMENT PERMIT PROGRAM AND RELATED HAZARDOUS WASTE MANAGEMENT
Definitions
Applicability
329 IAC 3.1-4-1 26 IR 1240
27 IR 1874
Final Permit Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
Exceptions and additions; final permit standards
329 IAC 3.1-9-2 26 IR 1241
27 IR 1875
27 IR 912
General Provisions
Incorporation by reference
329 IAC 3.1-1-7 26 IR 1240
27 IR 1874
Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
Exceptions and additions; interim status standards
329 IAC 3.1-10-2 26 IR 1242
27 IR 1876
Standards Applicable to Generators of Hazardous Waste
Exceptions and additions; generator standards
329 IAC 3.1-7-2 26 IR 1240
27 IR 1875
SOLID WASTE LAND DISPOSAL FACILITIES
Actions for Permit and Renewal Permit Application
Public process for new solid waste land disposal facility permits; major permit modifications; minor permit modifications
329 IAC 10-12-1 26 IR 443
27 IR 1804
Application Procedure for All Solid Waste Land Disposal Facilities
General permit application requirements
329 IAC 10-11-2.1 26 IR 440
27 IR 1801
Minor modification applications
329 IAC 10-11-6 26 IR 443
27 IR 1804

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Permit application for new land disposal facility and lateral expansions
329 IAC 10-11-2.5 26 IR 441
27 IR 1802
Renewal permit application
329 IAC 10-11-5.1 26 IR 443
27 IR 1803
Definitions
"Aquiclude" defined
329 IAC 10-2-11 26 IR 433
27 IR 1792
"CESQG hazardous waste" defined
329 IAC 10-2-29.5 26 IR 1653
"Commercial solid waste" defined
329 IAC 10-2-32 26 IR 1653
"Contaminant" defined
329 IAC 10-2-41 26 IR 433
27 IR 1792
"Conterminous" defined
329 IAC 10-2-41.1 26 IR 434
27 IR 1793
"Electronic submission" defined
329 IAC 10-2-63.5 26 IR 434
27 IR 1793
"Endangered species" defined
329 IAC 10-2-64 26 IR 434
27 IR 1793
"Erosion" defined
329 IAC 10-2-66.1 26 IR 434
27 IR 1793
"Erosion and sediment control measure" defined
329 IAC 10-2-66.2 26 IR 434
27 IR 1793
"Erosion and sediment control system" defined
329 IAC 10-2-66.3 26 IR 434
27 IR 1793
"Facility" defined
329 IAC 10-2-69 26 IR 434
27 IR 1793
"Final closure" defined
329 IAC 10-2-72.1 26 IR 1654
"Flood plain" defined
329 IAC 10-2-74 26 IR 435
27 IR 1794
"Floodway" defined
329 IAC 10-2-75 26 IR 435
27 IR 1794
"Floodway fringe" defined
329 IAC 10-2-75.1 26 IR 435
27 IR 1794
"Infectious waste" defined
329 IAC 10-2-96 26 IR 435
27 IR 1794
"Insignificant facility modification" defined
329 IAC 10-2-97.1 26 IR 435
27 IR 1794
"Karst terrain" defined
329 IAC 10-2-99 26 IR 436
27 IR 1795
"Land application unit" defined
329 IAC 10-2-100 26 IR 436
27 IR 1795
"Licensed professional geologist" defined
329 IAC 10-2-105.3 26 IR 436
27 IR 1795
"Liquid waste" defined
329 IAC 10-2-106 26 IR 436
27 IR 1795
"Major modification of solid waste land disposal facilities" defined
329 IAC 10-2-109 26 IR 436
27 IR 1795
"Measurable storm event" defined
329 IAC 10-2-111.5 26 IR 436
"Minor modification of solid waste land disposal facilities" defined
329 IAC 10-2-112 26 IR 436
27 IR 1795
"Municipal solid waste landfill or MSWLF" defined
329 IAC 10-2-116 26 IR 1654
"Municipal solid waste landfill or MSWLF unit" defined
329 IAC 10-2-117 26 IR 1654
"Municipal solid waste or MSW" defined
329 IAC 10-2-115 26 IR 1654
"Nonmunicipal solid waste landfill unit or Non-MSWLF unit" defined
329 IAC 10-2-121.1 26 IR 437
27 IR 1796
"Operator" defined
329 IAC 10-2-130 26 IR 1655
"Peak discharge" defined
329 IAC 10-2-132.2 26 IR 437
27 IR 1796
"Permanent stabilization" defined
329 IAC 10-2-132.3 26 IR 437
27 IR 1796
"Petroleum contaminated soil" defined
329 IAC 10-2-135.5 26 IR 1655
"Preliminary exceedance" defined
329 IAC 10-2-142.5 26 IR 437
27 IR 1796
"Qualified professional" defined
329 IAC 10-2-147.2 26 IR 437
"Registered land surveyor" defined
329 IAC 10-2-151 **27 IR 1796**
"Responsible corporate officer" defined
329 IAC 10-2-158 26 IR 437
27 IR 1796
"Sedimentation" defined
329 IAC 10-2-165.5 26 IR 437
27 IR 1797
"Soil and water conservation district" defined
329 IAC 10-2-172.5 26 IR 438
27 IR 1797
"Solid waste" defined
329 IAC 10-2-174 26 IR 1655
"Storm water discharge" defined
329 IAC 10-2-181.2 26 IR 438
27 IR 1797
"Storm water pollution prevent plan or SWP3" defined
329 IAC 10-2-181.5 26 IR 438
27 IR 1797
"Storm water quality measure" defined
329 IAC 10-2-181.6 26 IR 438
27 IR 1797
"Temporary stabilization" defined
329 IAC 10-2-187.5 26 IR 438
27 IR 1797
"U.S. Environmental Protection Agency Publication SW-846 or SW-846" defined
329 IAC 10-2-197.1 26 IR 1656
Exclusions
Exclusion; hazardous waste
329 IAC 10-3-2 26 IR 439
27 IR 1798
Exclusions; general
329 IAC 10-3-1 26 IR 438
27 IR 1797
Insignificant facility modifications
329 IAC 10-3-3 26 IR 439
27 IR 1798
General Provisions
Electronic submission of information
329 IAC 10-1-4.5 26 IR 433
27 IR 1792
Incorporation by reference
329 IAC 10-1-2.5 **27 IR 1791**
Records and standards for submitted information
329 IAC 10-1-4 26 IR 432
27 IR 1791
Generator Responsibilities for Waste Identification
329 IAC 10-7.2 26 IR 1656
Industrial On-Site Activities Needing Permits
Applicability
329 IAC 10-5-1 26 IR 1656
Management Requirements for Certain Solid Wastes
329 IAC 10-8.2 26 IR 1657
Municipal solid waste landfill liner system; design, construction, and CQA/CQC requirements
CQA/CQC preconstruction meeting
329 IAC 10-17-18 26 IR 457
27 IR 1819
Drainage layer component of the liner; construction and quality assurance/quality control requirements
329 IAC 10-17-9 26 IR 456
27 IR 1817
Geomembrane component of the liner; construction and quality assurance/quality control requirements
329 IAC 10-17-7 26 IR 454
27 IR 1815
Overview of Liner designs and criteria for selection of design
329 IAC 10-17-2 26 IR 453
27 IR 1814
Protective cover component of the liner; construction and quality assurance/quality control requirements
329 IAC 10-17-12 26 IR 457
27 IR 1818
Municipal solid waste landfills; closure requirements
Closure plan
329 IAC 10-22-2 26 IR 493
27 IR 1855

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Completion of closure and final cover
329 IAC 10-22-5 26 IR 494
27 IR 1856
Final closure certification
329 IAC 10-22-8 26 IR 496
27 IR 1858
Final cover requirements for existing MSWLF units constructed without a composite bottom liner
329 IAC 10-22-7 26 IR 495
27 IR 1857
Final cover requirements for new MSWLF units or existing MSWLF units that have a composite bottom liner and a leachate collection system
329 IAC 10-22-6 26 IR 494
27 IR 1856
Partial closure certification
329 IAC 10-22-3 26 IR 494
27 IR 1856
Municipal Solid Waste Landfills; Ground Water Monitoring Programs and Corrective Action Program Requirements
Additional constituents for assessment monitoring
329 IAC 10-21-17 **27 IR 1855**
Assessment ground water monitoring program
329 IAC 10-21-10 26 IR 482
27 IR 1843
Constituents for assessment monitoring
329 IAC 10-21-16 26 IR 488
27 IR 1850
Constituents for detection monitoring
329 IAC 10-21-15 26 IR 488
27 IR 1849
Corrective action program
329 IAC 10-21-13 26 IR 484
27 IR 1845
Demonstration that a statistically significant increase or contamination is not attributable to a municipal solid waste land disposal facility unit
329 IAC 10-21-9 26 IR 481
27 IR 1842
Detection ground water monitoring program
329 IAC 10-21-7 26 IR 479
27 IR 1840
General ground water monitoring requirements
329 IAC 10-21-1 26 IR 465
27 IR 1826
Ground water monitoring well and piezometer construction and design
329 IAC 10-21-4 26 IR 474
27 IR 1835
Sampling and analysis plan and program
329 IAC 10-21-2 26 IR 468
27 IR 1830
Statistical evaluation requirements and procedures
329 IAC 10-21-6 26 IR 477
27 IR 1838
Verification of a statistically significant increase in constituent concentration
329 IAC 10-21-8 26 IR 480
27 IR 1841
Municipal Solid Waste Landfills; Location Restrictions
Airport siting restrictions
329 IAC 10-16-1 26 IR 452
27 IR 1813
Karst terrain siting restrictions
329 IAC 10-16-8 26 IR 453
27 IR 1814
Municipal Solid Waste Landfills; Operational Requirements
Alternative daily cover
329 IAC 10-20-14.1 26 IR 1662
Cover; general provisions
329 IAC 10-20-13 26 IR 463
27 IR 1824
Diversion of surface water and run-on and run-off control systems
329 IAC 10-20-11 26 IR 461
27 IR 1822
Erosion and sedimentation control measures; general requirements
329 IAC 10-20-12 26 IR 459
27 IR 1823
Leachate collection, removal, and disposal
329 IAC 10-20-20 26 IR 463
27 IR 1824
Records and reports
329 IAC 10-20-8 26 IR 460
27 IR 1821
Self-inspections
329 IAC 10-20-28 26 IR 464
27 IR 1825
Signs
329 IAC 10-20-3 26 IR 459
27 IR 1821
Surface water requirements
329 IAC 10-20-26 26 IR 464
27 IR 1825
Survey requirements
329 IAC 10-20-24 26 IR 464
27 IR 1825
Municipal Solid Waste Landfills; Plans and Documentation to Be Submitted with Permit Application
Calculations and analyses pertaining to landfill design
329 IAC 10-15-8 26 IR 450
27 IR 1810
Description of proposed ground water monitoring well system
329 IAC 10-15-5 26 IR 449
27 IR 1810
General requirements
329 IAC 10-15-1 26 IR 447
27 IR 1808
Plot plan requirements
329 IAC 10-15-2 26 IR 448
27 IR 1809
Storm water pollution prevention plan
329 IAC 10-15-12 26 IR 451
27 IR 1812
Municipal Solid Waste Landfills; Post-Closure Requirements
Post-closure certification
329 IAC 10-23-4 26 IR 498
27 IR 1860
Post-closure duties
329 IAC 10-23-2 26 IR 496
27 IR 1859
Post-closure plan
329 IAC 10-23-3 26 IR 497
27 IR 1859
Municipal Solid Waste Landfills; Preoperational Requirements and Operational Approval
Preoperational requirements and operational approval
329 IAC 10-19-1 26 IR 458
27 IR 1819
Permit Issuance and Miscellaneous Provisions
Issuance procedures; original permits
329 IAC 10-13-1 26 IR 445
27 IR 1806
Permit revocation and modification
329 IAC 10-13-6 26 IR 446
27 IR 1806
Transferability of permits
329 IAC 10-13-5 26 IR 445
27 IR 1806
Previously Permitted Solid Waste Land Disposal Facilities and Sanitary Landfills Closed Prior to April 14, 1996; Responsibilities
Remedial action
329 IAC 10-6-4 26 IR 440
27 IR 1799
Restricted Waste Site Type III and Construction/Demolition Sites; Closure Requirements
Closure plan
329 IAC 10-37-4 26 IR 501
27 IR 1863
Restricted Waste Site Type III and Construction/Demolition Sites; Operational Requirements
Definitions
329 IAC 10-36-19 26 IR 1665
Restricted Waste Sites Types I and II and Nonmunicipal Solid Waste Landfills; Additional Application Requirements to 329 IAC 10-11
Hydrogeologic study
329 IAC 10-24-4 26 IR 499
27 IR 1861
Restricted Waste Sites Types I and II and Nonmunicipal Solid Waste Landfills; Closure Requirements
Closure plan
329 IAC 10-30-4 26 IR 500
27 IR 1862
Restricted Waste Sites Types I and II and Nonmunicipal Solid Waste Landfills; Ground Water Monitoring and Corrective Action
Monitoring devices
329 IAC 10-29-1 26 IR 499
27 IR 1862
Restricted Waste Sites Types I and II and Nonmunicipal Solid Waste Landfills; Operational Requirements
Definitions
329 IAC 10-28-24 26 IR 1664

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Solid Waste Land Disposal Facilities; Financial Responsibility
Applicability
329 IAC 10-39-1 26 IR 501
27 IR 1864
Closure; financial responsibility
329 IAC 10-39-2 26 IR 502
27 IR 1864
Financial assurance for corrective action for municipal solid waste landfills
329 IAC 10-39-10 26 IR 510
27 IR 1872
Incapacity of permittee, guarantors, or financial institutions
329 IAC 10-39-7 26 IR 509
27 IR 1871
Post-closure; financial responsibility
329 IAC 10-39-3 26 IR 508
27 IR 1870
Release of funds
329 IAC 10-39-9 26 IR 509
27 IR 1871
Solid Waste Land Disposal Facilities; Quarterly Reports and Weighing Scales
Quarterly reports
329 IAC 10-14-1 26 IR 446
27 IR 1807
Weighing scales
329 IAC 10-14-2 26 IR 1661
Solid Waste Land Disposal Facility Classification
Municipal solid waste landfill criteria
329 IAC 10-9-2 26 IR 1659
Restricted waste sites waste criteria
329 IAC 10-9-4 26 IR 1659
Transition Requirements of Municipal Solid Waste Landfill Siting, Design, and Closure
Applicability
329 IAC 10-10-1 26 IR 440
27 IR 1799
Pending applications
329 IAC 10-10-2 26 IR 440
27 IR 1801

SOLID WASTE MANAGEMENT ACTIVITY REGISTRATION
Solid Waste Facility Operator Testing Requirements
Examination requirements for Category II certification
329 IAC 12-8-4 26 IR 1672
27 IR 3696
Examination requirements for Category III certification
329 IAC 12-8-5 27 IR 3697
Solid Waste Facility Operator Training Requirements
Accredited training course requirements for recertification
329 IAC 12-9-2 27 IR 3698

SOLID WASTE PROCESSING FACILITIES
Application Procedure for All Solid Waste Processing Facilities
Insignificant facility modifications
329 IAC 11-9-6 26 IR 1667
Definitions
"Insignificant facility modification" defined
329 IAC 11-2-19.5 26 IR 1665
"Solid waste" defined
329 IAC 11-2-39 26 IR 1666
Exclusions
Exclusion; hazardous waste
329 IAC 11-3-2 26 IR 1666
Infectious Waste Incinerators; Additional Operational Requirements
Operational requirements
329 IAC 11-20-1 26 IR 1670
Miscellaneous Requirements Concerting Solid Waste Management
Definitions
329 IAC 11-15-1 26 IR 1668
Solid Waste Incinerators; Additional Operational Requirements
Permit by rule
329 IAC 11-19-2 26 IR 1669
Solid waste incinerators 10 tons per day or greater; infectious waste incinerators seven tons per day or greater; operational requirements
329 IAC 11-19-3 26 IR 1669
Solid Waste Processing Facilities; Operational Requirements
Records and reports
329 IAC 11-13-6 26 IR 1668
Sanitation
329 IAC 11-13-4 26 IR 1667
Solid Waste Processing Facility Classifications and Waste Criteria
Incinerators waste criteria
329 IAC 11-8-3 26 IR 1667
Processing facilities waste criteria
329 IAC 11-8-2 26 IR 1666
Transfer station waste criteria
329 IAC 11-8-2.5 26 IR 1666
Transfer Stations
General operating requirements
329 IAC 11-21-8 26 IR 1672
Monitoring of incoming municipal waste
329 IAC 11-21-4 26 IR 1671
Record keeping
329 IAC 11-21-5 26 IR 1671
Reporting
329 IAC 11-21-6 26 IR 1671
Training
329 IAC 11-21-7 26 IR 1671

UNDERGROUND STORAGE TANKS
Applicability; definitions
"Agency" defined
329 IAC 9-1-4 26 IR 1209
27 IR 3177
Applicability
329 IAC 9-1-1 26 IR 1209
27 IR 3177
"Change-in-service" defined
329 IAC 9-1-10.4 26 IR 1209
27 IR 3177
"Chemical of concern" defined
329 IAC 9-1-10.6 26 IR 1209
27 IR 3178
"Closure" defined
329 IAC 9-1-10.8 26 IR 1210
27 IR 3178
"Consumptive use" defined
329 IAC 9-1-14 26 IR 1210
27 IR 3178
"Contaminant" defined
329 IAC 9-1-14.3 26 IR 1210
27 IR 3178
"Corrective action" defined
329 IAC 9-1-14.5 26 IR 1210
27 IR 3178
"Corrective action plan" defined
329 IAC 9-1-14.7 26 IR 1210
27 IR 3178
"Hazardous substance UST system" defined
329 IAC 9-1-25 26 IR 1210
27 IR 3178
"Hydraulic lift tank" defined
329 IAC 9-1-27 26 IR 1210
27 IR 3178
"Petroleum UST system" defined
329 IAC 9-1-36 26 IR 1210
27 IR 3179
"Piezometer" defined
329 IAC 9-1-36.5 27 IR 3179
"Removal closure" defined
329 IAC 9-1-39.5 26 IR 1211
27 IR 3179
"SARA" defined
329 IAC 9-1-41.5 26 IR 1211
27 IR 3179
"Underground release" defined
329 IAC 9-1-47 26 IR 1211
27 IR 3179
"Underground storage tank" defined
329 IAC 9-1-47.1 26 IR 1211
27 IR 3179

Closure
Applicability
329 IAC 9-6-1 26 IR 1229
27 IR 3199
Applicability to previously closed UST systems
329 IAC 9-6-3 26 IR 1234
27 IR 3204
Closure procedure
329 IAC 9-6-2.5 26 IR 1230
27 IR 3200
Closure records
329 IAC 9-6-4 26 IR 1234
27 IR 3204
Temporary closure
329 IAC 9-6-5 26 IR 1235
27 IR 3205

General Operating Requirements
Compatibility
329 IAC 9-3.1-3 26 IR 1219
27 IR 3188
Operation and maintenance of corrosion protection
329 IAC 9-3.1-2 26 IR 1219
27 IR 3187
Repairs and maintenance allowed
329 IAC 9-3.1-4 26 IR 1219
27 IR 3188

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Spill and overfill control
329 IAC 9-3.1-1 26 IR 1218
27 IR 3187
Initial Response, Site Investigation, and Corrective Action
Applicability for release response and corrective action
329 IAC 9-5-1 26 IR 1221
27 IR 3190
Corrective action plan
329 IAC 9-5-7 26 IR 1227
27 IR 3196
Free product removal
329 IAC 9-5-4.2 26 IR 1224
27 IR 3192
Further site investigations for soil and ground water cleanup
329 IAC 9-5-6 26 IR 1226
27 IR 3196
Initial abatement measures and site check
329 IAC 9-5-3.2 26 IR 1223
27 IR 3191
Initial response
329 IAC 9-5-2 26 IR 1223
27 IR 3191
Initial site characterization
329 IAC 9-5-5.1 26 IR 1224
27 IR 3193
Performance Standards
New UST systems
329 IAC 9-2-1 26 IR 1211
27 IR 3179
Notification requirements
329 IAC 9-2-2 26 IR 1214
27 IR 3182
Release Detection
General requirements for all UST systems
329 IAC 9-7-1 26 IR 1235
27 IR 3205
Methods of release detection for piping
329 IAC 9-7-5 27 IR 3209
Methods of release detection for tanks
329 IAC 9-7-4 26 IR 1237
27 IR 3206
Requirements for petroleum UST systems
329 IAC 9-7-2 26 IR 1236
27 IR 3206
Releases
Release investigations and confirmation steps
329 IAC 9-4-3 26 IR 1220
27 IR 3189
Reporting and cleanup of spills and overfills
329 IAC 9-4-4 26 IR 1221
27 IR 3189
Reporting and Record Keeping
Electronic reporting and submittal
329 IAC 9-3-2 26 IR 1218
27 IR 3187
Reporting and record keeping
329 IAC 9-3-1 26 IR 1216
27 IR 3184
Upgrading of Existing UST Systems
Upgrading of existing UST systems
329 IAC 9-2.1-1 26 IR 1215
27 IR 3183
USED OIL MANAGEMENT
Applicability
Applicability
329 IAC 13-3-1 26 IR 1673

SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD
GENERAL PROVISIONS
Aides
880 IAC 1-2.1 26 IR 876
26 IR 3419
27 IR 534

TAX REVIEW, INDIANA BOARD OF
LSA Document #03-268(E) **27 IR 541**
LSA Document #03-327(E) **27 IR 1577**
LSA Document #03-328(E) **27 IR 1585**
LSA Document #04-108(E) **27 IR 2504**
LSA Document #04-184(E) **27 IR 3581**
ASSESSMENT APPEALS IN LAKE COUNTY
52 IAC 4 27 IR 555
PROCEDURAL RULES
52 IAC 2 26 IR 3915
27 IR 1776
SMALL CLAIMS PROCEDURES
52 IAC 3 26 IR 3926
27 IR 1787

TEACHER'S RETIREMENT FUND, BOARD OF TRUSTEES OF THE INDIANA STATE
ADDITIONAL CONTRIBUTIONS
550 IAC 7 26 IR 3710
27 IR 2495
INDIANA STATE TEACHERS' RETIREMENT FUND
Administrative Matters
Definition of compensation
550 IAC 2-2-7 26 IR 3944
27 IR 2496

TRANSPORTATION, INDIANA DEPARTMENT OF
PROCUREMENT OF SUPPLIES AND SERVICES
Contract Terms
Additions
105 IAC 12-4-4 26 IR 3084
Contract modifications and change orders
105 IAC 12-4-5 26 IR 3084
Equipment rental or lease with option to purchase
105 IAC 12-4-3 26 IR 3084
Definitions
"Award" defined
105 IAC 12-1-2 26 IR 3077
"Bidder" defined
105 IAC 12-1-5 26 IR 3077
"Offer" defined
105 IAC 12-1-14.5 26 IR 3077
"Offeror" defined
105 IAC 12-1-14.6 26 IR 3077
"Proposal" defined
105 IAC 12-1-18 26 IR 3077
"Responsible bidder or offeror" defined
105 IAC 12-1-22 26 IR 3077
"Responsive bidder or offeror" defined
105 IAC 12-1-23 26 IR 3078
General Provisions
Anticompetitive practices
105 IAC 12-2-13 26 IR 3079
Award; cancellation; rejection
105 IAC 12-2-16 26 IR 3079
Bid or proposal bonds
105 IAC 12-2-6 26 IR 3078
Gifts
105 IAC 12-2-17 26 IR 3080
Minority participation
105 IAC 12-2-4 26 IR 3078
Notice to bidders or offerors
105 IAC 12-2-10 26 IR 3078
Performance bonds
105 IAC 12-2-7 26 IR 3078
Public inspection
105 IAC 12-2-18 26 IR 3080
Qualifications and duties of bidder or offeror
105 IAC 12-2-11 26 IR 3078
Sanctions
105 IAC 12-2-19 26 IR 3080
Steel products
105 IAC 12-2-21 26 IR 3081
United States manufactured product definition, policy, certification, and enforcement
105 IAC 12-2-20 26 IR 3080
Withdrawal of bids or proposals
105 IAC 12-2-14 26 IR 3079
Source Selection and Contract Formation
Competitive sealed bids
105 IAC 12-3-4 26 IR 3082
Competitive sealed proposal or request for proposal
105 IAC 12-3-5 26 IR 3083
Purchases less than $2,500
105 IAC 12-3-1 26 IR 3082
Purchases less than $75,000
105 IAC 12-3-2 26 IR 3082
TRAFFIC CONTROL DEVICES FOR HIGHWAYS
Interstate Highway Systems
Pedestrians and certain vehicles prohibited on interstate highways
105 IAC 9-1-2 26 IR 2400
27 IR 452
Stopping, standing, or parking prohibited on interstate highways
105 IAC 9-1-1 26 IR 2400
27 IR 451
Uniform Traffic Control Devices
Accessible pedestrian signals
105 IAC 9-2-117 **27 IR 36**
Adequate roadway capacity
105 IAC 9-2-87 **27 IR 27**
Adult guards
105 IAC 9-2-142 **27 IR 41**
Advantages and disadvantages of traffic control signals
105 IAC 9-2-85 **27 IR 26**
Alternatives to traffic control signals
105 IAC 9-2-86 **27 IR 26**
Application
105 IAC 9-2-66 **27 IR 22**
Application of flashing signal indications
105 IAC 9-2-109 **27 IR 34**
Application of pedestrian signal heads
105 IAC 9-2-115 **27 IR 36**
Application of steady signal indications
105 IAC 9-2-103 **27 IR 33**
Application of steady signal indications for left turns
105 IAC 9-2-104 **27 IR 33**

Index

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Application of steady signal indications for right turns
105 IAC 9-2-105 **27 IR 34**
Arrows for interchange guide signs
105 IAC 9-2-59 **27 IR 21**
Automatic gates; section 8D.04
105 IAC 9-2-169 **27 IR 47**
Automatic gates; section 10D.03
105 IAC 9-2-189 **27 IR 52**
Basis of installation or removal of traffic control signals
105 IAC 9-2-84 **27 IR 26**
Bicycle route markers (M1-8 and M1-9); section 9B-17
105 IAC 9-2-178 **27 IR 50**
Bicycle route markers (M1-8 and M1-9); section 9B.18
105 IAC 9-2-179 **27 IR 50**
Bicyclist traffic control devices; requirements
105 IAC 9-2-173 **27 IR 49**
Buzz strips
105 IAC 9-2-164 **27 IR 46**
Confirming or reassurance assemblies
105 IAC 9-2-46 **27 IR 18**
Criteria for use of grade-separated crossings
105 IAC 9-2-146 **27 IR 42**
Cross traffic does not stop plaque (W4-4P)
105 IAC 9-2-30 **27 IR 13**
Crosswalk markings
105 IAC 9-2-79 **27 IR 25**
Curb markings
105 IAC 9-2-80 **27 IR 25**
Curb markings for parking regulations
105 IAC 9-2-140 **27 IR 41**
Definitions of words and phrases
105 IAC 9-2-5 **27 IR 7**
Definitions relating to highway traffic signals
105 IAC 9-2-83 **27 IR 26**
Design of bicycle signs
105 IAC 9-2-174 **27 IR 49**
Design of emergency management signs
105 IAC 9-2-73 **27 IR 24**
Design of parking, standing, and stopping signs
105 IAC 9-2-22 **27 IR 11**
Design of route signs
105 IAC 9-2-37 **27 IR 15**
Destination and distance signs
105 IAC 9-2-47 **27 IR 18**
Destination signs
105 IAC 9-2-48 **27 IR 18**
Directional assembly
105 IAC 9-2-45 **27 IR 18**
Distance signs
105 IAC 9-2-50 **27 IR 19**
Do not pass sign (R4-1)
105 IAC 9-2-17 **27 IR 10**
Do not stop on tracks sign (R8-8); section 8B.06
105 IAC 9-2-155 **27 IR 44**
Do not stop on tracks sign (R8-8); section 10C.04
105 IAC 9-2-185 **27 IR 51**
Dynamic envelope delineation markings
105 IAC 9-2-187 **27 IR 51**
Eligibility
105 IAC 9-2-65 **27 IR 22**
Emergency aid center signs (EM-6 series)
105 IAC 9-2-74 **27 IR 24**
Emergency management
105 IAC 9-2-72 **27 IR 23**
Emergency notification sign (I-13 or I-13a)
105 IAC 9-2-158 **27 IR 45**
End auxiliary sign (M4-6)
105 IAC 9-2-39 **27 IR 16**
End road work sign (G20-2a)
105 IAC 9-2-125 **27 IR 37**
Exempt highway-rail grade crossing signs (R15-3 and W10-1a)
105 IAC 9-2-153 **27 IR 43**
Extensions through intersections or interchanges
105 IAC 9-2-77 **27 IR 24**
Figure 4D-3
105 IAC 9-2-112 **27 IR 35**
Figure 4E-2
105 IAC 9-2-118 **27 IR 36**
Figures 4C-1 and 4C-2
105 IAC 9-2-92 **27 IR 30**
Figures 4C-3 and 4C-4
105 IAC 9-2-95 **27 IR 31**
Flashing-light signals, overhead structures
105 IAC 9-2-168 **27 IR 47**
Flashing-light signals, post-mounted
105 IAC 9-2-167 **27 IR 47**
Four-quadrant gate systems; section 8D.05
105 IAC 9-2-170 **27 IR 48**
Four-quadrant gate systems; section 10D.02
105 IAC 9-2-188 **27 IR 52**
Frontage road and local traffic signs (M4-Y14 and M4-Y15)
105 IAC 9-2-40 **27 IR 16**
Fundamental principles of temporary traffic control
105 IAC 9-2-119 **27 IR 36**
General
105 IAC 9-2-101 **27 IR 32**
General characteristics of signs
105 IAC 9-2-121 **27 IR 37**
Highway-rail grade crossing (crossbuck) signs (R15-1 and R15-2)
105 IAC 9-2-152 **27 IR 43**
Illumination at highway-rail grade crossing
105 IAC 9-2-165 **27 IR 47**
Illustrations of Indiana directional assemblies and other route signs
105 IAC 9-2-44 **27 IR 17**
Indiana additional warning signs (page 2C-2A)
105 IAC 9-2-27 **27 IR 12**
Indiana additional warning signs (page 2C-33A)
105 IAC 9-2-34 **27 IR 14**
Indiana route marker (M1-5)
105 IAC 9-2-36 **27 IR 15**
Interchange exit numbering
105 IAC 9-2-61 **27 IR 22**
Intersection lane control signs (R3-5 through R3-8)
105 IAC 9-2-15 **27 IR 10**
Intersection warning signs (W2-1 through W2-6)
105 IAC 9-2-31 **27 IR 13**
Introduction
105 IAC 9-2-3 **27 IR 7**
Introduction; section 8A.01
105 IAC 9-2-148 **27 IR 42**
Introduction; section 8D.01
105 IAC 9-2-166 **27 IR 47**
Introduction; section 10A
105 IAC 9-2-181 **27 IR 50**
Introduction; section 10B.01
105 IAC 9-2-184 **27 IR 51**
Junction assembly
105 IAC 9-2-43 **27 IR 17**
Lateral offset
105 IAC 9-2-9 **27 IR 8**
Light rail transit-activated blank-out turn prohibition signs (R3-1a and R3-2a)
105 IAC 9-2-186 **27 IR 51**
Location of destination signs
105 IAC 9-2-49 **27 IR 19**
Location of distance signs
105 IAC 9-2-51 **27 IR 19**
Location of work
105 IAC 9-2-128 **27 IR 38**
Look sign (R15-8)
105 IAC 9-2-160 **27 IR 45**
Low clearance signs (W12-2 and W12-2P)
105 IAC 9-2-28 **27 IR 12**
Low ground clearance highway-rail grade crossing sign (W10-5)
105 IAC 9-2-161 **27 IR 46**
Manual on uniform traffic control devices adopted
105 IAC 9-2-1 26 IR 421
27 IR 7
Markings for roundabouts
105 IAC 9-2-81 **27 IR 25**
Meaning of vehicular signal indications
105 IAC 9-2-102 **27 IR 33**
Motorized traffic signs (W8-6, W11-5, W11-8, and W11-10)
105 IAC 9-2-32 **27 IR 14**
Mounting height
105 IAC 9-2-8 **27 IR 8**
Need for standards
105 IAC 9-2-131 **27 IR 39**
Number and arrangements of signal sections in vehicular traffic control signal faces
105 IAC 9-2-111 **27 IR 35**
Number and size of logos and signs
105 IAC 9-2-67 **27 IR 23**
One way signs (R6-1 and R6-2)
105 IAC 9-2-21 **27 IR 11**
Optional movement lane control sign (R3-6)
105 IAC 9-2-16 **27 IR 10**
Other bicycle warning signs
105 IAC 9-2-177 **27 IR 49**
Other supplemental guide signs
105 IAC 9-2-62 **27 IR 22**
Part 4 table of contents
105 IAC 9-2-82 **27 IR 25**
Part 8 table of contents
105 IAC 9-2-147 **27 IR 42**
Pass with care sign (R4-2)
105 IAC 9-2-18 **27 IR 10**

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

Pavement markings
105 IAC 9-2-163 **27 IR 46**
Pavement word and symbol markings
105 IAC 9-2-141 **27 IR 41**
Placement and operation of traffic control devices
105 IAC 9-2-4 **27 IR 7**
Playground sign (W15-1)
105 IAC 9-2-35 **27 IR 15**
Playground sign (W15-1); adjacent facility sign
105 IAC 9-2-33 **27 IR 14**
Portable changeable message signs
105 IAC 9-2-126 **27 IR 37**
Position of signs
105 IAC 9-2-134 **27 IR 39**
Postinterchange signs
105 IAC 9-2-63 **27 IR 22**
Prohibited steady signal indications
105 IAC 9-2-106 **27 IR 34**
Purpose
105 IAC 9-2-151 **27 IR 43**
Qualifications of adult guards
105 IAC 9-2-143 **27 IR 42**
Reduced speed ahead signs (R2-5 series)
105 IAC 9-2-14 **27 IR 9**
Reference posts
105 IAC 9-2-64 **27 IR 22**
Reference posts (D10-1 through D10-3)
105 IAC 9-2-56 **27 IR 20**
Road (street) work sign (W20-1)
105 IAC 9-2-123 **27 IR 37**
Road work next xx km (miles) sign (G20-1)
105 IAC 9-2-124 **27 IR 37**
Route sign assemblies
105 IAC 9-2-42 **27 IR 16**
Route sign assemblies; sign illustration page
105 IAC 9-2-41 **27 IR 16**
School advance warning sign (S1-1)
105 IAC 9-2-136 **27 IR 40**
School bus stop ahead sign (S3-1)
105 IAC 9-2-138 **27 IR 40**
Signal operations for bicycles
105 IAC 9-2-180 **27 IR 50**
Sign borders; section 2A.15
105 IAC 9-2-7 **27 IR 8**
Sign borders; section 2E.15
105 IAC 9-2-58 **27 IR 21**
Sign color for school warning signs
105 IAC 9-2-135 **27 IR 39**
Signing for interchange lane drops
105 IAC 9-2-60 **27 IR 21**
Signing policy
105 IAC 9-2-69 **27 IR 23**
Sign placement
105 IAC 9-2-122 **27 IR 37**
Sign R5-Y10d
105 IAC 9-2-20 **27 IR 11**
Signs at interchanges
105 IAC 9-2-68 **27 IR 23**
Signs D6-Y4 and D6-Y5
105 IAC 9-2-53 **27 IR 19**
Signs I-Y5a, I-Y12, I-Y13, I-Y14, I-Y15, I-Y16, and I-Y17
105 IAC 9-2-57 **27 IR 20**
Signs M4-Y11a, M4-Y14, and M4-Y15
105 IAC 9-2-38 **27 IR 16**
Signs R13-Y2 and R16-Y2
105 IAC 9-2-26 **27 IR 12**
Signs S3-Y2, SR5-Y1, and SR5-Y2
105 IAC 9-2-137 **27 IR 40**
Size, design, and illumination of pedestrian signal indications
105 IAC 9-2-116 **27 IR 36**
Size, number, and location of signal faces by approach
105 IAC 9-2-110 **27 IR 34**
Size of regulatory signs
105 IAC 9-2-10 **27 IR 8**
Size of school signs
105 IAC 9-2-132 **27 IR 39**
Slippery when wet sign (W8-5)
105 IAC 9-2-29 **27 IR 13**
Slower traffic keep right sign (R4-3)
105 IAC 9-2-19 **27 IR 10**
Speed limit sign (R2-1)
105 IAC 9-2-11 **27 IR 9**
Speed limit sign (R2-Y2)
105 IAC 9-2-13 **27 IR 9**
Standardization of application
105 IAC 9-2-6 **27 IR 7**
State policy
105 IAC 9-2-70 **27 IR 23**
Stop and yield lines
105 IAC 9-2-78 **27 IR 25**
Stop line markings
105 IAC 9-2-139 **27 IR 40**
Stop or yield signs at highway-rail grade crossings
105 IAC 9-2-156 **27 IR 44**
Stop or yield signs (R1-1 and R1-2)
105 IAC 9-2-175 **27 IR 49**
Storage space signs (W10-11, W10-11a, and W10-11b)
105 IAC 9-2-162 **27 IR 46**
Street name sign (D3)
105 IAC 9-2-52 **27 IR 19**
Student patrols
105 IAC 9-2-145 **27 IR 42**
Studies and factors for justifying traffic control signals
105 IAC 9-2-88 **27 IR 27**
Table 7B-1
105 IAC 9-2-133 **27 IR 39**
Tapers
105 IAC 9-2-120 **27 IR 36**
Temporary traffic control signals; section 4D.20
105 IAC 9-2-113 **27 IR 35**
Temporary traffic control signals; section 6F.74
105 IAC 9-2-127 **27 IR 37**
Tracks out of service sign (R8-9)
105 IAC 9-2-157 **27 IR 44**
Traffic control signals at or near highway-rail grade crossings
105 IAC 9-2-172 **27 IR 48**
Traffic signal preemption turning restrictions
105 IAC 9-2-190 **27 IR 52**
Traffic signal signs, auxiliary
105 IAC 9-2-114 **27 IR 36**
Traffic signal signs (R10-1 through R10-13)
105 IAC 9-2-23 **27 IR 11**
Train detection
105 IAC 9-2-171 **27 IR 48**
Trains may exceed 130 km/h (80 mph) signs (W-108a)
105 IAC 9-2-159 **27 IR 45**
Truck speed limit sign (R2-2)
105 IAC 9-2-12 **27 IR 9**
Turn or curve warning signs (W1 series)
105 IAC 9-2-176 **27 IR 49**
Turn restrictions during preemption
105 IAC 9-2-154 **27 IR 44**
Typical applications
105 IAC 9-2-130 **27 IR 38**
Unexpected conflicts during green or yellow intervals
105 IAC 9-2-107 **27 IR 34**
Uniform of adult guards and student patrols
105 IAC 9-2-144 **27 IR 42**
Uniform provisions; section 8A.03
105 IAC 9-2-150 **27 IR 43**
Uniform provisions; section 10A.03
105 IAC 9-2-183 **27 IR 51**
Use of educational plaques
105 IAC 9-2-71 **27 IR 23**
Use of standard devices, systems, and practices; section 8A.02
105 IAC 9-2-149 **27 IR 43**
Use of standard devices, systems, and practices; section 10A.02
105 IAC 9-2-182 **27 IR 51**
Warrant 1, eight-hour vehicular volume
105 IAC 9-2-89 **27 IR 28**
Warrant 2, four-hour vehicular volume
105 IAC 9-2-90 **27 IR 29**
Warrant 3, peak hour
105 IAC 9-2-91 **27 IR 30**
Warrant 3, peak hour; section 4C.04
105 IAC 9-2-93 **27 IR 30**
Warrant 4, pedestrian volume
105 IAC 9-2-94 **27 IR 31**
Warrant 4, pedestrian volume; section 4C.05
105 IAC 9-2-96 **27 IR 31**
Warrant 5, school crossing
105 IAC 9-2-97 **27 IR 31**
Warrant 6, coordinated signal system
105 IAC 9-2-98 **27 IR 32**
Warrant 7, crash experience
105 IAC 9-2-99 **27 IR 32**
Warrant 8, roadway network
105 IAC 9-2-100 **27 IR 32**
Weigh station signing (D8 series)
105 IAC 9-2-54 **27 IR 19**
Weigh station signing (D8 series); figure 2D-3
105 IAC 9-2-55 **27 IR 19**
Weigh station signs (R13 series)
105 IAC 9-2-25 **27 IR 12**
Weight limit signs (R12-1 through R12-5)
105 IAC 9-2-24 **27 IR 12**
Widths and patterns of longitudinal pavement markings
105 IAC 9-2-75 **27 IR 24**
Work on the shoulder with minor encroachment
105 IAC 9-2-129 **27 IR 38**
Yellow centerline and left edge line pavement markings and warrants
105 IAC 9-2-76 **27 IR 24**
Yellow change and red clearance intervals
105 IAC 9-2-108 **27 IR 34**

CITATIONS TO FINAL RULES ARE IN **BOLD** TYPE

UNDERGROUND STORAGE TANK FINANCIAL ASSURANCE BOARD
PAYMENT OF CORRECTIVE ACTION AND THIRD PARTY LIABILITY CLAIMS FROM THE EXCESS LIABILITY TRUST FUND
Claims
Applications for payment of reimbursable costs
328 IAC 1-5-1 27 IR 2795
Deemed approved; reimbursement of costs
328 IAC 1-5-3 27 IR 2796
Fund payment procedures; eligibility preapproval
328 IAC 1-5-2 27 IR 2796
Definitions and References
"Administrator" defined
328 IAC 1-1-2 27 IR 2778
"Corrective action" defined
328 IAC 1-1-3 27 IR 2778
"Deductible amount" defined
328 IAC 1-1-4 27 IR 2778
"Emergency measures" defined
328 IAC 1-1-5.1 27 IR 2778
"Off-site" defined
328 IAC 1-1-7.5 27 IR 2779
"Reasonable" defined
328 IAC 1-1-8.3 27 IR 2779
"Site characterization" defined
328 IAC 1-1-8.5 27 IR 2779
"Substantial compliance" defined
328 IAC 1-1-9 27 IR 2779
"Third party liability" defined
328 IAC 1-1-10 27 IR 2779
Financial Assurance
Termination of financial assurance
328 IAC 1-7-2 27 IR 2797
Fund Coverage and Eligibility
Amount of coverage
328 IAC 1-3-4 27 IR 2783
Cost effectiveness of corrective action
328 IAC 1-3-1.3 27 IR 2780
Costs
328 IAC 1-3-5 27 IR 2784
Eligibility requirements
328 IAC 1-3-3 27 IR 2781
Fund access
328 IAC 1-3-1 27 IR 2780
Fund disbursement
328 IAC 1-3-2 27 IR 2781
Limitation of liability
328 IAC 1-3-6 27 IR 2791
Preapproval of costs
328 IAC 1-3-1.6 27 IR 2781
Prioritization of Claims
General procedure for prioritization
328 IAC 1-4-1 27 IR 2791
Monthly reimbursement
328 IAC 1-4-4 27 IR 2795
Recategorization of releases
328 IAC 1-4-3 27 IR 2794
Scope and Fund Management
Applicability
328 IAC 1-2-1 27 IR 2779
Obligation of monies
328 IAC 1-2-3 27 IR 2780
Third Party Liability Claims
Applications for payment of third party liability claims
328 IAC 1-6-1 27 IR 2796
Fund payment procedures for third party liability
328 IAC 1-6-2 27 IR 2796

UTILITY REGULATORY COMMISSION, INDIANA
ELECTRIC UTILITIES
Net Metering
170 IAC 4-4.2 27 IR 2312
Standards of Service
Interruptions of service; timing; records
170 IAC 4-1-23 27 IR 2765
TELEPHONE UTILITIES
Standards of Service
Unauthorized switching of telecommunications providers; billing for telecommunications or other services added without customer's consent
170 IAC 7-1.1-19 27 IR 2309
Telecommunications Service Quality Standards; Standards of Service
Extension of facilities
LSA Document #03-267(E) **27 IR 543**
170 IAC 7-1.2-10 27 IR 558
27 IR 2712

VETERINARY MEDICAL EXAMINERS, INDIANA BOARD OF
PROFESSIONAL COMPETENCE
Application for License as a Veterinarian
Application content; examination applicant; application deadline
888 IAC 1.1-6-1 27 IR 2875
27 IR 3704

VICTIM SERVICES DIVISION
203 IAC 27 IR 2526

WATER POLLUTION CONTROL BOARD
GENERAL PROVISIONS
Provisions Applicable Throughout Title 327
References to Federal Act
327 IAC 1-1-1 27 IR 3608
References to the Code of Federal Regulations
327 IAC 1-1-2 27 IR 3608
Severability
327 IAC 1-1-3 27 IR 3608
INDUSTRIAL WASTEWATER PRETREATMENT PROGRAMS AND NPDES
Basic NPDES Requirements
Establishment of water quality-based effluent limitations for dischargers not discharging to waters within the Great Lakes system
327 IAC 5-2-11.1 27 IR 3664
Great Lakes system dischargers determination of reasonable potential to exceed water quality standards
327 IAC 5-2-11.5 27 IR 3679
Great Lakes system dischargers establishment of water quality-based effluent limitations (WQBELs)
327 IAC 5-2-11.6 27 IR 3689
Great Lakes system dischargers total maximum daily loads; wasteload allocations for point sources; load allocations for nonpoint sources; preliminary wasteload allocations
327 IAC 5-2-11.4 27 IR 3669
Incorporation by reference
327 IAC 5-2-1.5 27 IR 3663
Monitoring
327 IAC 5-2-13 27 IR 3694
Public notice of comment period and public meetings for site-specific modification of water quality criteria and values; implementation of antidegradation; alternate mixing zone demonstrations; variances
327 IAC 5-2-11.2 27 IR 3668
Reporting requirements
327 IAC 5-2-15 27 IR 3694
Definitions
"Waters of the state of Indiana" or "waters of the state" defined
327 IAC 5-1.5-72 27 IR 3663
NPDES and Pretreatment Programs; General Provisions
Prohibitions
327 IAC 5-1-1.5 26 IR 3097
27 IR 1563
Special NPDES Programs
Concentrated animal feeding operations
LSA Document #03-299(E) **27 IR 897**
LSA Document #04-38(E) **27 IR 1923**
327 IAC 5-4-3 26 IR 3698
27 IR 2225
No potential to discharge determination
327 IAC 5-4-3.1 **27 IR 2230**
NPDES GENERAL PERMIT RULE PROGRAM
Basic NPDES General Permit Rule Requirements
Exclusions
327 IAC 15-2-6 26 IR 1615
27 IR 830
NPDES general permit rule applicability requirements
327 IAC 15-2-3 26 IR 1615
27 IR 830
Special requirements for NPDES general permit rule
327 IAC 15-2-9 26 IR 1615
27 IR 831
Transferability of notification requirements
327 IAC 15-2-8 26 IR 1615
27 IR 831
Concentrated Animal Feeding Operations
LSA Document #04-38(E) **27 IR 1923**
327 IAC 15-15 26 IR 3701
27 IR 2230
Applicability
LSA Document #03-299(E) **27 IR 897**
CFO approvals for CAFOs subject to the general permit rule
LSA Document #03-299(E) **27 IR 897**
Construction approval
LSA Document #03-299(E) **27 IR 897**
Definitions
LSA Document #03-299(E) **27 IR 897**
Duration and renewal of coverage
LSA Document #03-299(E) **27 IR 897**

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Effluent limitations
LSA Document #03-299(E) **27 IR 897**
General conditions
LSA Document #03-299(E) **27 IR 897**
General permit rule boundary
LSA Document #03-299(E) **27 IR 897**
Inspection and enforcement
LSA Document #03-299(E) **27 IR 897**
No potential to discharge determination
LSA Document #03-299(E) **27 IR 897**
Notice of intent letter requirements
LSA Document #03-299(E) **27 IR 897**
Notice of intent submittal deadline; additional information
LSA Document #03-299(E) **27 IR 897**
Purpose
LSA Document #03-299(E) **27 IR 897**
Specific permit conditions
LSA Document #03-299(E) **27 IR 897**
NOI Letter Requirements
Content requirements of a NOI letter
327 IAC 15-3-2 26 IR 1616 **27 IR 832** 26 IR 3098 **27 IR 1563**
Deadline for submittal of a NOI letter; additional requirements
327 IAC 15-3-3 26 IR 1617 **27 IR 832**
Purpose
327 IAC 15-3-1 26 IR 1616 **27 IR 832**
On-Site Residential Sewage Discharging Disposal Systems Within the Allen County On-Site Waste Management District
327 IAC 15-14 26 IR 3098 **27 IR 1563**
Storm Water Discharges Exposed to Industrial Activity
Additional NOI letter requirements
327 IAC 15-6-5 26 IR 1635 **27 IR 851**
Annual reports
327 IAC 15-6-7.5 26 IR 1642 **27 IR 858**
Applicability of the general permit rule for storm water discharges exposed to industrial activity
327 IAC 15-6-2 26 IR 1629 **27 IR 845**
Conditional no exposure exclusion
327 IAC 15-6-12 26 IR 1644 **27 IR 860**
Deadline for submittal of an NOI letter; additional information
327 IAC 15-6-6 26 IR 1635 **27 IR 851**
Definitions
327 IAC 15-6-4 26 IR 1632 **27 IR 848**
Duration of coverage and renewal
327 IAC 15-6-10 26 IR 1643 **27 IR 859**
General requirements for a storm water pollution prevention plan (SWP3)
327 IAC 15-6-7 26 IR 1635 **27 IR 851**
Monitoring requirements
327 IAC 15-6-7.3 26 IR 1641 **27 IR 857**
Permit compliance schedule
327 IAC 15-6-8.5 26 IR 1643 **27 IR 859**
Purpose
327 IAC 15-6-1 26 IR 1629 **27 IR 845**
Termination of coverage; permit not transferable
327 IAC 15-6-11 26 IR 1643 **27 IR 860**
Storm Water Run-Off Associated with Construction Activity
Applicability of general permit rules
327 IAC 15-5-2 26 IR 1617 **27 IR 833**
Definitions
327 IAC 15-5-4 26 IR 1619 **27 IR 834**
Duration of coverage
327 IAC 15-5-12 26 IR 1629 **27 IR 844**
General permit rule boundary
327 IAC 15-5-3 26 IR 1618 **27 IR 834**
General requirements for individual building lots within a permitted projected
327 IAC 15-5-7.5 26 IR 1627 **27 IR 843**
General requirements for storm water quality control
327 IAC 15-5-7 26 IR 1625 **27 IR 840**
Inspection and enforcement
327 IAC 15-5-10 26 IR 1629 **27 IR 844**
Notice of internet letter requirements
327 IAC 15-5-5 26 IR 1620 **27 IR 836**
Project termination
327 IAC 15-5-8 26 IR 1628 **27 IR 843**
Purpose
327 IAC 15-5-1 26 IR 1617 **27 IR 833**
Requirements for construction plans
327 IAC 15-5-6.5 26 IR 1622 **27 IR 838**
Submittal of an NOI letter and construction plans
327 IAC 15-5-6 26 IR 1621 **27 IR 837**
WATER QUALITY STANDARDS
Waste Treatment Control Facilities; Discharge into State Waters; Monthly Reports
Sampling frequency; methods of analysis
327 IAC 2-4-3 27 IR 3663
Water Quality Standards Applicable to All State Waters Except Waters of the State Within the Great Lakes System
Calculation of criteria for toxic substances; general
327 IAC 2-1-8.1 27 IR 3617
Definitions
327 IAC 2-1-9 27 IR 3622
Determination of acute aquatic criteria (AAC)
327 IAC 2-1-8.2 27 IR 3618
Determination of chronic aquatic criterion (CAC)
327 IAC 2-1-8.3 27 IR 3620
Development of site-specific aquatic life criteria using the recalculation procedure
327 IAC 2-1-13 27 IR 3627
Exception to quality standards applicability
327 IAC 2-1-5 27 IR 3608
Incorporation by reference
327 IAC 2-1-12 27 IR 3627
Methods of analysis
327 IAC 2-1-8 27 IR 3617
Minimum surface water quality standards
327 IAC 2-1-6 27 IR 3609
Site-specific modifications to criteria
327 IAC 2-1-8.9 27 IR 3621
Water Quality Standards Applicable to All State Waters Within the Great Lakes System
Bioaccumulative chemicals of concern
327 IAC 2-1.5-6 27 IR 3637
Definitions
327 IAC 2-1.5-2 27 IR 3631
Determination of Tier I aquatic life criteria
327 IAC 2-1.5-11 27 IR 3651
Incorporation by reference
327 IAC 2-1.5-20 27 IR 3662
Methods of analysis
327 IAC 2-1.5-10 27 IR 3650
Minimum surface water quality criteria
327 IAC 2-1.5-8 27 IR 3638
Site-specific modifications to Tier I criteria and Tier II values
327 IAC 2-1.5-16 27 IR 3660

WORKFORCE DEVELOPMENT, DEPARTMENT OF
INDIANA EMPLOYMENT SECURITY ACT; ADMINISTRATION
Contributions; Reports; Sickness and Accident Disability; Group Accounts
Initial and wage reporting requirements for professional employer organizations; separate location accounts; notice of termination
646 IAC 3-1-12 27 IR 2857
Responsibility of professional employer organization to pay unemployment contributions; resumption of liability by client business entity upon termination of agreement between professional employer organization and client
646 IAC 3-1-13 27 IR 2858
Qualifying as an Employee
Corporate officers and directors
646 IAC 3-5-1 27 IR 2859
Qualifying as an Employer
"Professional employer organization" defined
646 IAC 3-4-11 27 IR 2858

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