

Summary Environmental Rules Board  
Indiana Government Center South  
Conference Center Room A  
Teams Meeting  
Indianapolis, Indiana  
Thursday, May 7, 2026

**A. Call to Order**

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

Members present: Dr. John Graham, William Etzler, Dr. Joanne Alexandrovich, Calvin Davidson, Dr. Ted Niemiec, Chris Horn, Carrie Kozyrski, John Ketzenberger, Brianna Schroeder, R.T. Green, Eli Eckhart, David Bausman, and Clint Woods.

**B. Approval of Meeting Summary**

Vice Chair Etzler called for approval of meeting summary, which was approved.

**C. IDEM Reports**

Commissioner's Report

Commissioner Woods opened his report by noting that there are some exciting things happening in IDEM. He informed the board that IDEM has had approximately 80 new employees, including himself, that have joined over the last year, which is roughly 10% of the entire agency. He also noted that the board will be hearing updates from the two work groups in which board members are participating.

The Commissioner congratulated Michael French of Office of Legal Counsel was awarded 2025 Ethics Official of the Year by the Inspector General's Office. Megan Espinda, IDEM's Agricultural Liaison, was also recognized by the Indiana Farm Bureau and awarded the 2025 Excellence in Agriculture Award.

The Commissioner provided an overview of Executive order 25-38 and planned actions for state environmental regulations in the coming year. He talked about Senate Enrolled Act 103 related to ozone nonattainment in Northwest Indiana and how IDEM will be working with EPA to determine if there are opportunities for emission reductions and to explore the tools available for regulatory relief under the Clean Air Act. In addition, the agency will review Title 13 of the Indiana Code to identify sections that may require updates, improved references, streamlining and greater consistency between our four statutory boards and commissions.

We are also looking forward to celebrating IDEM's 40<sup>th</sup> anniversary in 2026.

Rules Update

Ms. Billie Franklin, Chief, Rules Development Section (RDS), Office of Legal Counsel (OLC), provided an update on upcoming rulemakings. The next Environmental Rules Board meeting is tentatively scheduled for March 12, 2026. At that meeting, we anticipate presenting Industrial

Stormwater General Permit updates, Open Burning amendments, Public Water Supply revisions, and NAAQS updates for preliminary adoption.

#### **D. Rules**

##### 1. Title 329 Coal Combustion Residuals

Vice Chair Etzler opened the discussion for preliminary adoption of the Coal Combustion Residuals rule. Ms. Keelyn Walsh, Rule Writer, RDS, OLC, presented on behalf of the agency. She requested that the Board consider the preliminary adoption of the Coal Combustion Residuals rule, LSA #21-458. This rule is to comply with the U.S. EPA standards at 40 CFR 257, Subpart D and amend parts of 329 IAC 10-3-1 and 329 IAC 10-9-1. Also, 329 IAC 10-9-1(b) and 329 IAC 10-9-1(c) rule language will be repealed. The incorporation by reference of 40 CFR 257, Subpart D will be updated to the July 1, 2025, edition before the rule is promulgated or as a separate rulemaking to include the upcoming federal rule correction.

Dr. Alexandrovich had a question. Her question was answered by IDEM staff.

**Mr. Bausman moved to adopt the rule and Ms. Schroeder seconded. By a roll-call vote, the rule was final adopted.**

#### **E. Non-Rule Actions**

##### 1. Workgroup Update

Vice-Chair Etzler provided an update on the fee workgroup. He noted that IDEM's current fee structure has not kept pace with economic changes and that the group is evaluating a wide range of options to improve financial stability and permitting fee frameworks. The next meeting is scheduled for January 15<sup>th</sup>.

Dr. Graham provided an update on the Executive Order 25-38 workgroup. He reported that the first meeting was productive and that the committee discussed four potential areas where changes in federal statutes or regulations create burdens for Indiana. The group also recommended updates to Indiana statute to reduce unnecessary burdens, provide opportunities for IDEM-initiated rulemaking reforms, and to make improvements on non-rulemaking guidance.

Ms. Kozyrski added that they discussed how to prioritize media.

##### 2. Late Fee Assessment – Non-rule Policy Presentation

Briony Towler, Chief Financial Officer, presented the non-rule policy document on assessment of late fees and other consequences for non-payment of fees. She noted that the agency is working to streamline the payment process.

Ms. Kozyrski had a question. Her question was answered by IDEM staff.

##### 3. FAB Chair Presentation

Nivas Vijay, Chair of the Financial Assurance Board, introduced himself and noted that he is the Principal of Heartland Environmental and Seratech Drilling. The Board oversees the Excess Liability Trust Fund and the Underground Storage Tank Program. In recent years,

changes to the Fund, discussions about rule updates, and adjustments to fees have contributed to a shift toward a more collaborative approach with the agency, moving away from past periods of contention.

**F. Other Matters**

1. Open Forum

No discussion

2. Tentative Date and Location of Next Meeting

The next meeting is tentatively March 12, 2026, Indiana Government Center-South, Conference Room A, 10 North Senate Avenue, Indianapolis, Indiana.

**H. Adjournment**

Vice Chair Etzler adjourned the meeting at 2:21 p.m.

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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 <https://www.in.gov/idem/legal/rulemaking/environmental-rules-board-packets/>.