



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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**Mike Braun**  
 Governor

**Clint Woods**  
 Commissioner

## 2026 ERC Template Update Table

<b>Location</b> <i>*These changes were not made to the Solid Waste Template</i>	<b>Change</b>	<b>Reason</b>	<b>Do changes need to be applied to ERCs being drafted/reviewed now?</b>
<b>Throughout</b>	Content control boxes (green and yellow highlights) were updated	To improve functionality and formatting	No, this feature is only to improve user experience
<b>*Throughout</b>	Added additional guidance (blue italicized text) where needed	To improve comprehension by those completing the template (e.g., when to use certain restrictions)	No, this feature is only to improve user experience
<b>First Paragraph</b>	Changed content control boxes for the execution date to blank spaces, to be filled in when signed	To prevent errors from ERCs being printed before obtaining a signature (may be mailed for signature or exact date may not be known yet)	No, this feature is only to improve user experience
<b>*COC paragraph</b>	Changed impacted media drop-down box to a list	To expand options and to include distinction between surface soil and subsurface soil. This will also help with TEMPO entry.	Recommended
<b>Location of site files paragraph</b>	Changed option to view IDEM files in person to option to make public records request	IDEM no longer offers a place for the public to come inside and view records	Recommended
<b>Location of site files paragraph</b>	Updated link for What's in My Neighborhood	The WIMN interactive map has been updated and replaced	Recommended

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<b>Restrictions</b>	Added drop-down boxes to each restriction to specify restriction coverage (i.e., entire “real estate” or “affected area”)	If it is not properly specified, we will assume all restrictions apply to the entire real estate (defined by the deed). This is a common error.	Yes. Real Estate or Affected Area must be specified in each restriction. Affected Areas must be spatially defined.
<b>*SMP Restriction (e)</b>	Rephrased	To improve readability and to combine general soil handling requirements. This will eliminate confusion on what restrictions to include if there is a Soil Management Plan and prevent the need for two separate restrictions for the same issue.	Recommended
<b>*Excavation Restriction (f)</b>	Added	To provide for more flexibility in addressing soil impacts if excavation is unlikely.	Other versions of this language may be accepted upon review
<b>*Third Party Access Restriction (m)</b>	Added	For LTS or other scenarios where a third party has agreed to continuing obligations at a property not owned by them or that will potentially be sold in the future	Other versions of this language may be accepted upon review
<b>Section II. Paragraph 6</b>	Changed requirements for notifying the department of conveyance of property	IDEM does not need a “certified” copy of the deed	Recommended

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<b>Section IV. Paragraph 10</b>	Removed reference to IC 13-14-2-9(d)	IC 13-14-2-9(d) required the board to adopt rules for cost recovery of ERC Modifications. This was cleaned up in Title 13 since the rule has already been established. The rule (329 IAC 1-2-7) remains intact.	Recommended