

Summary Environmental Rules Board
Zoom Meeting
Indianapolis, Indiana
Wednesday, July 8, 2020

A. Call to Order

Chair Gard called the meeting to order at 1:30 p.m. A quorum was present.

Members present: Beverly Gard, William Etzler, Dr. Joanne Alexandrovich, Ken Rulon, Karen Valiquett, Calvin Davidson, Chris Horn, Katherine Nelson, Bruno Pigott, Mark A. Wasky, Angelique Collier, Michael Schuler, Paul Gilson and Dr. Ted Niemiec.

B. Approval of Meeting Summary of January 8, 2020

Chair Gard called for approval of the January 8, 2020, meeting summary, which was approved.

C. IDEM Reports

Commissioner's Report

Mr. Bruno Pigott, Commissioner of IDEM, reported that Cameron Clark, DNR Executive Director will be retiring at the end of the week. He talked about the how the agency has been working through the COVID pandemic. He said that all IDEM employees started working from home with a small skeleton crew continuing to work in the office.

He talked about the Town of Andrews regarding the order to not drink or use the water. It concerned the drinking water wells that were shut down in 2012. IDEM did not know that the town restarted the contaminated wells and the water was distributed to residents without being treated. The town did not shut the well down until after the inspectors were contacted and test done.

Rules Update

Ms. Chris Pedersen, Chief, Rules Development Section (RDS), Office of Legal Counsel (OLC), spoke on the rulemakings that could come before the next Environmental Rules Board meeting, possibly September 9, 2020, which will be held as a Zoom Meeting.

D. Rules

1. Vigo County SO2 Redesignation Emergency Rule

Chair Gard opened the discussion for adoption of an emergency rule that temporarily amends 326 IAC 1-4-65. Ms. Krystal Hackney, Rule Writer, RDS, OLC, spoke for the agency and said the emergency rule was previously adopted on January 8, 2020. Adoption of the emergency rule is necessary to maintain the current federal designation until the regular rulemaking is completed.

There were no questions or board discussion. There were no commenters.

Mr. Davidson moved to adopt the emergency rule and Dr. Alexandrovich seconded. By a roll-call vote, the rule was adopted.

2. Marion County SO2 Redesignation Emergency

Chair Gard opened the discussion for adoption of an emergency rule that temporarily amends 326 IAC 1-4-50. Mr. Seth Engdahl, Rule Writer, RDS, OLC, spoke regarding the adoption of an emergency rule to revise 326-1-4-50 to redesignate Center, Perry, and Wayne townships in Marion County to attainment for the 2010 Sulfur Dioxide National Ambient Air Quality Standard.

There were no questions or board discussion. There were no commenters and the hearing was concluded.

Dr. Alexandrovich moved to adopt emergency rule and Mr. Rulon seconded. By a roll-call vote, the rule was adopted.

E. Non-Rule Actions

1. Non-Rule Policy Document – Waste #069-NPD

Mr. Doug Louks presented the non-ruled policy document, Independent Closure Process Guidance. The policy is to create a little more consistency and efficiency at facilities where these releases pose a low threat to human health and the environment. Doug responded to board questions and the presentation was concluded.

2. Presentation for the 2020 List of Impaired Waters and Consolidated Assessment and Listing Methodology under Section 303 (d) of the Clean Water Act

Jody Arthur presented information on the U.S. EPA requirement that the state identify impaired waters and make assessments to provide better information about the state of Indiana waters. Ms. Arthur responded to board questions and the presentation was concluded.

F. Other Matters

1. Open Forum

No comments.

2. Tentative Date and Location of Next Meeting

The next meeting is tentatively scheduled for 1:30 p.m. on September 9, 2020, through Zoom meeting.

G. Adjournment

Chair Gard adjourned the meeting at 2:45 p.m.


CHAIRPERSON

The summary is derived from Rules Development Branch staff members' notes. A typewritten transcript of the entire meeting is on file in the Office of Legal Counsel, Indiana Department of Environmental Management and will be made available on the IDEM rules website. To view approved summaries, you may go online to <http://www.in.gov/idem/legal/2355.htm>.