

Members:

Rep. Mark Kruzan, Chair
Rep. Richard Mangus
Rep. Dale Sturtz
Rep. David Wolkins
Sen. Kent Adams
Sen. Beverly Gard
Sen. Glenn Howard
Sen. Vi Simpson



Lay Members

Michael Carnahan
Randy Edgemon
John Fekete
Hon. Jack Fowler
Marvin Gobles
William Goffinet
Max Goodwin
John Hamilton
Stephen Hohman
Kerry Michael Manders
Gary Reding
Alice Schloss
Patrick Tuley
John Walker
Lynn Waters

ENVIRONMENTAL QUALITY SERVICE COUNCIL

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Authority: P.L.248-1996 (SEA 138)

MEETING MINUTES¹

Meeting Date: May 8, 1998
Meeting Time: 1:30 p.m.
Meeting Place: Room 431, State House
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Rep. Mark Kruzan, Chair; Rep. Dale Sturtz; Rep. David Wolkins; Rep. Richard Mangus; Sen. Beverly Gard; Sen. Kent Adams; Sen. Vi Simpson; Sen. Glenn Howard; John Hamilton; Mike Carnahan; Marvin Gobles; Kerry Michael Manders; Gary Reding; Alice Schloss; John Walker.

Members Absent: Randy Edgemon; John Fekete; Hon. Jack Fowler; William Goffinet; Max Goodwin; Steve Hohman; Patrick Tuley; Lynn Waters.

Rep. Kruzan, Chair of the Environmental Quality Service Council (EQSC), called the meeting to order at 1:35 p.m. Council members introduced themselves and identified what constituency they represent.

IDEM Commissioner's Report

John Hamilton, Commissioner of the Indiana Department of Environmental Management (IDEM), reviewed the May 1998 Commissioner's Report to the EQSC (Ex. 1 & 2). Mr. Hamilton noted that fee revenue from confined feeding approvals does not cover expenses of the program. Mr. Hamilton then provided copies of IDEM's news releases for December through April (Ex. 3), the *Indiana Environment & Materials Exchange* newsletter (Ex. 4), and the 1998 Legislative Summary for IDEM (Ex. 5).

¹Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House, Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are available on the Internet at the General Assembly homepage at <http://www.ai.org/legislative/>

In response to questions regarding IDEM's new regional offices, Mr. Hamilton made the following comments. IDEM conducted an internal review of its workload across the state. This led to the decision to create regional offices in Evansville and South Bend. The Department of Administration (DOA) is conducting the search for office space. IDEM will make a recommendation regarding location. The DOA will give final approval and retain the space.

In response to a question from Rep. Wolkins, Tim Method, Deputy Commissioner for Environmental and Regulatory Affairs, noted that the Lehigh Portland Cement Company has indicated that it intends to proceed with burning tires in its cement kilns within a year.

In response to a question from Rep. Wolkins, Mr. Hamilton gave the following information regarding the underground storage tank (UST) December 1998 upgrade deadline. During the last four months, IDEM inspectors visited 3,500 UST sites around the state. Approximately one-third of the sites were in full compliance at that time, one-third were close to or will be in compliance by the deadline, and one-third were either not on top of the issue or did not intend to be in compliance. IDEM will follow up with the latter two-thirds to ensure compliance. Details of the follow-ups have not yet been set. IDEM will develop a specific enforcement strategy over the next several months. In four or five counties, IDEM contracted with the county board of health to conduct the inspections.

Sen. Simpson expressed concern regarding when grant money from the UST Guaranty Fund will be given to UST owners who need to close their tanks. Mr. Hamilton responded that the grant applications will be ready in June.

Mr. Hamilton reviewed a letter sent to President Clinton by 10 governors, including Governor O'Bannon, regarding nitrogen oxide reductions proposed by the U.S. Environmental Protection Agency (EPA) (Ex. 6). Mr. Hamilton also reviewed a letter he sent to EPA Administrator Carol Browner regarding nitrogen oxide reductions (Ex. 7). Mr. Hamilton indicated that he will provide EQSC members with a copy of the EPA's response to that letter. Mr. Hamilton then reviewed the *State of the Environment Report 1998* (Ex. 8).

Mr. Hamilton stated that IDEM has conducted meetings in the seven areas of the state that face non-compliance with the new federal ozone standards. He added that local committees have been established in each of the seven areas to help determine how to improve the air quality.

Mr. Hamilton made the following comments regarding the clean water action plan recently announced by President Clinton. Two key parts of the plan are that it is focused on a watershed approach and that President Clinton is seeking substantial increases in resources for non-point source pollution. This would increase resources available to IDEM from several million dollars to \$4 million per year. This may require an increased state match.

Mr. Hamilton testified that IDEM has updated the AW-1 confined feeding guidance document. He added that IDEM is currently writing administrative rules governing the operation of confined feeding facilities. Mr. Method indicated that IDEM's goal is to present draft rules to the Water Pollution Control Board by the fall and to adopt rules by the end of the year. In response to a question from Sen. Adams, Mr. Hamilton indicated that the rule-making process will generally not affect current permitting decisions or appeals.

Mr. Hamilton noted that the following rules are currently being drafted: groundwater standards, triennial review of water quality standards, and Risk Integrated System of Cleanups (RISC) standards.

EQSC Work Groups

Rep. Kruzan established work groups to study certain topics and to present a report during future EQSC meetings. The work group topics are as follows:

- IDEM Staffing
- Non-Point Source Pollution
- Risk Integrated System of Cleanups (RISC)
- Triennial Review
- Audit Privilege
- Stream Designations
- Agricultural Buffer Zones
- Wellhead Protection
- Underground Storage Tanks
- Business Partnership for Pollution Prevention (possible additional topic)

Future Topics for Discussion

The following topics were recommended for future discussion: on-site septic systems, low flow water allocation, mercury and PCB contamination, and brownfields (Ex. 9).

Future Meeting Dates

The second meeting of the EQSC was scheduled for Thursday, June 18, 1998 at 1:30 p.m. in Room 431 of the State House.

Rep. Kruzan adjourned the meeting.