

Members:

Rep. Mark Kruzan, Chairperson
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
David Rector
John Walker
Lynn Waters

LSA Staff:

Tim Tyler, Attorney for the Council
Kristin Breen, Fiscal Analyst for the Council

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

ENVIRONMENTAL QUALITY SERVICE COUNCIL

**Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 232-9588 Fax: (317) 232-2554**

MEETING MINUTES

**Meeting Date: June 18, 1998
Meeting Time: 1:30 P.M.
Meeting Place: State House, 200 W. Washington St.,
Room 431
Meeting City: Indianapolis, Indiana
Meeting Number: 2**

Members Present: Rep. Mark Kruzan, Chairperson; Rep. Dale Sturtz; Rep. David Wolkins; Rep. Richard Mangus; Sen. Beverly Gard; Sen. Kent Adams; Randy Edgemon; John Fekete; Marvin Gobles; William Goffinet; David Rector; Gary Reding; Alice Schloss.

Members Absent: Sen. Vi Simpson; Sen. Glenn Howard; John Hamilton; Mike Carnahan; Hon. Jack Fowler; Max Goodwin; Steve Hohman; Kerry Michael Manders; John Walker; Lynn Waters.

Representative Kruzan (Chairman) called the meeting to order at 1:40 p.m. After discussing future meetings of the Environmental Quality Service Council and Work Groups, Rep. Kruzan explained that Work Group members were not entitled to per diem. The Chairman then began to call witnesses to testify.

John Hamilton, Commissioner, Indiana Department of Environmental Management (IDEM)

Mr. Hamilton introduced new staff at IDEM and distributed documents to the Council.¹ Some of the documents that were highlighted included the following:

- A report on Out Reach, Education, and Assistance Activities; IDEM Rulemakings published in the Indiana Register (May 1, 1998); Fees Collected.
- Permitting Activities Charts - which IDEM uses as report cards on their performance.
- Media Advisories.
- Indiana Environment and Materials Exchange.
- 1997 Summary of Indiana Solid Waste Facility Data, which includes a site by site description of solid waste facilities.
- Triennial Review Letter.

In response to Council member questions Mr. Hamilton made the following points:

- Indiana exported 205,422 tons of waste in 1997, but Indiana imports more waste than is exported.
- The amount of toxic chemical releases has declined 9% since 1995, and is down about 67% over the past seven years.
- The federal Environmental Protection Agency (EPA) has created some new toxic chemical categories that will be a major problem for some industries (e.g. minimills).
- There is concern over future EPA regulations concerning the emission of styrene, especially for industries in the Elkhart area.
- IDEM is not using "Notice of Deficiencies" to make their permitting activity reports appear better.
- The new regional office in South Bend will begin by having more inspectors than compliance directors on staff.

Senator Kent Adams, District 9

Senator Adams distributed copies of the Risk Integrated System of Cleanups (RISC) Work Group report (dated June 18, 1998) along with other documents that were submitted at the Work Group meeting.² The following points were made in the report:

- There is a need for another round of public comment on the RISC documents.

¹ These documents are on file in the Legislative Information Center, Room 230, Statehouse, Indianapolis, Indiana. The telephone number of the Legislative Information Center is (317) 232-9856, and the mailing address is 200 W. Washington St., Suite 301, Indianapolis, Indiana 46204-2789.

² These documents are on file with the Legislative Information Center (see footnote 1).

- The RISC document, as presented, is not consistent with state law.
- The RISC document, as presented, is too detailed and lacks flexibility.
- A blue ribbon committee that includes all parties is needed to have input and oversee the final RISC policy.

Marvin Gobles, a member of the RISC Work Group, highlighted the issues concerning an apparent conflict between SEA 360 and the draft manual which utilizes numerous policy-based remediation objectives (e.g. a 1000 ppm cap, irrespective of risk, has been proposed).

Tim Method, Deputy Commissioner, IDEM

Mr. Method distributed copies of "IDEM Response to Comments Presented to the EQSC Subcommittee on RISC".³ Mr. Method's response included the following points:

- The public will be allowed to influence the RISC Technical guide and Program User guides.
- IDEM will be taking more public comments. Work shops will be held around the state to assure participation.
- IDEM will produce a revised draft later this summer and again in the early fall.
- Concerning the contaminant cap in RISC and Voluntary Remediation Program not being consistent with SEA 360 - IDEM will resolve this issue.

Randy Edgemon, Council member

Mr. Edgemon distributed copies of the Non-Point Source Pollution Work Group report.⁴ He highlighted the following points from the report:

- Non-point source pollution is a challenging environmental issue, because the environmental goals must be met without creating an undue economic burden.
- Non-point source pollution is created primarily by run-off. A significant contribution to this problem is from animal and human waste.
- There is an important interrelationship between air and water quality. Air contaminants may be bio-accumulators or contaminated bottom silts.
- IDEM is working to mitigate sources of surface water degradation.
- There are about 90 known citizen groups working on some aspect of watershed protection.

³ This document is on file with the Legislative Information Center (see footnote 1).

⁴ This document is on file with the Legislative Information Center (see footnote 1).

- A more formal process is needed for evaluating and sharing information by agencies, associations, and citizens groups.
- The Wildcat Creek pilot project should be expanded and used in other watersheds.
- The redevelopment of brownfields should be accelerated to reduce urban sprawl.

The Chairman allowed public comment. Several documents were distributed to the Council.⁵ It was noted that the Wildcat Creek pilot project is working well and that the pilot will be done by next summer. It was suggested that IDEM work with groups across the state to begin sharing what has been learned from the pilot project.

The Chairman stated that future meetings would be held on the second Thursday of the month at 1:30 p.m. The meeting was adjourned at 3:40 p.m.

⁵ These documents are on file with the Legislative Information Center (see footnote 1).