

BEFORE THE STATE OF INDIANA
ENVIRONMENTAL RULES BOARD

- - -

PUBLIC MEETING OF DECEMBER 18, 2025

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PROCEEDINGS

before the Indiana Environmental Rules Board,
William Etzler, Vice-Chairman, taken before me,
Lindy L. Meyer, Jr., a Notary Public in and for
the State of Indiana, County of Shelby, at the
Indiana Government Center South, Conference
Center, Room A, 402 West Washington Street,
Indianapolis, Indiana, on Thursday, December 18,
2025 at 1:30 o'clock p.m.

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1 APPEARANCES:

2 BOARD MEMBERS:

3 William Etzler, Vice-Chairman
4 Dr. John Graham
5 Carrie Kozyrski
6 Dr. Ted Niemiec
7 Dr. Joanne Alexandrovich
8 Ken Rulon
9 Chris Horn
10 John Ketzenberger
11 Calvin Davidson
12 R. T. Green
13 Eli Eckhart, Proxy, Indiana Economic
14 Development Corporation
15 David Bausman, Proxy, Lieutenant
16 Governor
17
18 Clint Woods, IDEM Commissioner
19 (Nonvoting)

20
21 IDEM STAFF MEMBERS:

22 Billie Franklin
23 Keelyn Walsh
Lindsey Hummel
Briony Towler
Nivas Vijay
Karla Kindrick
Kevin Bump

18 PUBLIC SPEAKERS:

19 None

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22

23

1 1:30 o'clock p.m.
2 December 18, 2025

3 - - -

4 VICE-CHAIR ETZLER: Good afternoon.
5 I'd like to call the December 18th, 2025 meeting
6 of the Environmental Rules Board to order. I
7 will now call on Board Members to indicate their
8 attendance at the meeting.

9 Mr. Zehr?

10 (No response.)

11 VICE-CHAIR ETZLER: Mr. Davidson?

12 MR. DAVIDSON: Yes.

13 VICE-CHAIR ETZLER: Dr. Niemiec?

14 DR. NIEMIEC: Yes.

15 VICE-CHAIR ETZLER: Mr. Horn?

16 MR. HORN: Present.

17 VICE-CHAIR ETZLER: Mr. Eckhart?

18 MR. ECKHART: Present.

19 VICE-CHAIR ETZLER: Mr. Green?

20 MR. GREEN: Present.

21 VICE-CHAIR ETZLER: Dr. Alexandrovich?

22 DR. ALEXANDROVICH: Here on-line.

23 VICE-CHAIR ETZLER: Ms. Kozyrski?

MS. KOZYRSKI: Here.

1 VICE-CHAIR ETZLER: Mr. Ketzenberger?

2 MR. KETZENBERGER: Present.

3 VICE-CHAIR ETZLER: Ms. Schroeder?

4 MS. SCHROEDER: Here.

5 VICE-CHAIR ETZLER: Mr. Bausman?

6 MR. BAUSMAN: Here.

7 VICE-CHAIR ETZLER: Dr. Graham?

8 DR. GRAHAM: Here.

9 VICE-CHAIR ETZLER: And Vice-Chair
10 Etzler. We have a quorum of the Board present,
11 so we can proceed with the agenda.

12 Our first order of business today is
13 approval of the summary of the October 16th, 2025
14 Board meeting. Are there any additions or
15 corrections to the summary?

16 (No response.)

17 VICE-CHAIR ETZLER: Hearing none,
18 I'll entertain a motion to approve.

19 MS. SCHROEDER: I'll move to approve
20 them.

21 VICE-CHAIR ETZLER: And a second?

22 MS. KOZYRSKI: Second.

23 VICE-CHAIR ETZLER: All those in

1 favor, signify by saying aye.

2 (Board members responded, "Aye.")

3 VICE-CHAIR ETZLER: The summary is
4 approved as presented. Thank you.

5 Mr. Woods?

6 COMM. WOODS: Well, thank you so
7 much, and I really appreciate the Vice-Chairman
8 for getting us started, and want to thank you all
9 for being here. I know we're right smack-dab in
10 the middle of holiday season and busy schedules,
11 so I really appreciate everybody taking time.

12 I know there's several -- several
13 important items on the agenda for the Board
14 today. I want to thank you for taking the time
15 out, share your expertise with IDEM, and
16 including on some important rulemakings, also add
17 on in the interim, since the last Board meeting,
18 there's been important information share around
19 some of the work groups and some efforts that
20 we're looking at over the longer haul around
21 future actions in response to some of the
22 Governor's executive orders, but also
23 opportunities to comprehensively analyze and

1 provide us some feedback around various fees at
2 IDEM, and I really appreciate you all taking the
3 time out of your schedule to help through those
4 work groups.

5 I just will be exceedingly brief and just
6 cover a few vital items. We're at the end of the
7 year, and I have been fortunate enough to be --
8 serve as Commissioner at IDEM since February, so
9 I think a lot of exciting things are happening, a
10 lot of type of transition for our staff. I want
11 to mention a few key items.

12 So, we have had about 80 new employees,
13 including me, start this year, so a lot of new
14 blood, out of an agency of 800, so about 10
15 percent of our employees have started this
16 calendar year. So, a lot of new, fresh set of
17 eyes. But just couple of weeks ago, the Governor
18 had his annual event to recognize long-term state
19 employees, where it's a high bar; you have to
20 have served in state government for 35 years or
21 longer, and we had more than a dozen IDEM
22 employees hit the 35-, 40-, and 45-year mark.

23 So, a lot of institutional knowledge

1 that's -- that we've got at the agency in folks
2 who spent their career in public service, serving
3 Hoosiers, protecting our air, water and lands.
4 And so, we're really blessed to have an excellent
5 workforce who've been weathering that time of
6 transition and are -- have hit the ground running
7 on several new initiatives that we're really
8 excited about.

9 I'll say we've been recognized, and a few
10 of our particular employees have gotten
11 shout-outs in the form of statewide awards
12 recently. Our designated ethics official at IDEM
13 in our Office of Legal Counsel, Michael French,
14 recently got recognized by the Attorney -- the
15 Inspector General's Office, rather, as the 2025
16 Ethics Official of the Year, which is great. He
17 does a fantastic job keeping IDEM and our boards
18 and commissions on the straight and narrow when
19 it comes to our ethical obligations, and really
20 proud of that recognition.

21 And then just last week, Megan Espinda,
22 IDEM's Agricultural Liaison -- and I'll say that
23 IDEM is, as far as I can tell, the only state

1 environmental agency in the country that has a
2 dedicated agricultural liaison, partly because of
3 all of our unique programs that serve Hoosier
4 farmers, but she was recognized by the Indiana
5 Farm Bureau as the 20 -- winner of the 2025
6 Agricultural -- Excellence in Agriculture Award
7 winner. So, we're really excited for that
8 recognition of the work that she does every day
9 through working with Hoosier farmers and ranchers
10 and folks throughout our state.

11 I was just going to mention a couple of
12 things. I think we've got -- I know we've talked
13 about a few of these items before, but we will
14 have several reports that are due this year, both
15 pursuant to certain pieces of legislation enacted
16 by the General Assembly, but also some of the
17 Governor's executive orders, and we'll make sure
18 that folks have a copy, and they'll promptly be
19 displayed on our Web site.

20 The one being I know an executive order
21 we've talked about before, because it's 25-38,
22 which directed us to look at whether or not there
23 were state environmental regulations that were

1 unnecessarily burdensome or do not improve the
2 environment or were not supported by law or the
3 best available science, and then we've got the
4 Board kind of taking a look at some of the
5 comments we received.

6 But we are reporting back one additional
7 report, initially one that we issued July 1st of
8 this year after taking some public comments,
9 where we're being asked a little bit more
10 specific question about any programs that don't
11 have a federal counterpart or where we may be
12 more stringent or different than federal
13 requirements.

14 And so, we'll have a report that's out to
15 the public, to the Governor, and to the
16 Legislative Council later this year, closer to
17 December 31st, that lays out some of those
18 issues, also helps to provide a status report on
19 some of the efforts the Board's undertaking, some
20 of the efforts that IDEM's undertaking, both in
21 term -- in the form of some future legislative
22 efforts, some future rulemakings, and the
23 regulatory actions that will need to go through

1 the Board, some actions on nonrule policies, some
2 of which are on the agenda for today.

3 We also have a report due for legislation
4 I know we've talked about before, Senate Enrolled
5 Act 103 from the 2025 session. This is a bill
6 related to ozone nonattainment in Northwest
7 Indiana, including the attendant programs for
8 automobile emission check.

9 And so, that bill tasked us with working
10 with our counterparts at U.S. EPA to explore
11 whether or not there was opportunities for
12 emission reductions, as well as tools for
13 regulatory relief under the Clean Air Act. And
14 I'm glad to say we've had a lot of productive
15 conversations with a number of groups inside the
16 state, but also our friends at U.S. EPA. We'll
17 be reporting back on that progress.

18 I think there's several different
19 potential options that EPA could pursue to try to
20 get what would be one of the last few partial
21 county nonattainment areas in the state, and I
22 happen to think we can squint and see on the
23 horizon the day not too far in the future where

1 all of our 92 counties in whole are in attainment
2 with all National Ambient Air Quality Standards,
3 which are set at a level that is requisite to
4 protect public health with an adequate margin of
5 safety.

6 That would be a huge feather in our cap,
7 and we're really excited about working on some of
8 that, but also reducing unnecessary burdens in
9 the form of requirements that this Board has
10 taken up related to nitrogen oxide, reasonably
11 available control technology requirements, as
12 well as, you know, emission check programs in
13 Lake and Porter County. So, that report will be
14 forthcoming.

15 I'll say, as we look at having just
16 wrapped up a special session with the General
17 Assembly focused on redistricting, and also
18 expecting a very short legislative session
19 in 2026 come January, I think there's a few
20 pieces of legislation that have been filed
21 already and that are available for the public to
22 review on the IGA Web site that would impact IDEM
23 related to local air agencies, I think continued

1 interest and probably likely some legislation
2 related to issues around PFAS, which has been a
3 popular topic.

4 We will be looking at introduction,
5 probably closer to January than today, of an
6 agency bill which will likely be one of the
7 Governor's priority bills that looks to
8 comprehensively clean up and clarify provisions
9 in Title 13 of the Indiana Code. So, a lot of, I
10 think, noncontroversial -- you know, some of the
11 sections that are outdated, some references that
12 need to be updated, some streamlining, and more
13 consistency between our four statutory boards and
14 commissions, so obviously the Environmental Rules
15 Board is an important one.

16 I will tell you, as we went through this
17 effort at IDEM to kind of catalogue some of this
18 stuff, 133 times in Title 13 this Board is told
19 to "shall" do something. That's a lot. So, you
20 know, there's, I think, some attendant provisions
21 to say, "Hey, some of these things have already
22 happened, so maybe they need to be 'mays' rather
23 than 'shall's', and maybe some of them, you know,

1 we need to get on."

2 And so, it's an opportunity, I think, for
3 us, along with some of the changes to the
4 Administrative Code that IDEM is looking at,
5 working with this Board in the coming years, that
6 I think ultimately will lead to a slightly
7 streamlined book of environmental law in the
8 state that ultimately will be more readable, will
9 allow people to understand and find the
10 provisions that relate to the key programs
11 they're interested in at IDEM.

12 So, we're really excited about that, and I
13 think there's some -- like I say, a copy, I
14 think, will be available in January, but that a
15 lot of work has gone into that to help inform the
16 General Assembly as they contemplate potential
17 changes to Title 13 in a more comprehensive way.
18 So, I think we would end up resulting in
19 potentially about 90 sections of the law that
20 either could be consolidated or don't need to
21 exist anymore, are outdated, about 250
22 unnecessary mandates.

23 Again, many of those are for this Board or

1 for the Department, but a lot for folks outside
2 of our agency, unnecessary reporting requirements
3 that don't improve the environment, where we get
4 paperwork sent to us and we don't do anything
5 with it and things like that, that I think will
6 help clean up our books and help -- help us as we
7 implement these delegated federal programs and
8 other directives by the -- by the General
9 Assembly. So, we're excited about that effort.

10 And then I'll just say I think one other
11 thing I wanted to note is that I think -- well,
12 we're continuing our efforts that we talked about
13 a little bit before to highlight success stories,
14 and some from this year, but many that are
15 results of decades of work from folks in this
16 room around improvements in environmental
17 progress in the State of Indiana.

18 So, you may have seen some work around the
19 announcement of the completion of the DigIndy
20 Project here to address combined sewer overflows
21 in this area, and we took that opportunity to
22 highlight successes in CSO communities around
23 Indiana, and there's more to come on that end.

1 I think you'll see a little bit more from
2 us on really kind of second to none, compared to
3 other states, performance on lead service line
4 inventories, where we're up closer to a hundred
5 percent of lead service lines being inventoried
6 under the Safe Drinking Water Act to address
7 those potential exposures throughout the State of
8 Indiana and to put us in a place, after action by
9 this Board to approve the Lead and Copper Rule
10 Revisions earlier this year, to implement those
11 programs in a way that ultimately protects
12 Hoosiers.

13 But also a number of other areas where
14 we're really excited to help -- help emphasize
15 some of the really important progress that has
16 taken place. And so, as part of that, we're
17 really excited as well, next year, in 2026, to be
18 celebrating our 40th anniversary as an agency,
19 which is exciting.

20 So, we -- a lot of work that IDEM does
21 existed before 1986, but we were formed as an
22 agency in 1985 by the General Assembly, and we do
23 have employees that have been here longer than

1 that. We have folks who have logged 50 years and
2 served at, you know, preceding agencies,
3 Department of Health and otherwise. So, you
4 know, it's an exciting time, and we're looking
5 forward to not just the next four weeks, four
6 months, four years, but also the next 40 years.

7 So, that's led us to having some
8 deliberate conversations, development of a draft
9 strategic plan for the first time in a while at
10 IDEM, development of an agency vision, emphasis
11 on our agency values, as well as a plan that
12 really lays out over the next three years some
13 things that we'd like to accomplish around
14 deliberate development, empowering our teams,
15 giving them the tools they need, hopefully
16 reducing uncertainty in their jobs, and then
17 tackling -- kind of getting back to the basics of
18 our core statutory responsibilities.

19 And so, I wanted to keep you in the loop
20 on that effort, because I think it's one where
21 we've been talking to an extended group of our
22 leaders, kind of getting feedback, and it's
23 really part of kind of an overall effort to make

1 sure we have employee -- engaged employees, that
2 we're thinking about tough conversations around
3 secession for some of our long-term employees,
4 but also how we're, you know, making sure that
5 we're meeting our employees where they're at, and
6 that includes folks that started this year and
7 also those who have been with us for 40-plus
8 years.

9 And so, I'm really excited about some of
10 those efforts, and then with that comes
11 corresponding, you know, challenges, but also
12 opportunities we have as we complete some
13 important renovations for our office space here
14 in Indianapolis and a number of other important
15 things.

16 So, I just wanted to give you an update on
17 a few fronts there, because we're very excited,
18 and we know we've got lots of important work to
19 do with the Board over the next few years. So, I
20 really appreciate everybody's time and helping to
21 share your expertise with us today on the
22 important agenda items, but happy to also answer
23 any questions that folks may have.

1 VICE-CHAIR ETZLER: Any questions?

2 (No response.)

3 VICE-CHAIR ETZLER: Thank you,
4 Commissioner.

5 Now we'll call on Billie Franklin to give
6 us an update on rulemaking.

7 MS. FRANKLIN: Good afternoon. My
8 name is Billie Franklin. I am the Section Chief
9 over Rules Development within the Office of Legal
10 Counsel.

11 Currently we have our next Board meeting
12 tentatively scheduled for March 12th, 2026. At
13 that meeting, we anticipate having four rules up
14 for preliminary adoption: Industrial Stormwater
15 General Permit Updates, Open Burning, Public
16 Water Supply, and National Ambient Air Quality
17 Standards, also known as NAAQS.

18 That is all I have for now. If anybody
19 has any questions, I'm happy to answer.

20 VICE-CHAIR ETZLER: Any questions?

21 (No response.)

22 VICE-CHAIR ETZLER: Thank you.

23 Before we proceed to the rulemaking,

1 Mr. Bump, would you please cover logistics for
2 those people that are remote participants?

3 MR. BUMP: Absolutely. Thank you,
4 Vice-Chair Etzler.

5 Good afternoon to those attending the
6 meeting on-line. All participants will be muted
7 when they join the meeting, but participants may
8 be able to address the Board during the Open
9 Forum portion of the meeting towards the end. We
10 do ask that you do identify yourself when
11 speaking.

12 For those joining us via Teams, if you
13 have a question or a technical issue during the
14 meeting, please use the raised hand or chat
15 feature. Participants must only send chats to
16 the host. To access the raised hand and chat
17 feature, at the top of your screen, depending on
18 your device, you will see a menu bar, and you may
19 have to touch your screen for the menu to pop up
20 on the mobile device.

21 At the beginning of that menu, there is a
22 chat icon, which you can click on to show the
23 chat dialog box. You should also see the raised

1 hand option. Please utilize the raised hand or
2 chat features if you have any questions or
3 comments, and you will be called upon at the
4 appropriate time.

5 If any of the members of the media have
6 joined us via Teams, please utilize the chat
7 feature or e-mail media@idem.in.gov if you have
8 any questions.

9 If you wish to speak during the rulemaking
10 hearing portion of today's meeting, please fill
11 out a speaker card using the forms link that has
12 been provided in the Teams chat, and you will be
13 called on at the appropriate time to give a brief
14 testimony. Only meeting attendees who have
15 filled out this form will be called upon to
16 speak.

17 For those in the room today, I would also
18 remind Board members to please speak up so that
19 everyone in attendance and in the meeting on-line
20 are able to hear, and for those who are answering
21 questions in today's meeting, please repeat those
22 questions prior to providing your response.

23 I will now turn the meeting back over to

1 our Board Vice-Chair.

2 VICE-CHAIR ETZLER: Thank you.

3 Today we have a hearing on the final
4 adoption of the Coal Combustion Residuals Rule.
5 The rule being considered at today's meeting was
6 included in Board packets and was available for
7 public inspection at the Office of Legal Counsel,
8 13th Floor, Indiana Government Center North. The
9 entire Board packet is also available on IDEM's
10 Web site at least one week prior to each Board
11 meeting.

12 A written transcript of today's meeting
13 will be made. The transcript and any written
14 submissions will be open for public inspection at
15 the Office of Legal Counsel. A copy of the
16 transcript will be posted on the Rules page of
17 the agency Web site when it becomes available.

18 If you wish to testify in any of today's
19 hearings, you will need to submit your request
20 for comment. Please fill out the comment card
21 and give it to Karla Kindrick at the sign-in
22 table, and for those of you on-line, there is a
23 form that you can fill out and submit. We

1 respectfully limit your -- please respectfully
2 limit your comments to four minutes. This time
3 will be enforced.

4 Now we will proceed. Will the official
5 court reporter for the cause please stand, raise
6 your right hand, and state your name?

7 (Reporter sworn.)

8 VICE-CHAIR ETZLER: Thank you.

9 This is a public hearing before the
10 Environmental Rules Board of the State of Indiana
11 concerning the final adoption of the Coal
12 Combustion Residual Rule.

13 I will now introduce Exhibit A, the rule
14 as preliminarily adopted with IDEM's suggested
15 changes, into the record of the hearing.

16 Keelyn Walsh will present the rule.

17 MS. WALSH: Good afternoon, members
18 of the Board. My name is Keelyn Walsh from the
19 Rules Section of the Office of Legal Counsel, and
20 I'm here to present the Coal Combustion Residuals
21 rulemaking, LSA No. 21-458, for your
22 consideration for final adoption.

23 On April 17th, 2015, U.S. EPA published a

1 final rule that established national minimum
2 criteria for the disposal of coal combustion
3 residuals, or CCR, as a solid waste, and the
4 design, operation, and closure of new and
5 existing CCR landfills and surface impoundments
6 under Subtitle D of the Resource Conservation and
7 Recovery Act of 1976. This final rule became
8 effective on October 19th, 2015, and is codified
9 in the Code of Federal Regulations at 40 CFR 257,
10 Subpart D.

11 When the federal CCR rule was first
12 established in 2015, Indiana rules at 329 IAC 10
13 permitted regulated entities to dispose of CCR in
14 landfills known as restricted waste sites.
15 Indiana rules at that time did not regulate CCR
16 surface impoundments during operation, and the
17 state standards applicable to closure of CCR
18 surface impoundments differed from the new
19 federal closure standards in some cases.
20 Consequently, IDEM published a final rule in the
21 Indiana Register on December 7th, 2016 that
22 incorporated by reference into 329 IAC 10-9-1 the
23 federal standards for CCR surface impoundments

1 at 40 CFR 257, Subpart D.

2 After promulgation of the U.S. EPA final
3 rule in 2015, the U.S. Congress passed the Water
4 Infrastructure Improvements for the Nation Act
5 of 2016, or the WIIN Act. Section 2301 of the
6 WIIN Act, codified at 42 U.S.C. 6945(d), provides
7 the opportunity for states to seek U.S. EPA
8 approval to operate a state permit program for
9 CCR units. To operate in lieu of the federal CCR
10 rule, a states CCR permit program must be at
11 least as protective as the federal standards.

12 The First Notice of Comment Period for
13 the CCR rulemaking was published in the Indiana
14 Register on October 13th, 2021, notifying the
15 public of IDEM's intent to establish a
16 comprehensive state permitting program for CCR.
17 The Second Notice of Comment Period for the CCR
18 rulemaking, published in the Register on
19 December 21st of 2022, proposed amendments to
20 rules at 329 IAC 10-3-1, 329 IAC 10-3-4, and
21 329 IAC 10-9-1, as well as adding a new article
22 at 329 IAC 14 concerning the establishment of a
23 state permitting program for CCR.

1 Subsequently, a Continuation of Second
2 Notice of Comment Period was published in the
3 Register on January 18th of 2023 to give
4 interested parties additional time to submit
5 comments on the rulemaking. During this time,
6 the General Assembly passed amendments to
7 IC 13-19-3-3 through Public Law 249-2023, which
8 was effective in May -- May 4th of 2023. This
9 law required that Indiana create a state
10 permitting program that is no more stringent than
11 U.S. EPA regulations at 40 CFR 257, Subpart D.

12 So, in response to the passage of Public
13 Law 249-2023, the comments received during the
14 first and second Continuations of Second Notice
15 of Comment Period and the preliminary adoption
16 hearing, as well as publication of the May 8th,
17 2024 federal final rule which established
18 regulatory requirements for legacy impoundments
19 and management units, IDEM proposed to revise the
20 new article added at 329 IAC 14 of the draft rule
21 to incorporate by reference the July 1st, 2025
22 version of the CFR, and also to ensure the draft
23 rule does not impose a restriction or

1 requirements that's not imposed by the federal
2 CCR rule except for the new permitting standards.

3 Accordingly, IDEM published an Additional
4 Notice of Public Comment Period, previously known
5 as a Third Notice of Public Comment Period, on
6 November 5th of 2025, reflecting these updates.
7 During this third written comment period, IDEM
8 invited the public to comment on both the
9 preliminarily adopted version of the rule and the
10 version of the rule that had been updated
11 significantly based on comments made during the
12 preliminary adoption hearing.

13 Most, if not all, comments received during
14 this comment period pertain to the updated draft
15 of the rule. The rule version presented today
16 reflects the most recent updates, including minor
17 changes made in response to comments from the
18 third comment period.

19 So, with all of that said, IDEM
20 respectfully requests that the Board final adopt
21 this rule as presented, and program staff are
22 available to answer any other questions.

23 Thank you.

1 VICE-CHAIR ETZLER: Do we have any
2 speaker cards?

3 MS. KINDRICK: No, sir.

4 VICE-CHAIR ETZLER: Do we have any
5 on-line speakers?

6 DR. ALEXANDROVICH: I do have just
7 two points. One's very minor. On page 7 of the
8 rule info sheet, the "Board Action: Preliminary
9 adoption on December 11," it should be "2024,"
10 not "2025." It's the -- under "Board Action and
11 Hearings."

12 And my other question is a little more
13 involved, but it has to do with the expected date
14 when this rule will become effective, and I think
15 it was sometime in 2027 based on historical
16 approvals of the U.S. EPA. It is my
17 understanding that as you go through this
18 rulemaking, you involve EPA to make sure that
19 you've got all of your i's dotted and t's
20 crossed, and I would also hope that the current
21 EPA will move a little faster. So, I'm just
22 wondering about that timing and how it might
23 affect people, the affected sources.

1 MS. WALSH: Uh-huh.

2 DR. ALEXANDROVICH: Thank you.

3 MS. WALSH: Okay. To answer that, I
4 am not as versed on the specifics of the timing
5 for the State Implementation Plan and all of
6 that. I don't know.

7 Lindsey, are you able to answer that?

8 MS. HUMMEL: So, if this is prelim --
9 or if this is adopted for final rule, IDEM's --

10 VICE-CHAIR ETZLER: Would you please
11 give us your name?

12 MS. HUMMEL: This is Lindsey Hummel.
13 I'm with the Office of Land Quality, Permits
14 Branch. So, if the Board adopts the rule today,
15 we will be filling out an application to submit
16 to the EPA. Our time limit on that is about --
17 we're predicting about six months, but it may be
18 sooner, and then we'll submit that to EPA, and as
19 far as their review goes, we're not entirely
20 sure. They have indicated that they're wanting
21 to streamline this process, but as far as what
22 that time frame is, we're not sure.

23 DR. ALEXANDROVICH: Oh, so, you've

1 not been working with them as you put this all
2 together; correct?

3 MS. HUMMEL: That's correct.

4 DR. ALEXANDROVICH: Okay. Thank you.

5 VICE-CHAIR ETZLER: Do we have any
6 other comment?

7 (No response.)

8 VICE-CHAIR ETZLER: Okay. Thank you.

9 Do we have any questions from Board
10 Members?

11 (No response.)

12 VICE-CHAIR ETZLER: This hearing is
13 concluded. The Board will now consider final
14 adoption of the Coal Combustion Residual Rule.
15 Do we have any further questions or discussion?

16 (No response.)

17 VICE-CHAIR ETZLER: None? So, first,
18 we need a motion to adopt IDEM's suggested
19 changes.

20 MR. BAUSMAN: So moved.

21 VICE-CHAIR ETZLER: And a second?

22 MS. SCHROEDER: I'll second.

23 VICE-CHAIR ETZLER: Thank you. We

1 will do this by voice vote.

2 Mr. Zehr?

3 (No response.)

4 VICE-CHAIR ETZLER: Mr. Davidson?

5 MR. DAVIDSON: Yes.

6 VICE-CHAIR ETZLER: Dr. Niemiec?

7 DR. NIEMIEC: Yes.

8 VICE-CHAIR ETZLER: Mr. Horn?

9 MR. HORN: Yes.

10 VICE-CHAIR ETZLER: Mr. Eckhart?

11 MR. ECKHART: Yes.

12 VICE-CHAIR ETZLER: Mr. Green?

13 MR. GREEN: Yes.

14 VICE-CHAIR ETZLER: Dr. Alexandrovich?

15 DR. ALEXANDROVICH: Yes.

16 VICE-CHAIR ETZLER: Ms. Kozyrski?

17 MS. KOZYRSKI: Yes.

18 VICE-CHAIR ETZLER: Mr. Ketzenberger?

19 MR. KETZENBERGER: Yes.

20 VICE-CHAIR ETZLER: Ms. Schroeder?

21 MS. SCHROEDER: Yes.

22 VICE-CHAIR ETZLER: Mr. Bausman?

23 MR. BAUSMAN: Yes.

1 VICE-CHAIR ETZLER: Dr. Graham?

2 DR. GRAHAM: Yes.

3 VICE-CHAIR ETZLER: And Vice-Chair
4 Etzler votes yes. That's twelve yeses and zero
5 noes. Thank you.

6 Now we need a motion for final adoption of
7 the rule as amended.

8 MR. DAVIDSON: So moved.

9 VICE-CHAIR ETZLER: Mr. Davidson.

10 DR. GRAHAM: Second.

11 VICE-CHAIR ETZLER: Who was the
12 second?

13 DR. GRAHAM: I did a second,
14 Dr. Graham.

15 VICE-CHAIR ETZLER: Thank you. So,
16 by voice vote.

17 Mr. Zehr?

18 (No response.)

19 VICE-CHAIR ETZLER: Mr. Davidson?

20 MR. DAVIDSON: Yes.

21 VICE-CHAIR ETZLER: Dr. Niemiec?

22 DR. NIEMIEC: Yes.

23 VICE-CHAIR ETZLER: Mr. Horn?

1 MR. HORN: Yes.

2 VICE-CHAIR ETZLER: Mr. Eckhart?

3 MR. ECKHART: Yes.

4 VICE-CHAIR ETZLER: Mr. Green?

5 MR. GREEN: Yes.

6 VICE-CHAIR ETZLER: Dr. Alexandrovich?

7 DR. ALEXANDROVICH: Yes.

8 VICE-CHAIR ETZLER: Ms. Kozyrski?

9 MS. KOZYRSKI: Yes.

10 VICE-CHAIR ETZLER: Mr. Ketzenberger?

11 MR. KETZENBERGER: Yes.

12 VICE-CHAIR ETZLER: Ms. Schroeder?

13 MS. SCHROEDER: Yes.

14 VICE-CHAIR ETZLER: Mr. Bausman?

15 MR. BAUSMAN: Yes.

16 VICE-CHAIR ETZLER: Dr. Graham?

17 DR. GRAHAM: Yes.

18 VICE-CHAIR ETZLER: And Vice-Chair

19 Etzler votes yes. The rule is adopted, 12-0.

20 Thank you very much.

21 So, we have some nonrule actions that we
22 want to present to you today. First, we have
23 updates on the two work groups that have been

1 established. I am on the work group that is
2 working on fees. Historically, IDEM's fees have
3 not kept pace with the economic times, and IDEM
4 has put together a work group of Board members to
5 review those fees, and also to look at our entire
6 permit structure to determine whether or not we
7 have the correct permits in place or if we have
8 some permits that aren't needed anymore.

9 So, we are looking at a broad spectrum of
10 the financial stability of the agency, because
11 statutorily, the permitting program is supposed
12 to be self-sufficient, and we have not changed
13 fees on any of the rules since 2021 and 2022.
14 And so, the work group is examining the fee
15 structure of the permitting process and will make
16 a recommendation to the Board regarding how we
17 believe the agency should proceed with
18 implementation of any changes to our fee
19 structure.

20 Our next meeting is July -- July. Boy,
21 I'm jumping way ahead -- January 15th at 10:30,
22 and as we are scheduled right now, we will bring
23 a report back to the Board in March on our status

1 and how we see the agency proceeding. Are there
2 any questions?

3 (No response.)

4 VICE-CHAIR ETZLER: Now I'll call on
5 Dr. Graham, who is on the work group that is
6 updating Executive Order 25-38.

7 Dr. Graham?

8 DR. GRAHAM: Thank you very much.

9 We did have a productive first meeting of
10 this work group on the burden reduction
11 initiative of the executive order. We discussed
12 four possible areas by committee requesting
13 change in federal statutes or regulations that
14 impact Indiana burden, recommending changes in
15 Indiana statute which create unnecessary burden,
16 recommending rulemaking reform that IDEM could do
17 on its own initiative, and nonrulemaking guidance
18 or other activities that IDEM can do on its own.

19 A key question that we kind of focused on
20 is: How much in resources does IDEM have to put
21 into this activity? Because you can imagine a
22 wide range of activity that could be done, and
23 basically -- and Billie can give you the details

1 on this if necessary, but basically there are
2 several staffers in Billie's operation who would
3 be doing most of this work, so we're not talking
4 about hundreds of people working on this, we're
5 talking a handful or so.

6 And we were briefed on ten items that are
7 in the works right now that IDEM's working on,
8 and a number of them are in the water area. So,
9 we discussed what the task force priorities
10 should be within those broad categories, and we
11 thought items that IDEM could do on its own might
12 be a natural first priority; those that didn't
13 require General Assembly action might be a second
14 area; and then federal action, requesting federal
15 action, might be a third.

16 We also had a good discussion, I thought,
17 of how much the task force should get into the
18 merits of each of these items now, as opposed to
19 waiting until IDEM actually has a rulemaking
20 proposal, for example, and then having our
21 traditional role as a Board reacting to those.
22 And I think we felt that the task force could
23 make suggestions on process, of how the IDEM's

1 going about finding these items and reviewing
2 public comments and so forth, but that we ought
3 to maybe hold until the Board plays its
4 traditional role and we judge the merits of these
5 individual actions.

6 So, that's from the notes I had taken from
7 my meeting, but there are other members of the
8 task force who are here, and I want to give them
9 an opportunity to say anything if they would like
10 to.

11 MS. KOZYRSKI: I did -- I will --
12 Dr. Graham, I will add that we did have a
13 discussion about prioritizing media, and at the
14 meeting it was indicated that we may look at
15 water-based regulations first, but there was some
16 question about what exactly we were, you know,
17 hoping to get completed by that March milestone.
18 So, I think that the agency is still reviewing
19 that question.

20 VICE-CHAIR ETZLER: Thank you.

21 Any questions?

22 (No response.)

23 VICE-CHAIR ETZLER: All right. Well,

1 we'll proceed to a discussion about late fee
2 assessment.

3 MS. TOWLER: Good afternoon. I come
4 to you all at the meeting today. My name is
5 Briony Towler, and I am the Chief Financial
6 Officer for IDEM. Today I'll be going over the
7 nonrule policy document regarding the assessment
8 of late fees and other consequences for
9 nonpayment of fees.

10 I do want to give special acknowledgement
11 to Robin Champion and April Lashbrook. As we
12 mentioned in previous ERB meetings, the Finance
13 Division and the Office of Legal Counsel have
14 been working on an internal project to update and
15 streamline our internal collections policy and
16 processes.

17 Included in this project was the assess --
18 was the rule in regard to the assessment of late
19 payment fees and nonpayment consequences as
20 outlined in statute and rule. We wanted to
21 ensure that the regulated committee was -- or
22 regulated community was aware of the existing
23 statutes and our intention to assess late payment

1 fees and to consider consequences for nonpayment
2 of fees for the activities in which we are
3 authorized to do so.

4 With that, I'm happy to answer any
5 questions.

6 MS. KOZYRSKI: I do have a question.

7 MS. TOWLER: Uh-huh.

8 MS. KOZYRSKI: I represent utilities,
9 and we also have need to collect fees, as you
10 know.

11 MS. TOWLER: Uh-huh.

12 MS. KOZYRSKI: One of the points that
13 has been made -- and I believe there is still an
14 opportunity to comment on this document through
15 the end of next week, if that's correct -- there
16 are various methodologies for payment within
17 IDEM. Some are fairly streamlined and Web based,
18 others rely on hardcopy assessments mailed, and
19 we've all encountered instances of misdirected
20 mail.

21 MS. TOWLER: Uh-huh.

22 MS. KOZYRSKI: And so, the ability to
23 pay promptly is related to the system in which

1 IDEM administers those fees, and so, that is
2 something that I'm wondering if that is intended
3 to accompany the -- an action of this policy
4 document.

5 MS. TOWLER: Yeah. So, in regards to
6 that, so essentially with our mail, I mean we
7 have, as we all probably have at some point, some
8 kind of issues in regards to the arriving of that
9 mail. There are a few things and ideas that we
10 have kind of discussed internally just in regards
11 to addressing it.

12 A lot of it is just that we have a lot of
13 different divisions that are receiving mail, and
14 also, you know, we're dealing with the mailroom
15 that is delivering those to all -- you know, 20
16 different places. And so, there has been
17 discussion in regards to how we can streamline
18 our mail operation in regards to that.

19 A large reason of some of us having that
20 conversation is prompted by the prompt receipt of
21 checks and ensuring that those checks meet -- not
22 only make it within our state requirements of us
23 receiving and depositing that check within

1 that -- that 24-hour window, but also just
2 ensuring that we have proper controls on those
3 checks.

4 And so, there has been discussion in
5 regards to, you know, essentially having our
6 internal mail go to one place and be handled by
7 like one person and distributed by one person or
8 something along those lines, so that way --
9 really, the checks is a big component of some of
10 the delays that we see at times.

11 It's just when we receive that check
12 actually at that time, it is easier at times when
13 the things go to our electric lockbox, but when
14 things come actually through the like actual
15 mail, it -- we do -- that's where we generally
16 see complications.

17 Another component is we do have the
18 on-line portal. From, you know, my perspective
19 as Chief Financial Officer, that is our preferred
20 methodology. Now, while there is not always
21 capability to be able to use an e-check, you
22 know, and those different things, whether it be,
23 you know, someone may have an internal policy to

1 not pay that service fee or things like that, we
2 do offer those, and those are the quickest way to
3 ensure that we not only receive those items, but
4 also are able to immediately address those.

5 If we receive it and there's question in
6 regards to like what is the payment for and some
7 other things, having that contact information, we
8 work internally to, as close as we can, identify
9 what that may be for.

10 We also have had, in rummaging in our
11 Accounts Receivable with the division manager,
12 she's had conversations actually with the
13 technology company that runs the Web payment
14 forum, and there have -- we have done some work
15 in regards to like adding different options, a
16 drop-down, making sure that the language is a lot
17 clearer for those who are using that platform as
18 well.

19 So, there have -- there has also been a
20 lot of different techniques that we've kind of
21 been looking for in addition to those in regards
22 to like fee initial payments upfront in general.

23 COMM. WOODS: Briony, do you mind if

1 I just add this as -- I'm just going to add -- I
2 think you're spot on. I'll say, from my
3 perspective, I think we've shared -- and I'm
4 sorry; we haven't reviewed in great detail, but I
5 think a component of the work the fees work group
6 is doing is, "Hey, let's make sure we have a good
7 sense of what our collections rate is." And it's
8 relatively high as an agency, but fairly
9 inconsistent across some of those programs.

10 I do think there's probably some
11 technological changes we're hoping for that will
12 be successful in making more consistency in terms
13 of both where we have, you know, an electronic
14 component -- and I think implementation of this
15 nonrule policy will be -- you know, it's more
16 notice to folks that we have this -- we've had
17 this authority, but we intend to potentially use
18 it to address where we have collections.

19 And the corresponding, I think, policy
20 that Briony was mentioning will lay out things
21 like for the agency when it's appropriate to
22 write off, you know, unpaid bills or refer to the
23 Attorney General's Office if there's unpaid

1 bills. And I think it'll be probably very
2 different across the agency.

3 But I think where there's an individual
4 customer that is in this scenario, we'd likely
5 have communication with them in advance, both
6 electronically and otherwise, to make sure we're
7 letting them know if there's late fees being
8 assessed and why, and how we're approaching that,
9 and probably very different if you're in the
10 voluntary remediation program versus an NPDES
11 permit.

12 And so, I think there's, as you know,
13 great variation across the -- how the agency
14 operates, and we're hoping to get a little bit
15 more consistency, both with this policy, but also
16 with some of the systems that correspond to how
17 we bill in the first place, but also how we
18 implement this.

19 So, I think that's an element that we
20 wanted to make sure we were as clear as possible,
21 and I think -- I'll say I'm usually skeptical of
22 guidance documents generally. I think this is a
23 really good use of this tool, and as you all may

1 know, under Title 13 we kind of provide notice to
2 the Board to review this and any feedback that
3 you may have.

4 But I think in this case it's largely
5 designed to send a signal to folks that "Hey,
6 this is authority we've always had, and here's
7 how we intend to approach it," but there's
8 probably going to be some variation in how that
9 works across different IDEM programs and things
10 like that.

11 MS. KOZYRSKI: Okay.

12 MS. TOWLER: And I will add to that,
13 like the aspect of us assessing late fees and
14 having late payment fees become -- and being, you
15 know, a clearer aspect of our operation does not
16 negate our customer service at all. So, if we
17 have something and there's an issue that we don't
18 understand like that, you know, it does still
19 have subjectivity, if we encounter an issue or
20 there's some reason that causes a delay from an
21 operations standpoint or otherwise.

22 So, that -- it's still going to continue
23 to be a focus of our team that we are, you know,

1 mindful of those things, uh-huh.

2 MS. KOZYRSKI: Okay. Thank you.

3 VICE-CHAIR ETZLER: Thank you.

4 MS. TOWLER: Thank you.

5 VICE-CHAIR ETZLER: Next, we will
6 have a presentation on Financial Assurance.

7 COMM. WOODS: And Vice-Chairman, if
8 you don't mind, while Nivas comes up, I just
9 wanted to maybe mention one thing I said, and I
10 mentioned before how we have four statutory
11 boards, and I think one of our goals, as we
12 talked to Billie as well as others, is we would
13 love some connectivity between those boards.

14 And the Financial Assurance Board, which
15 we have Nivas, who's going to be here, who chairs
16 that board, that helps to provide advice to our
17 Petroleum Branch. They also have rulemaking
18 authority for the Excess Liability Trust Fund
19 that addresses underground and above-ground
20 storage tanks. And so, we invited the Chairman
21 to join us, because I think this is a goal that
22 we have is to maybe make sure those four boards
23 are talking to each other.

1 And just as a reminder, the other two deal
2 with recycling market development grants, as well
3 as Compliance Advisory -- a Compliance Advisory
4 Panel that helps to inform the agency on small
5 entity compliance, especially with Clean Air Act
6 obligations. And so, one of the ideas we've been
7 kicking around is, "Hey, how do we get these
8 folks to talk to each other, because they're all
9 volunteering their time and expertise to us as an
10 agency."

11 So, I just wanted to kind of explain the
12 background and welcome this presentation to help
13 connect the dots between some of the work that
14 the FAB does in relation to the ERB.

15 MR. VIJAY: Thank you for that, and I
16 don't have a presentation, per se, just a kind of
17 quick introduction of what the FAB Board is.

18 So, for those of you who don't know me, my
19 name is Nivas Vijay. I'm the Principal of
20 Heartland Environmental and Seratech Drilling,
21 and I also happen to be the Chairman of the
22 Underground Storage Tank Financial Assurance
23 Board, one of the boards that the Commissioner

1 has said is statutorily required, and we oversee
2 the Excess Liability Trust Fund and the
3 Underground Storage Tank Program.

4 And one of the things that we've seen from
5 our Board's standpoint, and particularly the last
6 couple of years as changes to the Excess
7 Liability Trust Fund has happened, there's
8 discussions about rule changes. There's been
9 changes in fees that we're seeing, quite frankly,
10 the way we're interacting with the agency in
11 particular, morph a little bit from a more --
12 what may have been contentious at one point in
13 time, just as recently as a couple of years ago,
14 to where we're trying to create a more
15 collaborative approach with the agency, because
16 we all kind of are on the same team.

17 And one of the discussions we've had with
18 Comm. Woods and Brian is: How can the four
19 boards that are part of -- that are required kind
20 of either work in concert with one another or at
21 least have some discussions? Because, to be
22 perfectly blunt, I've never been to this Board
23 meeting. I'm sure you've never been to the FAB

1 Board meeting, or if you have, great, but it is
2 just very limited interaction between the boards.

3 So, particularly on the Excess Liability
4 Trust Fund side, we do anticipate seeing some
5 rule changes there, with some fee changes that
6 are going to be made in particular. So, to the
7 extent that our Board can work with your Board
8 and maybe offer some kind of approach where there
9 can be some synergy together, we certainly would
10 like to see that, because I think there is
11 opportunities for that, and it could be
12 beneficial for not only IDEM, but our boards, to
13 kind of streamline our approaches.

14 So, I don't necessarily have a
15 presentation, per se. It was more of an
16 introduction, just say, "Hello," but also to say,
17 "Let's -- if there is an ability for our boards
18 to all work together, I think it could be
19 beneficial for IDEM and our working groups as
20 well."

21 VICE-CHAIR ETZLER: Thank you.

22 Any questions?

23 MR. KETZENBERGER: I have one

1 question.

2 VICE-CHAIR ETZLER: Yes.

3 MR. KETZENBERGER: The idea makes
4 sense to me to have communication between the
5 boards, but I'm not sure -- and maybe it's too
6 soon -- how that communication would be handled,
7 by whom, with whom, and, you know, how the
8 information would flow so that as members, we
9 understood the broader context of the attempt to
10 coordinate these boards.

11 MR. VIJAY: I don't know if there's
12 an answer to that right now, obviously, but I
13 think there's some kinks to try to figure out,
14 but also our board is very specific related to
15 underground storage tanks and the Excess
16 Liability Trust Fund, so, you know, at least from
17 our point of view, from the FAB Board point of
18 view, I'd see if there's rule changes
19 specifically related to the Excess Liability
20 Trust Fund program or the Underground Storage
21 Tank program.

22 Then how that would work I'm not sure yet,
23 but we'd certainly like the opportunity and be

1 open and flexible to try and figure out what that
2 would work and how that -- how that would look.
3 I don't know if we have an answer right now, but
4 it's something we can certainly at least throw
5 into the ethos and try to figure out.

6 MR. KETZENBERGER: I figured it was
7 too soon, but --

8 MR. VIJAY: It's kind of a new
9 concept.

10 MR. KETZENBERGER: -- but maybe we
11 should think about that.

12 MR. VIJAY: Something certainly to
13 think about, but I think it is -- it could be
14 something that could be beneficial for both
15 groups.

16 COMM. WOODS: Well, also I'll add,
17 you know, as the work groups go through their
18 efforts on fees and the executive order, I do
19 know there were some comments and maybe scenarios
20 where fees and/or, you know, regulatory changes
21 may be -- that may be a perfect opportunity for
22 passing the baton to the Financial Assurance
23 Board, which is very much structured like the

1 ERB, with very specific, you know, backgrounds
2 and industries represented, and so, they do have
3 a lot of expertise in the work that our Petroleum
4 Branch does.

5 So, that may be one opportunity -- if
6 there's suggestions and folks want to learn more
7 or maybe see what the FAB has to say about
8 something, that may be one opportunity in the
9 near future to potentially refer those items to
10 the experts on the FAB or vice-versa.

11 MR. VIJAY: Yeah, similarly to this
12 Board, the FAB is represented by the
13 environmental consulting industry, insurance,
14 banking, and petroleum jobbers as well as
15 environmental interests, so very similar to this
16 Board, representing very specific interests,
17 specifically related to underground storage
18 tanks.

19 VICE-CHAIR ETZLER: Thank you.

20 MR. DAVIDSON: So, when we have a
21 financial assurance related to some other permit,
22 it's controlled here instead of that Financial
23 Assurance Board?

1 VICE-CHAIR ETZLER: Yes.

2 MR. VIJAY: That's correct. We're
3 strictly Excess Liability Trust Fund and
4 underground storage tanks.

5 MR. DAVIDSON: Cool. Thanks.

6 MR. VIJAY: Thank you.

7 VICE-CHAIR ETZLER: Okay. Thank you.

8 DR. ALEXANDROVICH: I -- I'm sorry; I
9 did have a question. Thank you -- excuse me --
10 for meeting with us today. That's good. I look
11 forward to talking to you more.

12 My question is: When our Board undergoes
13 a rule change, that rule, new rule or rule
14 change, is presented by IDEM. They're usually
15 the ones that say, "Okay. We need to do this."
16 What agency presents your rules for rule changes?
17 Because you mentioned rule changes.

18 MR. VIJAY: It would be the same.
19 It's IDEM.

20 DR. ALEXANDROVICH: Okay. Thank you.

21 VICE-CHAIR ETZLER: Any other
22 questions?

23 (No response.)

1 VICE-CHAIR ETZLER: Thank you very
2 much. I appreciate your time.

3 Commissioner, I do have one comment. I
4 would like to know: Is meetings scheduled for
5 the other boards? I think it would be
6 interesting to take the time to attend.

7 COMM. WOODS: That would be
8 outstanding, and I'll say one thing that we have
9 contemplated with Billie is whether there may be
10 some synergies and timing, too, and room space.

11 And I'll just say, in addition, you know,
12 I mentioned the Recycling Market Development
13 Board and the Compliance Advisory Panel, I do
14 think there's potentially -- well, I'll be fully
15 transparent. The Compliance Advisory Panel has
16 never existed before, so that one is a little bit
17 different category where we have some legislative
18 appointments.

19 It's a kind of goofy provision of the --
20 way in the back of the Federal Clean Air Act that
21 we need to have a board along these lines to help
22 provide us feedback on small entities, but I do
23 think, in addition to compliance advisory

1 assistance for small entities that are regulated
2 as stationary sources by the Clean Air Act, I
3 think it is also probably likely to be a very
4 helpful group to be a sounding board for the
5 impact on small entities for which there is
6 corresponding provisions in state law.

7 And so, I think that may be another
8 example of a great opportunity, if we happen to
9 have meetings the same day, or asking them to
10 kind of take a look at it from a small business
11 perspective, if that would be helpful to the
12 Board.

13 So, we can definitely get you a list of
14 upcoming meetings so that each board has a
15 slightly different cadence, but bring those
16 together. We would love to have that
17 connectivity.

18 VICE-CHAIR ETZLER: Thank you.

19 Anybody else?

20 MR. DAVIDSON: Yes. So, let's work.
21 You're right. To some it may not be a mystery,
22 but if you've been here long enough, you know
23 that this Board used to be three boards.

1 VICE-CHAIR ETZLER: Right.

2 MR. DAVIDSON: And so, the same kind
3 of synergy happened that you're identifying as an
4 opportunity could well occur, because we all saw
5 it clearly when we got around the same table. It
6 helped a lot.

7 VICE-CHAIR ETZLER: That's good.

8 Is there anyone that wishes to address the
9 Board today?

10 (No response.)

11 VICE-CHAIR ETZLER: If not, the next
12 meeting of the Environmental Rules Board is
13 tentatively set for March 12th, 2026 at 1:30 p.m.
14 in Conference Room A of the Indiana Government
15 Center South. The meeting date is tentative and
16 subject to change, and we will keep everyone
17 updated when that is confirmed or another date is
18 chosen.

19 With that, do we have a motion to adjourn?

20 DR. NIEMIEC: So moved. This is Ted
21 Niemiec.

22 VICE-CHAIR ETZLER: And a second?

23 MS. SCHROEDER: Second.

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VICE-CHAIR ETZLER: Thank you.

All those in favor, signify by saying aye.

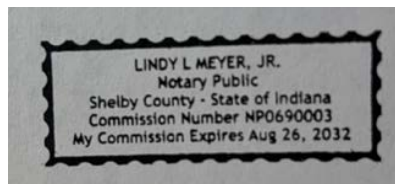
(Board members responded, "Aye.")

VICE-CHAIR ETZLER: Meeting's
adjourned. Thank you for your time, and happy
holidays.

- - -
Thereupon, the proceedings of
December 18, 2025 were concluded
at 2:21 o'clock p.m.
- - -

1 CERTIFICATE

2 I, Lindy L. Meyer, Jr., the undersigned
3 Court Reporter and Notary Public residing in the
4 City of Shelbyville, Shelby County, Indiana, do
5 hereby certify that the foregoing is a true and
6 correct transcript of the proceedings taken by me
7 on Thursday, December 18, 2025 in this matter and
8 transcribed by me.



Lindy L. Meyer, Jr.

Lindy L. Meyer, Jr.,
Notary Public in and
for the State of Indiana.

14

15 My Commission expires August 26, 2032.

16 Commission No. NP0690003

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	249-2023 [2] - 25:7, 25:13 25-38 [2] - 8:21, 34:6 250 [1] - 13:21 257 [3] - 23:9, 24:1, 25:11 26 [1] - 57:15 2:21 [1] - 56:8	able [5] - 19:8, 20:20, 28:7, 40:21, 41:4 above-ground [1] - 45:19 absolutely [1] - 19:3 access [1] - 19:16 accompany [1] - 39:3 accomplish [1] - 16:13 accordingly [1] - 26:3 accounts [1] - 41:11 ACCURATE [1] - 1:21 accuratereportingofi ndiana@gmail.com [1] - 1:23 acknowledgement [1] - 37:10 Act [6] - 10:5, 24:5, 24:6, 46:5, 53:20, 54:2 act [4] - 10:13, 15:6, 23:7, 24:4 action [7] - 15:8, 27:8, 27:10, 35:13, 35:14, 35:15, 39:3 actions [5] - 5:21, 9:23, 10:1, 32:21, 36:5 activities [2] - 34:18, 38:2 activity [2] - 34:21, 34:22 actual [1] - 40:14 add [6] - 5:16, 36:12, 42:1, 44:12, 50:16 added [1] - 25:20 adding [2] - 24:21, 41:15 addition [3] - 41:21, 53:11, 53:23 additional [3] - 9:6, 25:4, 26:3 additions [1] - 4:14 address [6] - 14:20, 15:6, 19:8, 41:4, 42:18, 55:8 addresses [1] - 45:19 addressing [1] - 39:11 adequate [1] - 11:4 adjourn [1] - 55:19 adjourned [1] - 56:5 administrators [1] - 39:1 administrative [1] - 13:4 adopt [2] - 26:20, 29:18 adopted [4] - 22:14, 26:9, 28:9, 32:19 adoption [9] - 18:14, 21:4, 22:11, 22:22,	25:15, 26:12, 27:9, 29:14, 31:6 adopts [1] - 28:14 advance [1] - 43:5 advice [1] - 45:16 Advisory [2] - 53:13, 53:15 advisory [3] - 46:3, 53:23 affect [1] - 27:23 affected [1] - 27:23 afternoon [5] - 3:3, 18:7, 19:5, 22:17, 37:3 agencies [2] - 11:23, 16:2 agency [23] - 6:14, 7:1, 8:1, 12:6, 14:2, 15:18, 15:22, 16:10, 16:11, 21:17, 33:10, 33:17, 34:1, 36:18, 42:8, 42:21, 43:2, 43:13, 46:4, 46:10, 47:10, 47:15, 52:16 agenda [4] - 4:11, 5:13, 10:2, 17:22 ago [2] - 6:17, 47:13 Agricultural [2] - 7:22, 8:6 agricultural [1] - 8:2 agriculture [1] - 8:6 ahead [1] - 33:21 air [4] - 7:3, 10:13, 11:2, 11:23 Air [4] - 18:16, 46:5, 53:20, 54:2 Alexandrovich [3] - 2:5, 3:20, 30:14 ALEXANDROVICH [9] - 3:21, 27:6, 28:2, 28:23, 29:4, 30:15, 32:7, 52:8, 52:20 alexandrovich [1] - 32:6 allow [1] - 13:9 Ambient [1] - 18:16 ambient [1] - 11:2 amended [1] - 31:7 amendments [2] - 24:19, 25:6 analyze [1] - 5:23 anniversary [1] - 15:18 announcement [1] - 14:19 annual [1] - 6:18 answer [8] - 17:22, 18:19, 26:22, 28:3, 28:7, 38:4, 49:12, 50:3	answering [1] - 20:20 anticipate [2] - 18:13, 48:4 APPEARANCES [1] - 2:1 applicable [1] - 23:17 application [1] - 28:15 appointments [1] - 53:18 appreciate [5] - 5:7, 5:11, 6:2, 17:20, 53:2 approach [3] - 44:7, 47:15, 48:8 approaches [1] - 48:13 approaching [1] - 43:8 appropriate [3] - 20:4, 20:13, 42:21 approval [2] - 4:13, 24:8 approvals [1] - 27:16 approve [3] - 4:18, 4:19, 15:9 approved [1] - 5:4 April [2] - 22:23, 37:11 area [3] - 14:21, 35:8, 35:14 areas [3] - 10:21, 15:13, 34:12 arriving [1] - 39:8 article [2] - 24:21, 25:20 aspect [2] - 44:13, 44:15 Assembly [6] - 8:16, 11:17, 13:16, 14:9, 15:22, 35:13 assembly [1] - 25:6 assess [2] - 37:17, 37:23 assessed [1] - 43:8 assessing [1] - 44:13 assessment [3] - 37:2, 37:7, 37:18 assessments [1] - 38:18 assistance [1] - 54:1 assurance [4] - 45:6, 50:22, 51:21, 51:23 Assurance [2] - 45:14, 46:22 attainment [1] - 11:1 attempt [1] - 49:9 attend [1] - 53:6 attendance [2] - 3:7, 20:19 attendant [2] - 10:7, 12:20
'mays' [1] - 12:22 'shalls' [1] - 12:23				
1	3 317 [1] - 1:22 31st [1] - 9:17 329 [7] - 23:12, 23:22, 24:20, 24:21, 24:22, 25:20 35 [2] - 6:20, 6:22	4 40 [5] - 6:22, 16:6, 23:9, 24:1, 25:11 40-plus [1] - 17:7 402 [1] - 1:15 40th [1] - 15:18 42 [1] - 24:6 45-year [1] - 6:22 46032 [1] - 1:22 4th [1] - 25:8	5 50 [1] - 16:1 543 [1] - 1:21 5th [1] - 26:6	6 6945(d [1] - 24:6
10 [2] - 6:14, 23:12 10-3-1 [1] - 24:20 10-3-4 [1] - 24:20 10-9-1 [2] - 23:22, 24:21 103 [1] - 10:5 10:30 [1] - 33:21 11 [1] - 27:9 12-0 [1] - 32:19 12th [2] - 18:12, 55:13 13 [4] - 12:9, 12:18, 13:17, 44:1 13-19-3-3 [1] - 25:7 133 [1] - 12:18 13th [2] - 21:8, 24:14 14 [2] - 24:22, 25:20 15th [1] - 33:21 16th [1] - 4:13 17th [1] - 22:23 18 [5] - 1:5, 1:16, 3:1, 56:8, 57:7 18th [2] - 3:4, 25:3 1976 [1] - 23:7 1985 [1] - 15:22 1986 [1] - 15:21 19th [1] - 23:8 1:30 [3] - 1:17, 3:1, 55:13 1st [2] - 9:7, 25:21				
2	7 7 [1] - 27:7 7th [1] - 23:21	8 80 [1] - 6:12 800 [1] - 6:14 848-0088 [1] - 1:22 8th [1] - 25:16	9 90 [1] - 13:19 92 [1] - 11:1	A ability [2] - 38:22, 48:17
20 [2] - 8:5, 39:15 2015 [4] - 22:23, 23:8, 23:12, 24:3 2016 [2] - 23:21, 24:5 2021 [2] - 24:14, 33:13 2022 [2] - 24:19, 33:13 2023 [2] - 25:3, 25:8 2024 [2] - 25:17, 27:9 2025 [13] - 1:5, 1:17, 3:1, 3:4, 4:13, 7:15, 8:5, 10:5, 25:21, 26:6, 27:10, 56:8, 57:7 2026 [4] - 11:19, 15:17, 18:12, 55:13 2027 [1] - 27:15 2032 [1] - 57:15 21-458 [1] - 22:21 21st [1] - 24:19 2301 [1] - 24:5 24-hour [1] - 40:1				

attendees [1] - 20:14
attending [1] - 19:5
attorney [2] - 7:14, 42:23
August [1] - 57:15
authority [3] - 42:17, 44:6, 45:18
authorized [1] - 38:3
automobile [1] - 10:8
available [8] - 9:3, 11:11, 11:21, 13:14, 21:6, 21:9, 21:17, 26:22
award [1] - 8:6
awards [1] - 7:11
aware [1] - 37:22
aye [2] - 5:1, 56:2
Aye [2] - 5:2, 56:3

B

background [1] - 46:12
backgrounds [1] - 51:1
banking [1] - 51:14
bar [2] - 6:19, 19:18
based [4] - 26:11, 27:15, 36:15, 38:17
basics [1] - 16:17
baton [1] - 50:22
BAUSMAN [4] - 4:6, 29:20, 30:23, 32:15
Bausman [4] - 2:9, 4:5, 30:22, 32:14
became [1] - 23:7
become [2] - 27:14, 44:14
becomes [1] - 21:17
BEFORE [1] - 1:1
beginning [1] - 19:21
beneficial [3] - 48:12, 48:19, 50:14
best [1] - 9:3
between [5] - 12:13, 45:13, 46:13, 48:2, 49:4
big [1] - 40:9
bill [4] - 10:5, 10:9, 12:6, 43:17
Billie [6] - 2:13, 18:5, 18:8, 34:23, 45:12, 53:9
billie's [1] - 35:2
bills [3] - 12:7, 42:22, 43:1
bit [6] - 9:9, 14:13, 15:1, 43:14, 47:11, 53:16
blessed [1] - 7:4

blood [1] - 6:14
blunt [1] - 47:22
BOARD [2] - 1:1, 2:2
board [24] - 3:5, 4:10, 11:9, 12:18, 13:5, 18:11, 21:1, 21:6, 21:9, 22:10, 27:10, 33:16, 35:21, 45:16, 46:23, 48:1, 48:7, 49:14, 51:16, 51:23, 52:12, 53:21, 54:4, 54:14
Board [38] - 1:10, 3:6, 4:14, 5:2, 5:13, 5:17, 9:4, 10:1, 12:15, 13:23, 15:9, 17:19, 19:8, 20:18, 21:10, 22:18, 26:20, 27:8, 28:14, 29:9, 29:13, 33:4, 33:23, 36:3, 44:2, 45:14, 46:17, 47:22, 48:7, 49:17, 50:23, 51:12, 53:13, 54:12, 54:23, 55:9, 55:12, 56:3
board's [1] - 47:5
Board's [1] - 9:19
boards [14] - 7:17, 12:13, 45:11, 45:13, 45:22, 46:23, 47:19, 48:2, 48:12, 48:17, 49:5, 49:10, 53:5, 54:23
book [1] - 13:7
books [1] - 14:6
box [1] - 19:23
boy [1] - 33:20
Branch [1] - 51:4
branch [2] - 28:14, 45:17
Brian [1] - 47:18
brief [2] - 6:5, 20:13
briefed [1] - 35:6
bring [2] - 33:22, 54:15
Briony [4] - 2:15, 37:5, 41:23, 42:20
broad [2] - 33:9, 35:10
broaden [1] - 49:9
bump [1] - 19:1
Bump [1] - 2:16
BUMP [1] - 19:3
burden [3] - 34:10, 34:14, 34:15
burdens [1] - 11:8
burdensome [1] - 9:1
Bureau [1] - 8:5
burning [1] - 18:15
business [2] - 4:12, 54:10

busy [1] - 5:10

C

cadence [1] - 54:15
calendar [1] - 6:16
Calvin [1] - 2:7
cap [1] - 11:6
capability [1] - 40:21
card [2] - 20:11, 21:20
cards [1] - 27:2
career [1] - 7:2
Carmel [1] - 1:22
Carrie [1] - 2:4
case [1] - 44:4
cases [1] - 23:19
catalogue [1] - 12:17
categories [1] - 35:10
category [1] - 53:17
causes [1] - 44:20
CCR [15] - 23:3, 23:5, 23:11, 23:13, 23:15, 23:17, 23:23, 24:9, 24:10, 24:13, 24:16, 24:17, 24:23, 26:2
celebrating [1] - 15:18
center [2] - 21:8, 55:15
Center [2] - 1:14, 1:15
certain [1] - 8:15
certainly [4] - 48:9, 49:23, 50:4, 50:12
CERTIFICATE [1] - 57:1
certify [1] - 57:5
CFR [4] - 23:9, 24:1, 25:11, 25:22
Chair [1] - 19:4
chair [4] - 4:9, 21:1, 31:3, 32:18
CHAIR [78] - 3:3, 3:10, 3:12, 3:14, 3:16, 3:18, 3:20, 3:22, 4:1, 4:3, 4:5, 4:7, 4:9, 4:17, 4:21, 4:23, 5:3, 18:1, 18:3, 18:20, 18:22, 21:2, 22:8, 27:1, 27:4, 28:10, 29:5, 29:8, 29:12, 29:17, 29:21, 29:23, 30:4, 30:6, 30:8, 30:10, 30:12, 30:14, 30:16, 30:18, 30:20, 30:22, 31:1, 31:3, 31:9, 31:11, 31:15, 31:19, 31:21, 31:23, 32:2, 32:4, 32:6, 32:8, 32:10, 32:12, 32:14, 32:16, 32:18, 34:4, 36:20, 36:23,

45:3, 45:5, 48:21, 49:2, 51:19, 52:1, 52:7, 52:21, 53:1, 54:18, 55:1, 55:7, 55:11, 55:22, 56:1, 56:4
Chairman [5] - 1:11, 2:3, 45:7, 45:20, 46:21
chairman [1] - 5:7
chairs [1] - 45:15
challenges [1] - 17:11
Champion [1] - 37:11
change [4] - 34:13, 52:13, 52:14, 55:16
changed [1] - 33:12
changes [17] - 13:3, 13:17, 22:15, 26:17, 29:19, 33:18, 34:14, 42:11, 47:6, 47:8, 47:9, 48:5, 49:18, 50:20, 52:16, 52:17
chat [7] - 19:14, 19:16, 19:22, 19:23, 20:2, 20:6, 20:12
chats [1] - 19:15
check [5] - 10:8, 11:12, 39:23, 40:11, 40:21
checks [4] - 39:21, 40:3, 40:9
Chief [1] - 18:8
chief [2] - 37:5, 40:19
chosen [1] - 55:18
Chris [1] - 2:6
City [1] - 57:4
clarify [1] - 12:8
Clean [3] - 46:5, 53:20, 54:2
clean [3] - 10:13, 12:8, 14:6
clear [1] - 43:20
clearer [2] - 41:17, 44:15
clearly [1] - 55:5
click [1] - 19:22
Clint [1] - 2:10
close [1] - 41:8
closer [3] - 9:16, 12:5, 15:4
closure [3] - 23:4, 23:17, 23:19
Coal [1] - 21:4
coal [4] - 22:11, 22:20, 23:2, 29:14
code [1] - 12:9
Code [2] - 13:4, 23:9
codified [2] - 23:8, 24:6
collaborative [1] -

47:15
collect [1] - 38:9
collections [3] - 37:15, 42:7, 42:18
combined [1] - 14:20
combustion [4] - 21:4, 22:12, 23:2, 29:14
Combustion [1] - 22:20
coming [1] - 13:5
Comm [1] - 47:18
COMM [5] - 5:6, 41:23, 45:7, 50:16, 53:7
comment [11] - 21:20, 24:12, 26:5, 26:7, 26:8, 26:14, 26:18, 29:6, 38:14, 53:3
Comment [4] - 24:17, 25:2, 25:15, 26:4
comments [11] - 9:5, 9:8, 20:3, 22:2, 25:5, 25:13, 26:11, 26:13, 26:17, 36:2, 50:19
Commission [2] - 57:15, 57:16
commissioner [3] - 6:8, 18:4, 53:3
Commissioner [2] - 2:10, 46:23
commissions [2] - 7:18, 12:14
committee [2] - 34:12, 37:21
communication [3] - 43:5, 49:4, 49:6
communities [1] - 14:22
community [1] - 37:22
company [1] - 41:13
compared [1] - 15:2
complete [1] - 17:12
completed [1] - 36:17
completion [1] - 14:19
Compliance [2] - 53:13, 53:15
compliance [4] - 46:3, 46:5, 53:23
complications [1] - 40:16
component [4] - 40:9, 40:17, 42:5, 42:14
comprehensive [2] - 13:17, 24:16
comprehensively [2] - 5:23, 12:8
concept [1] - 50:9
concerning [2] - 22:11, 24:22
concert [1] - 47:20
concluded [2] - 29:13,

56:8 Conference [2] - 1:14, 55:14 confirmed [1] - 55:17 Congress [1] - 24:3 connect [1] - 46:13 connectivity [2] - 45:13, 54:17 consequences [3] - 37:8, 37:19, 38:1 consequently [1] - 23:20 Conservation [1] - 23:6 consider [2] - 29:13, 38:1 consideration [1] - 22:22 considered [1] - 21:5 consistency [3] - 12:13, 42:12, 43:15 consolidated [1] - 13:20 consulting [1] - 51:13 contact [1] - 41:7 contemplate [1] - 13:16 contemplated [1] - 53:9 contentious [1] - 47:12 context [1] - 49:9 continuation [1] - 25:1 continuations [1] - 25:14 continue [1] - 44:22 continued [1] - 11:23 continuing [1] - 14:12 control [1] - 11:11 controlled [1] - 51:22 controls [1] - 40:2 conversation [1] - 39:20 conversations [4] - 10:15, 16:8, 17:2, 41:12 cool [1] - 52:5 coordinate [1] - 49:10 copper [1] - 15:9 copy [3] - 8:18, 13:13, 21:15 core [1] - 16:18 Corporation [1] - 2:8 correct [6] - 29:2, 29:3, 33:7, 38:15, 52:2, 57:6 corrections [1] - 4:15 correspond [1] - 43:16	corresponding [3] - 17:11, 42:19, 54:6 Council [1] - 9:16 counsel [6] - 7:13, 18:10, 21:7, 21:15, 22:19, 37:13 counterpart [1] - 9:11 counterparts [1] - 10:10 counties [1] - 11:1 country [1] - 8:1 County [3] - 1:13, 11:13, 57:4 county [1] - 10:21 couple [4] - 6:17, 8:11, 47:6, 47:13 court [1] - 22:5 Court [1] - 57:3 cover [2] - 6:6, 19:1 create [3] - 25:9, 34:15, 47:14 criteria [1] - 23:2 crossed [1] - 27:20 CSO [1] - 14:22 current [1] - 27:20 customer [2] - 43:4, 44:16	design [1] - 23:4 designated [1] - 7:12 designed [1] - 44:5 detail [1] - 42:4 details [1] - 34:23 determine [1] - 33:6 development [5] - 16:8, 16:10, 16:14, 18:9, 46:2 Development [2] - 2:8, 53:12 device [2] - 19:18, 19:20 dialog [1] - 19:23 differed [1] - 23:18 different [12] - 9:12, 10:18, 39:13, 39:16, 40:22, 41:15, 41:20, 43:2, 43:9, 44:9, 53:17, 54:15 DigIndy [1] - 14:19 directed [1] - 8:22 directives [1] - 14:8 discussed [3] - 34:11, 35:9, 39:10 discussion [6] - 29:15, 35:16, 36:13, 37:1, 39:17, 40:4 discussions [3] - 47:8, 47:17, 47:21 displayed [1] - 8:19 disposal [1] - 23:2 dispose [1] - 23:13 distributed [1] - 40:7 division [2] - 37:13, 41:11 divisions [1] - 39:13 document [3] - 37:7, 38:14, 39:4 documents [1] - 43:22 done [2] - 34:22, 41:14 dots [1] - 46:13 dotted [1] - 27:19 down [1] - 41:16 dozen [1] - 6:21 DR [19] - 3:13, 3:21, 4:8, 27:6, 28:2, 28:23, 29:4, 30:7, 30:15, 31:2, 31:10, 31:13, 31:22, 32:7, 32:17, 34:8, 52:8, 52:20, 55:20 Dr [16] - 2:3, 2:4, 2:5, 3:12, 3:20, 4:7, 30:6, 30:14, 31:1, 31:14, 31:21, 32:6, 32:16, 34:5, 34:7, 36:12 draft [4] - 16:8, 25:20, 25:22, 26:14	Drilling [1] - 46:20 Drinking [1] - 15:6 Drive [1] - 1:21 drop [1] - 41:16 drop-down [1] - 41:16 due [2] - 8:14, 10:3 during [9] - 19:8, 19:13, 20:9, 23:16, 25:5, 25:13, 26:7, 26:11, 26:13	E	e-check [1] - 40:21 e-mail [1] - 20:7 easier [1] - 40:12 Eckhart [4] - 2:8, 3:16, 30:10, 32:2 ECKHART [3] - 3:17, 30:11, 32:3 economic [1] - 33:3 Economic [1] - 2:8 effective [3] - 23:8, 25:8, 27:14 effort [4] - 12:17, 14:9, 16:20, 16:23 efforts [7] - 5:19, 9:19, 9:20, 9:22, 14:12, 17:10, 50:18 either [2] - 13:20, 47:20 electric [1] - 40:13 electronic [1] - 42:13 electronically [1] - 43:6 element [1] - 43:19 Eli [1] - 2:8 EMAIL [1] - 1:23 emission [3] - 10:8, 10:12, 11:12 emphasis [1] - 16:10 emphasize [1] - 15:14 employee [1] - 17:1 employees [9] - 6:12, 6:15, 6:19, 6:22, 7:10, 15:23, 17:1, 17:3, 17:5 empowering [1] - 16:14 enacted [1] - 8:15 encounter [1] - 44:19 encountered [1] - 38:19 end [5] - 6:6, 13:18, 14:23, 19:9, 38:15 enforced [1] - 22:3 engaged [1] - 17:1 Enrolled [1] - 10:4 ensure [3] - 25:22, 37:21, 41:3	ensuring [2] - 39:21, 40:2 entertain [1] - 4:18 entire [2] - 21:9, 33:5 entirely [1] - 28:19 entities [4] - 23:13, 53:22, 54:1, 54:5 entity [1] - 46:5 environment [2] - 9:2, 14:3 environmental [10] - 3:5, 8:1, 8:23, 12:14, 13:7, 14:16, 22:10, 51:13, 51:15, 55:12 ENVIRONMENTAL [1] - 1:1 Environmental [2] - 1:10, 46:20 EPA [12] - 10:10, 10:16, 10:19, 22:23, 24:2, 24:7, 25:11, 27:16, 27:18, 27:21, 28:16, 28:18 ERB [3] - 37:12, 46:14, 51:1 especially [1] - 46:5 Espinda [1] - 7:21 essentially [2] - 39:6, 40:5 establish [1] - 24:15 established [4] - 23:1, 23:12, 25:17, 33:1 establishment [1] - 24:22 ethical [1] - 7:19 ethics [1] - 7:12 Ethics [1] - 7:16 ethos [1] - 50:5 Etzler [6] - 1:11, 2:3, 4:10, 19:4, 31:4, 32:19 ETZLER [78] - 3:3, 3:10, 3:12, 3:14, 3:16, 3:18, 3:20, 3:22, 4:1, 4:3, 4:5, 4:7, 4:9, 4:17, 4:21, 4:23, 5:3, 18:1, 18:3, 18:20, 18:22, 21:2, 22:8, 27:1, 27:4, 28:10, 29:5, 29:8, 29:12, 29:17, 29:21, 29:23, 30:4, 30:6, 30:8, 30:10, 30:12, 30:14, 30:16, 30:18, 30:20, 30:22, 31:1, 31:3, 31:9, 31:11, 31:15, 31:19, 31:21, 31:23, 32:2, 32:4, 32:6, 32:8, 32:10, 32:12, 32:14, 32:16,
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<p>32:18, 34:4, 36:20, 36:23, 45:3, 45:5, 48:21, 49:2, 51:19, 52:1, 52:7, 52:21, 53:1, 54:18, 55:1, 55:7, 55:11, 55:22, 56:1, 56:4</p> <p>event [1] - 6:18</p> <p>exactly [1] - 36:16</p> <p>examining [1] - 33:14</p> <p>example [2] - 35:20, 54:8</p> <p>exceedingly [1] - 6:5</p> <p>excellence [1] - 8:6</p> <p>excellent [1] - 7:4</p> <p>except [1] - 26:2</p> <p>Excess [5] - 45:18, 47:2, 48:3, 49:19, 52:3</p> <p>excess [2] - 47:6, 49:15</p> <p>excited [9] - 7:8, 8:7, 11:7, 13:12, 14:9, 15:14, 15:17, 17:9, 17:17</p> <p>exciting [3] - 6:9, 15:19, 16:4</p> <p>excuse [1] - 52:9</p> <p>executive [5] - 5:22, 8:17, 8:20, 34:11, 50:18</p> <p>Executive [1] - 34:6</p> <p>Exhibit [1] - 22:13</p> <p>exist [1] - 13:21</p> <p>existed [2] - 15:21, 53:16</p> <p>existing [2] - 23:5, 37:22</p> <p>expected [1] - 27:13</p> <p>expecting [1] - 11:18</p> <p>expertise [4] - 5:15, 17:21, 46:9, 51:3</p> <p>experts [1] - 51:10</p> <p>expires [1] - 57:15</p> <p>explain [1] - 46:11</p> <p>explore [1] - 10:10</p> <p>exposures [1] - 15:7</p> <p>extended [1] - 16:21</p> <p>extent [1] - 48:7</p> <p>eyes [1] - 6:17</p>	<p>farm [1] - 8:5</p> <p>farmers [2] - 8:4, 8:9</p> <p>faster [1] - 27:21</p> <p>favor [2] - 5:1, 56:2</p> <p>feather [1] - 11:6</p> <p>feature [3] - 19:15, 19:17, 20:7</p> <p>features [1] - 20:2</p> <p>February [1] - 6:8</p> <p>Federal [1] - 23:9</p> <p>federal [14] - 9:11, 9:12, 14:7, 23:11, 23:19, 23:23, 24:9, 24:11, 25:17, 26:1, 34:13, 35:14, 53:20</p> <p>fee [6] - 33:14, 33:18, 37:1, 41:1, 41:22, 48:5</p> <p>feedback [4] - 6:1, 16:22, 44:2, 53:22</p> <p>fees [19] - 6:1, 33:2, 33:5, 33:13, 37:8, 37:9, 37:19, 38:1, 38:2, 38:9, 39:1, 42:5, 43:7, 44:13, 44:14, 47:9, 50:18, 50:20</p> <p>felt [1] - 35:22</p> <p>few [9] - 6:6, 6:11, 7:9, 8:13, 10:20, 11:19, 17:17, 17:19, 39:9</p> <p>figure [3] - 49:13, 50:1, 50:5</p> <p>figured [1] - 50:6</p> <p>filed [1] - 11:20</p> <p>fill [3] - 20:10, 21:20, 21:23</p> <p>filled [1] - 20:15</p> <p>filling [1] - 28:15</p> <p>final [12] - 21:3, 22:11, 22:22, 23:1, 23:7, 23:20, 24:2, 25:17, 26:20, 28:9, 29:13, 31:6</p> <p>finance [1] - 37:12</p> <p>financial [6] - 33:10, 37:5, 40:19, 45:6, 51:21, 51:22</p> <p>Financial [3] - 45:14, 46:22, 50:22</p> <p>first [11] - 4:12, 16:9, 23:11, 24:12, 25:14, 29:17, 32:22, 34:9, 35:12, 36:15, 43:17</p> <p>flexible [1] - 50:1</p> <p>Floor [1] - 21:8</p> <p>flow [1] - 49:8</p> <p>focus [1] - 44:23</p> <p>focused [2] - 11:17, 34:19</p>	<p>folks [12] - 7:1, 8:10, 8:18, 14:1, 14:15, 16:1, 17:6, 17:23, 42:16, 44:5, 46:8, 51:6</p> <p>force [4] - 35:9, 35:17, 35:22, 36:8</p> <p>foregoing [1] - 57:5</p> <p>form [5] - 7:11, 9:21, 11:9, 20:15, 21:23</p> <p>formed [1] - 15:21</p> <p>forms [1] - 20:11</p> <p>forth [1] - 36:2</p> <p>forthcoming [1] - 11:14</p> <p>fortunate [1] - 6:7</p> <p>forum [2] - 19:9, 41:14</p> <p>forward [2] - 16:5, 52:11</p> <p>four [10] - 12:13, 16:5, 16:6, 18:13, 22:2, 34:12, 45:10, 45:22, 47:18</p> <p>frame [1] - 28:22</p> <p>Franklin [3] - 2:13, 18:5, 18:8</p> <p>FRANKLIN [1] - 18:7</p> <p>frankly [1] - 47:9</p> <p>French [1] - 7:13</p> <p>fresh [1] - 6:16</p> <p>friends [1] - 10:16</p> <p>fronts [1] - 17:17</p> <p>fully [1] - 53:14</p> <p>fund [3] - 45:18, 47:7, 49:16</p> <p>Fund [4] - 47:2, 48:4, 49:20, 52:3</p> <p>future [5] - 5:21, 9:21, 9:22, 10:23, 51:9</p>	<p>governor's [1] - 5:22</p> <p>Governor's [2] - 8:17, 12:7</p> <p>GRAHAM [6] - 4:8, 31:2, 31:10, 31:13, 32:17, 34:8</p> <p>Graham [8] - 2:3, 4:7, 31:1, 31:14, 32:16, 34:5, 34:7, 36:12</p> <p>grants [1] - 46:2</p> <p>great [5] - 7:16, 42:4, 43:13, 48:1, 54:8</p> <p>GREEN [3] - 3:19, 30:13, 32:5</p> <p>Green [4] - 2:7, 3:18, 30:12, 32:4</p> <p>ground [2] - 7:6, 45:19</p> <p>group [8] - 16:21, 33:1, 33:4, 33:14, 34:5, 34:10, 42:5, 54:4</p> <p>groups [7] - 5:19, 6:4, 10:15, 32:23, 48:19, 50:15, 50:17</p> <p>guidance [2] - 34:17, 43:22</p>	<p>14:22</p> <p>historical [1] - 27:15</p> <p>historically [1] - 33:2</p> <p>hit [2] - 6:22, 7:6</p> <p>hold [1] - 36:3</p> <p>holiday [1] - 5:10</p> <p>holidays [1] - 56:6</p> <p>Hoosier [2] - 8:3, 8:9</p> <p>Hoosiers [2] - 7:3, 15:12</p> <p>hope [1] - 27:20</p> <p>hopefully [1] - 16:15</p> <p>hoping [3] - 36:17, 42:11, 43:14</p> <p>horizon [1] - 10:23</p> <p>HORN [3] - 3:15, 30:9, 32:1</p> <p>Horn [4] - 2:6, 3:14, 30:8, 31:23</p> <p>host [1] - 19:16</p> <p>huge [1] - 11:6</p> <p>HUMMEL [3] - 28:8, 28:12, 29:3</p> <p>Hummel [2] - 2:14, 28:12</p> <p>hundred [1] - 15:4</p> <p>hundreds [1] - 35:4</p>
H				
<p>hand [5] - 19:14, 19:16, 20:1, 22:6</p> <p>handful [1] - 35:5</p> <p>handled [2] - 40:6, 49:6</p> <p>happy [4] - 17:22, 18:19, 38:4, 56:5</p> <p>hardcopy [1] - 38:18</p> <p>haul [1] - 5:20</p> <p>health [2] - 11:4, 16:3</p> <p>hear [1] - 20:20</p> <p>hearing [8] - 4:17, 20:10, 21:3, 22:9, 22:15, 25:16, 26:12, 29:12</p> <p>hearings [2] - 21:19, 27:11</p> <p>Heartland [1] - 46:20</p> <p>hello [1] - 48:16</p> <p>help [9] - 6:3, 13:15, 14:6, 15:14, 46:12, 53:21</p> <p>helped [1] - 55:6</p> <p>helpful [2] - 54:4, 54:11</p> <p>helping [1] - 17:20</p> <p>helps [3] - 9:18, 45:16, 46:4</p> <p>hereby [1] - 57:5</p> <p>high [2] - 6:19, 42:8</p> <p>highlight [2] - 14:13,</p>				
I				
<p>i's [1] - 27:19</p> <p>IAC [7] - 23:12, 23:22, 24:20, 24:21, 24:22, 25:20</p> <p>IC [1] - 25:7</p> <p>icon [1] - 19:22</p> <p>idea [1] - 49:3</p> <p>ideas [2] - 39:9, 46:6</p> <p>IDEM [34] - 2:10, 2:12, 5:15, 6:2, 6:8, 6:21, 7:12, 7:17, 7:23, 11:22, 12:17, 13:4, 13:11, 15:20, 16:10, 23:20, 25:19, 26:3, 26:7, 26:19, 33:3, 34:16, 34:18, 34:20, 35:11, 35:19, 37:6, 38:17, 39:1, 44:9, 48:12, 48:19, 52:14, 52:19</p> <p>IDEM's [10] - 7:22, 9:20, 21:9, 22:14, 24:15, 28:9, 29:18, 33:2, 35:7, 35:23</p> <p>identify [2] - 19:10, 41:8</p> <p>identifying [1] - 55:3</p> <p>IGA [1] - 11:22</p> <p>imagine [1] - 34:21</p> <p>immediately [1] - 41:4</p>				
F				
<p>FAB [7] - 46:14, 46:17, 47:23, 49:17, 51:7, 51:10, 51:12</p> <p>fairly [2] - 38:17, 42:8</p> <p>fantastic [1] - 7:17</p> <p>far [4] - 7:23, 10:23, 28:19, 28:21</p>				
G				
<p>General [4] - 11:16, 13:16, 14:8, 35:13</p> <p>general [5] - 8:16, 15:22, 18:15, 25:6, 41:22</p> <p>general's [1] - 7:15</p> <p>General's [1] - 42:23</p> <p>generally [2] - 40:15, 43:22</p> <p>glad [1] - 10:14</p> <p>goal [1] - 45:21</p> <p>goals [1] - 45:11</p> <p>goofy [1] - 53:19</p> <p>Government [1] - 1:14</p> <p>government [3] - 6:20, 21:8, 55:14</p> <p>Governor [3] - 2:9, 6:17, 9:15</p>				

impact [3] - 11:22, 34:14, 54:5
implement [3] - 14:7, 15:10, 43:18
implementation [3] - 28:5, 33:18, 42:14
important [9] - 5:13, 5:16, 5:18, 12:15, 15:15, 17:13, 17:14, 17:18, 17:22
impose [1] - 25:23
imposed [1] - 26:1
impoundments [5] - 23:5, 23:16, 23:18, 23:23, 25:18
improve [2] - 9:1, 14:3
improvements [2] - 14:16, 24:4
included [2] - 21:6, 37:17
includes [1] - 17:6
including [4] - 5:16, 6:13, 10:7, 26:16
inconsistent [1] - 42:9
incorporate [1] - 25:21
incorporated [1] - 23:22
INDIANA [2] - 1:1, 1:21
Indiana [24] - 1:10, 1:13, 1:14, 1:16, 1:22, 2:8, 8:4, 10:7, 12:9, 14:17, 14:23, 15:8, 21:8, 22:10, 23:12, 23:15, 23:21, 24:13, 25:9, 34:14, 34:15, 55:14, 57:4, 57:13
Indianapolis [2] - 1:16, 17:14
indicate [1] - 3:6
indicated [2] - 28:20, 36:14
individual [2] - 36:5, 43:3
industrial [1] - 18:14
industries [1] - 51:2
industry [1] - 51:13
info [1] - 27:8
inform [2] - 13:15, 46:4
information [3] - 5:18, 41:7, 49:8
Infrastructure [1] - 24:4
initial [1] - 41:22
initiative [2] - 34:11, 34:17
initiatives [1] - 7:7

inside [1] - 10:15
inspection [2] - 21:7, 21:14
inspector [1] - 7:15
instances [1] - 38:19
instead [1] - 51:22
institutional [1] - 6:23
insurance [1] - 51:13
intend [2] - 42:17, 44:7
intended [1] - 39:2
intent [1] - 24:15
intention [1] - 37:23
interacting [1] - 47:10
interaction [1] - 48:2
interest [1] - 12:1
interested [2] - 13:11, 25:4
interesting [1] - 53:6
interests [2] - 51:15, 51:16
interim [1] - 5:17
internal [4] - 37:14, 37:15, 40:6, 40:23
internally [2] - 39:10, 41:8
introduce [1] - 22:13
introduction [3] - 12:4, 46:17, 48:16
inventoried [1] - 15:5
inventories [1] - 15:4
invited [2] - 26:8, 45:20
involve [1] - 27:18
involved [1] - 27:13
issue [3] - 19:13, 44:17, 44:19
issued [1] - 9:7
issues [3] - 9:18, 12:2, 39:8
it'll [1] - 43:1
items [11] - 5:13, 6:6, 6:11, 8:13, 17:22, 35:6, 35:11, 35:18, 36:1, 41:3, 51:9

J

January [5] - 11:19, 12:5, 13:14, 25:3, 33:21
Joanne [1] - 2:5
job [1] - 7:17
jobbers [1] - 51:14
jobs [1] - 16:16
John [2] - 2:3, 2:6
join [2] - 19:7, 45:21
joined [1] - 20:6
joining [1] - 19:12
Jr [3] - 1:12, 57:2,

57:11
judge [1] - 36:4
July [4] - 9:7, 25:21, 33:20
jumping [1] - 33:21

K

Karla [2] - 2:16, 21:21
Keelyn [3] - 2:14, 22:16, 22:18
keep [2] - 16:19, 55:16
keeping [1] - 7:17
Ken [1] - 2:5
kept [1] - 33:3
KETZENBERGER [7] - 4:2, 30:19, 32:11, 48:23, 49:3, 50:6, 50:10
Ketzenberger [4] - 2:6, 4:1, 30:18, 32:10
Kevin [1] - 2:16
key [3] - 6:11, 13:10, 34:19
kicking [1] - 46:7
kind [21] - 9:4, 12:17, 15:2, 16:17, 16:22, 16:23, 34:19, 39:8, 39:10, 41:20, 44:1, 46:11, 46:16, 47:16, 47:19, 48:8, 48:13, 50:8, 53:19, 54:10, 55:2
Kindrick [2] - 2:16, 21:21
KINDRICK [1] - 27:3
kinks [1] - 49:13
knowledge [1] - 6:23
known [3] - 18:17, 23:14, 26:4
KOZYRSKI [11] - 3:23, 4:22, 30:17, 32:9, 36:11, 38:6, 38:8, 38:12, 38:22, 44:11, 45:2
Kozyrski [4] - 2:4, 3:22, 30:16, 32:8

L

Lake [1] - 11:13
land [1] - 28:13
landfills [2] - 23:5, 23:14
lands [1] - 7:3
language [1] - 41:16
large [1] - 39:19
largely [1] - 44:4
Lashbrook [1] - 37:11

last [4] - 5:17, 7:21, 10:20, 47:5
late [7] - 37:1, 37:8, 37:18, 37:23, 43:7, 44:13, 44:14
Law [1] - 25:13
law [6] - 9:2, 13:7, 13:19, 25:7, 25:9, 54:6
lay [1] - 42:20
lays [2] - 9:17, 16:12
lead [4] - 13:6, 15:3, 15:5, 15:9
leaders [1] - 16:22
learn [1] - 51:6
least [5] - 21:10, 24:11, 47:21, 49:16, 50:4
led [1] - 16:7
legacy [1] - 25:18
legal [3] - 7:13, 18:9, 22:19
Legal [3] - 21:7, 21:15, 37:13
legislation [4] - 8:15, 10:3, 11:20, 12:1
Legislative [1] - 9:16
legislative [3] - 9:21, 11:18, 53:17
letting [1] - 43:7
level [1] - 11:3
Liability [4] - 45:18, 47:2, 48:3, 52:3
liability [3] - 47:7, 49:16, 49:19
Liaison [1] - 7:22
liaison [1] - 8:2
lieu [1] - 24:9
Lieutenant [1] - 2:9
likely [4] - 12:1, 12:6, 43:4, 54:3
limit [3] - 22:1, 22:2, 28:16
limited [1] - 48:2
Lindsey [3] - 2:14, 28:7, 28:12
Lindy [3] - 1:12, 57:2, 57:11
line [7] - 3:21, 15:3, 19:6, 20:19, 21:22, 27:5, 40:18
lines [3] - 15:5, 40:8, 53:21
link [1] - 20:11
list [1] - 54:13
LLC [1] - 1:21
local [1] - 11:23
lockbox [1] - 40:13
logged [1] - 16:1
logistics [1] - 19:1

long-term [2] - 6:18, 17:3
look [8] - 8:22, 9:4, 11:15, 33:5, 36:14, 50:2, 52:10, 54:10
looking [6] - 5:20, 12:4, 13:4, 16:4, 33:9, 41:21
looks [1] - 12:7
loop [1] - 16:19
love [2] - 45:13, 54:16
LSA [1] - 22:21

M

mail [8] - 20:7, 38:20, 39:6, 39:9, 39:13, 39:18, 40:6, 40:15
mailed [1] - 38:18
mailroom [1] - 39:14
management [1] - 25:19
manager [1] - 41:11
mandates [1] - 13:22
March [4] - 18:12, 33:23, 36:17, 55:13
margin [1] - 11:4
mark [1] - 6:22
market [1] - 46:2
Market [1] - 53:12
matter [1] - 57:7
mean [1] - 39:6
media [2] - 20:5, 36:13
media@idem.in.gov [1] - 20:7
meet [1] - 39:21
MEETING [1] - 1:5
meeting [29] - 3:4, 3:7, 4:14, 5:17, 17:5, 18:11, 18:13, 19:6, 19:7, 19:9, 19:14, 20:10, 20:14, 20:19, 20:21, 20:23, 21:5, 21:11, 21:12, 33:20, 34:9, 36:7, 36:14, 37:4, 47:23, 48:1, 52:10, 55:12, 55:15
meeting's [1] - 56:4
meetings [4] - 37:12, 53:4, 54:9, 54:14
Megan [1] - 7:21
members [8] - 5:2, 20:5, 20:18, 22:17, 33:4, 36:7, 49:8, 56:3
MEMBERS [2] - 2:2, 2:12
Members [2] - 3:6, 29:10
mention [3] - 6:11,

8:11, 45:9
mentioned [4] - 37:12, 45:10, 52:17, 53:12
mentioning [1] - 42:20
menu [3] - 19:18, 19:19, 19:21
merits [2] - 35:18, 36:4
methodologies [1] - 38:16
methodology [1] - 40:20
Meyer [3] - 1:12, 57:2, 57:11
Michael [1] - 7:13
middle [1] - 5:10
might [4] - 27:22, 35:11, 35:13, 35:15
milestone [1] - 36:17
mind [2] - 41:23, 45:8
mindful [1] - 45:1
minimum [1] - 23:1
minor [2] - 26:16, 27:7
minutes [1] - 22:2
misdirected [1] - 38:19
mobile [1] - 19:20
months [2] - 16:6, 28:17
morph [1] - 47:11
most [3] - 26:13, 26:16, 35:3
motion [4] - 4:18, 29:18, 31:6, 55:19
move [2] - 4:19, 27:21
moved [3] - 29:20, 31:8, 55:20
MR [37] - 3:11, 3:15, 3:17, 3:19, 4:2, 4:6, 19:3, 29:20, 30:5, 30:9, 30:11, 30:13, 30:19, 30:23, 31:8, 31:20, 32:1, 32:3, 32:5, 32:11, 32:15, 46:15, 48:23, 49:3, 49:11, 50:6, 50:8, 50:10, 50:12, 51:11, 51:20, 52:2, 52:5, 52:6, 52:18, 54:20, 55:2
MS [32] - 3:23, 4:4, 4:19, 4:22, 18:7, 22:17, 27:3, 28:1, 28:3, 28:8, 28:12, 29:3, 29:22, 30:17, 30:21, 32:9, 32:13, 36:11, 37:3, 38:6, 38:7, 38:8, 38:11, 38:12, 38:21, 38:22, 39:5, 44:11, 44:12,

45:2, 45:4, 55:23
must [2] - 19:15, 24:10
muted [1] - 19:6
mystery [1] - 54:21

N

NAAQS [1] - 18:17
name [6] - 18:8, 22:6, 22:18, 28:11, 37:4, 46:19
narrow [1] - 7:18
nation [1] - 24:4
national [2] - 11:2, 23:1
National [1] - 18:16
natural [1] - 35:12
near [1] - 51:9
necessarily [1] - 48:14
necessary [1] - 35:1
need [12] - 9:23, 12:12, 12:22, 13:1, 13:20, 16:15, 21:19, 29:18, 31:6, 38:9, 52:15, 53:21
needed [1] - 33:8
negate [1] - 44:16
never [3] - 47:22, 47:23, 53:16
new [11] - 6:12, 6:13, 6:16, 7:7, 23:4, 23:18, 24:21, 25:20, 26:2, 50:8, 52:13
next [10] - 15:17, 16:5, 16:6, 16:12, 17:19, 18:11, 33:20, 38:15, 45:5, 55:11
Niemiec [5] - 2:4, 3:12, 30:6, 31:21, 55:21
NIEMIEC [4] - 3:13, 30:7, 31:22, 55:20
nitrogen [1] - 11:10
Nivas [4] - 2:15, 45:8, 45:15, 46:19
noes [1] - 31:5
nonattainment [2] - 10:6, 10:21
noncontroversial [1] - 12:10
none [3] - 4:17, 15:2, 29:17
None [1] - 2:19
nonpayment [3] - 37:9, 37:19, 38:1
nonrule [4] - 10:1, 32:21, 37:7, 42:15
nonrulemaking [1] - 34:17

nonvoting [1] - 2:11
North [1] - 21:8
Northwest [1] - 10:6
Notary [3] - 1:12, 57:3, 57:12
note [1] - 14:11
notes [1] - 36:6
notice [6] - 24:12, 24:17, 25:2, 26:5, 42:16, 44:1
Notice [2] - 25:14, 26:4
notifying [1] - 24:14
November [1] - 26:6
NP0690003 [1] - 57:16
NPDES [1] - 43:10
number [4] - 10:15, 15:13, 17:14, 35:8

O

o'clock [3] - 1:17, 3:1, 56:8
obligations [2] - 7:19, 46:6
obviously [2] - 12:14, 49:12
occur [1] - 55:4
October [3] - 4:13, 23:8, 24:14
OF [3] - 1:1, 1:5, 1:21
offer [2] - 41:2, 48:8
office [3] - 7:13, 17:13, 18:9
Office [7] - 7:15, 21:7, 21:15, 22:19, 28:13, 37:13, 42:23
Officer [2] - 37:6, 40:19
official [2] - 7:12, 22:4
Official [1] - 7:16
on-line [6] - 3:21, 19:6, 20:19, 21:22, 27:5, 40:18
one [27] - 8:20, 9:6, 9:7, 10:20, 12:6, 12:15, 14:10, 16:20, 21:10, 38:12, 40:6, 40:7, 45:9, 45:11, 46:6, 46:23, 47:4, 47:12, 47:17, 47:20, 48:23, 51:5, 51:8, 53:3, 53:8, 53:16
one's [1] - 27:7
ones [1] - 52:15
open [4] - 18:15, 19:8, 21:14, 50:1
operate [2] - 24:8, 24:9
operates [1] - 43:14

operation [5] - 23:4, 23:16, 35:2, 39:18, 44:15
operations [1] - 44:21
opportunities [4] - 5:23, 10:11, 17:12, 48:11
opportunity [11] - 13:2, 14:21, 24:7, 36:9, 38:14, 49:23, 50:21, 51:5, 51:8, 54:8, 55:4
opposed [1] - 35:18
option [1] - 20:1
options [2] - 10:19, 41:15
Order [1] - 34:6
order [5] - 3:5, 4:12, 8:20, 34:11, 50:18
orders [2] - 5:22, 8:17
otherwise [3] - 16:3, 43:6, 44:21
ought [1] - 36:2
outdated [2] - 12:11, 13:21
outlined [1] - 37:20
outs [1] - 7:11
outside [1] - 14:1
outstanding [1] - 53:8
overall [1] - 16:23
overflows [1] - 14:20
oversee [1] - 47:1
own [3] - 34:17, 34:18, 35:11
oxide [1] - 11:10
ozone [1] - 10:6

P

p.m [4] - 1:17, 3:1, 55:13, 56:8
pace [1] - 33:3
packet [1] - 21:9
packets [1] - 21:6
page [2] - 21:16, 27:7
panel [1] - 46:4
Panel [2] - 53:13, 53:15
paperwork [1] - 14:4
part [3] - 15:16, 16:23, 47:19
partial [1] - 10:20
participants [4] - 19:2, 19:6, 19:7, 19:15
particular [3] - 7:10, 47:11, 48:6
particularly [2] - 47:5, 48:3
parties [1] - 25:4
partly [1] - 8:2

passage [1] - 25:12
passed [2] - 24:3, 25:6
passing [1] - 50:22
pay [2] - 38:23, 41:1
payment [6] - 37:19, 37:23, 38:16, 41:6, 41:13, 44:14
payments [1] - 41:22
people [4] - 13:9, 19:2, 27:23, 35:4
per [2] - 46:16, 48:15
percent [2] - 6:15, 15:5
perfect [1] - 50:21
perfectly [1] - 47:22
performance [1] - 15:3
Period [4] - 24:17, 25:2, 25:15, 26:4
period [5] - 24:12, 26:5, 26:7, 26:14, 26:18
permit [6] - 18:15, 24:8, 24:10, 33:6, 43:11, 51:21
permits [3] - 28:13, 33:7, 33:8
permitted [1] - 23:13
permitting [6] - 24:16, 24:23, 25:10, 26:2, 33:11, 33:15
person [2] - 40:7
perspective [3] - 40:18, 42:3, 54:11
pertain [1] - 26:14
petroleum [2] - 45:17, 51:14
Petroleum [1] - 51:3
PFAS [1] - 12:2
pieces [2] - 8:15, 11:20
place [5] - 15:8, 15:16, 33:7, 40:6, 43:17
places [1] - 39:16
plan [3] - 16:9, 16:11, 28:5
platform [1] - 41:17
plays [1] - 36:3
point [4] - 39:7, 47:12, 49:17
Pointe [1] - 1:21
points [2] - 27:7, 38:12
policies [1] - 10:1
policy [7] - 37:7, 37:15, 39:3, 40:23, 42:15, 42:19, 43:15
Ponds [1] - 1:21
pop [1] - 19:19
popular [1] - 12:3

<p>portal [1] - 40:18 Porter [1] - 11:13 portion [2] - 19:9, 20:10 possible [2] - 34:12, 43:20 posted [1] - 21:16 potential [3] - 10:19, 13:16, 15:7 potentially [4] - 13:19, 42:17, 51:9, 53:14 preceding [1] - 16:2 predicting [1] - 28:17 preferred [1] - 40:19 prelim [1] - 28:8 preliminarily [2] - 22:14, 26:9 preliminary [4] - 18:14, 25:15, 26:12, 27:8 present [8] - 3:15, 3:17, 3:19, 4:2, 4:10, 22:16, 22:20, 32:22 presentation [4] - 45:6, 46:12, 46:16, 48:15 presented [4] - 5:4, 26:15, 26:21, 52:14 presents [1] - 52:16 previous [1] - 37:12 previously [1] - 26:4 Principal [1] - 46:19 priorities [1] - 35:9 prioritizing [1] - 36:13 priority [2] - 12:7, 35:12 proceed [5] - 4:11, 18:23, 22:4, 33:17, 37:1 proceeding [1] - 34:1 PROCEEDINGS [1] - 1:9 proceedings [2] - 56:7, 57:6 process [3] - 28:21, 33:15, 35:23 processes [1] - 37:16 productive [2] - 10:14, 34:9 program [11] - 24:8, 24:10, 24:16, 24:23, 25:10, 26:21, 33:11, 43:10, 47:3, 49:20, 49:21 programs [9] - 8:3, 9:10, 10:7, 11:12, 13:10, 14:7, 15:11, 42:9, 44:9 progress [3] - 10:17, 14:17, 15:15</p>	<p>project [2] - 37:14, 37:17 Project [1] - 14:20 prompt [1] - 39:20 prompted [1] - 39:20 promptly [2] - 8:18, 38:23 promulgation [1] - 24:2 proper [1] - 40:2 proposal [1] - 35:20 proposed [2] - 24:19, 25:19 protect [1] - 11:4 protecting [1] - 7:3 protective [1] - 24:11 protects [1] - 15:11 proud [1] - 7:20 provide [5] - 6:1, 9:18, 44:1, 45:16, 53:22 provided [1] - 20:12 provides [1] - 24:6 providing [1] - 20:22 provision [1] - 53:19 provisions [4] - 12:8, 12:20, 13:10, 54:6 Proxy [2] - 2:8, 2:9 public [14] - 7:2, 9:8, 9:15, 11:4, 11:21, 18:15, 21:7, 21:14, 22:9, 24:15, 25:7, 26:5, 26:8, 36:2 PUBLIC [2] - 1:5, 2:18 Public [5] - 1:12, 25:12, 26:4, 57:3, 57:12 publication [1] - 25:16 published [6] - 22:23, 23:20, 24:13, 24:18, 25:2, 26:3 pursuant [1] - 8:15 pursue [1] - 10:19 put [4] - 15:8, 29:1, 33:4, 34:20</p> <p>Q</p> <p>quality [2] - 11:2, 28:13 Quality [1] - 18:16 questions [16] - 17:23, 18:1, 18:19, 18:20, 20:2, 20:8, 20:21, 20:22, 26:22, 29:9, 29:15, 34:2, 36:21, 38:5, 48:22, 52:22 quick [1] - 46:17 quickest [1] - 41:2 quite [1] - 47:9 quorum [1] - 4:10</p>	<p>R</p> <p>raise [1] - 22:5 raised [4] - 19:14, 19:16, 19:23, 20:1 ranchers [1] - 8:9 range [1] - 34:22 rate [1] - 42:7 rather [2] - 7:15, 12:22 reacting [1] - 35:21 readable [1] - 13:8 really [19] - 5:7, 5:11, 6:2, 7:4, 7:7, 7:19, 8:7, 11:7, 13:12, 15:2, 15:14, 15:15, 15:17, 16:12, 16:23, 17:9, 17:20, 40:9, 43:23 reason [2] - 39:19, 44:20 reasonably [1] - 11:10 receipt [1] - 39:20 receivable [1] - 41:11 receive [3] - 40:11, 41:3, 41:5 received [3] - 9:5, 25:13, 26:13 receiving [2] - 39:13, 39:23 recent [1] - 26:16 recently [3] - 7:12, 7:14, 47:13 recognition [2] - 7:20, 8:8 recognize [1] - 6:18 recognized [3] - 7:9, 7:14, 8:4 recommendation [1] - 33:16 recommending [2] - 34:14, 34:16 record [1] - 22:15 Recovery [1] - 23:7 Recycling [1] - 53:12 recycling [1] - 46:2 redistricting [1] - 11:17 reducing [2] - 11:8, 16:16 reduction [1] - 34:10 reductions [1] - 10:12 refer [2] - 42:22, 51:9 reference [2] - 23:22, 25:21 references [1] - 12:11 reflecting [1] - 26:6 reflects [1] - 26:16 reform [1] - 34:16 regard [1] - 37:18</p>	<p>regarding [2] - 33:16, 37:7 regards [9] - 39:5, 39:8, 39:10, 39:17, 39:18, 40:5, 41:6, 41:15, 41:21 Register [3] - 23:21, 24:14, 24:18 register [1] - 25:3 regulate [1] - 23:15 regulated [4] - 23:13, 37:21, 37:22, 54:1 regulations [4] - 8:23, 25:11, 34:13, 36:15 Regulations [1] - 23:9 regulatory [4] - 9:23, 10:13, 25:18, 50:20 relate [1] - 13:10 related [9] - 10:6, 11:10, 11:23, 12:2, 38:23, 49:14, 49:19, 51:17, 51:21 relation [1] - 46:14 relatively [1] - 42:8 relief [1] - 10:13 rely [1] - 38:18 remediation [1] - 43:10 remind [1] - 20:18 reminder [1] - 46:1 remote [1] - 19:2 renovations [1] - 17:13 repeat [1] - 20:21 report [6] - 9:7, 9:14, 9:18, 10:3, 11:13, 33:23 reporter [1] - 22:5 Reporter [2] - 22:7, 57:3 REPORTING [1] - 1:21 reporting [3] - 9:6, 10:17, 14:2 reports [1] - 8:14 represent [1] - 38:8 represented [2] - 51:2, 51:12 representing [1] - 51:16 request [1] - 21:19 requesting [2] - 34:12, 35:14 requests [1] - 26:20 require [1] - 35:13 required [3] - 25:9, 47:1, 47:19 requirements [7] - 9:13, 11:9, 11:11, 14:2, 25:18, 26:1, 39:22</p>	<p>requisite [1] - 11:3 residing [1] - 57:3 residual [1] - 29:14 Residual [1] - 22:12 Residuals [2] - 21:4, 22:20 residuals [1] - 23:3 Resource [1] - 23:6 resources [1] - 34:20 respectfully [3] - 22:1, 26:20 responded [2] - 5:2, 56:3 response [17] - 3:9, 4:16, 5:21, 18:2, 18:21, 20:22, 25:12, 26:17, 29:7, 29:11, 29:16, 30:3, 31:18, 34:3, 36:22, 52:23, 55:10 responsibilities [1] - 16:18 restricted [1] - 23:14 restriction [1] - 25:23 resulting [1] - 13:18 results [1] - 14:15 review [4] - 11:22, 28:19, 33:5, 44:2 reviewed [1] - 42:4 reviewing [2] - 36:1, 36:18 revise [1] - 25:19 revisions [1] - 15:10 Robin [1] - 37:11 role [2] - 35:21, 36:4 Room [1] - 1:15 room [4] - 14:16, 20:17, 53:10, 55:14 rule [39] - 15:9, 21:4, 21:5, 22:12, 22:13, 22:16, 23:1, 23:7, 23:11, 23:20, 24:3, 24:10, 25:17, 25:20, 25:23, 26:2, 26:9, 26:10, 26:15, 26:21, 27:8, 27:14, 28:9, 28:14, 29:14, 31:7, 32:19, 37:18, 37:20, 47:8, 48:5, 49:18, 52:13, 52:16, 52:17 rulemaking [11] - 18:6, 18:23, 20:9, 22:21, 24:13, 24:18, 25:5, 27:18, 34:16, 35:19, 45:17 rulemakings [2] - 5:16, 9:22 rules [12] - 3:5, 18:9, 18:13, 21:16, 22:10, 22:19, 23:12, 23:15,</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

24:20, 33:13, 52:16,
55:12
RULES [1] - 1:1
Rules [2] - 1:10, 12:14
Rulon [1] - 2:5
rummaging [1] -
41:10
running [1] - 7:6
runs [1] - 41:13

S

Safe [1] - 15:6
safety [1] - 11:5
saw [1] - 55:4
scenario [1] - 43:4
scenarios [1] - 50:19
schedule [1] - 6:3
scheduled [3] - 18:12,
33:22, 53:4
schedules [1] - 5:10
Schroeder [3] - 4:3,
30:20, 32:12
SCHROEDER [6] -
4:4, 4:19, 29:22,
30:21, 32:13, 55:23
science [1] - 9:3
screen [2] - 19:17,
19:19
se [2] - 46:16, 48:15
season [1] - 5:10
secession [1] - 17:3
Second [3] - 24:17,
25:1, 25:14
second [12] - 4:21,
4:22, 15:2, 25:14,
29:21, 29:22, 31:10,
31:12, 31:13, 35:13,
55:22, 55:23
section [2] - 18:8,
24:5
Section [1] - 22:19
sections [2] - 12:11,
13:19
see [10] - 10:22, 15:1,
19:18, 19:23, 34:1,
40:10, 40:16, 48:10,
49:18, 51:7
seeing [2] - 47:9, 48:4
seek [1] - 24:7
self [1] - 33:12
self-sufficient [1] -
33:12
Senate [1] - 10:4
send [2] - 19:15, 44:5
sense [2] - 42:7, 49:4
sent [1] - 14:4
Seratech [1] - 46:20
serve [2] - 6:8, 8:3
served [2] - 6:20, 16:2

service [5] - 7:2, 15:3,
15:5, 41:1, 44:16
serving [1] - 7:2
session [3] - 10:5,
11:16, 11:18
set [3] - 6:16, 11:3,
55:13
several [6] - 5:12, 7:7,
8:14, 10:18, 35:2
sewer [1] - 14:20
shall [1] - 12:19
share [3] - 5:15, 5:18,
17:21
shared [1] - 42:3
sheet [1] - 27:8
Shelby [2] - 1:13, 57:4
Shelbyville [1] - 57:4
short [1] - 11:18
shout [1] - 7:11
shout-outs [1] - 7:11
show [1] - 19:22
side [1] - 48:4
sign [1] - 21:21
sign-in [1] - 21:21
signal [1] - 44:5
significantly [1] -
26:11
signify [2] - 5:1, 56:2
similar [1] - 51:15
similarly [1] - 51:11
site [4] - 8:19, 11:22,
21:10, 21:17
sites [1] - 23:14
six [1] - 28:17
skeptical [1] - 43:21
slightly [2] - 13:6,
54:15
smack [1] - 5:9
smack-dab [1] - 5:9
small [5] - 46:4, 53:22,
54:1, 54:5, 54:10
solid [1] - 23:3
someone [1] - 40:23
sometime [1] - 27:15
soon [2] - 49:6, 50:7
sooner [1] - 28:18
sorry [2] - 42:4, 52:8
sounding [1] - 54:4
sources [2] - 27:23,
54:2
south [1] - 55:15
South [1] - 1:14
space [2] - 17:13,
53:10
speaker [2] - 20:11,
27:2
SPEAKERS [1] - 2:18
speakers [1] - 27:5
speaking [1] - 19:11

special [2] - 11:16,
37:10
specific [4] - 9:10,
49:14, 51:1, 51:16
specifically [2] -
49:19, 51:17
specifics [1] - 28:4
spectrum [1] - 33:9
spent [1] - 7:2
spot [1] - 42:2
squint [1] - 10:22
stability [1] - 33:10
STAFF [1] - 2:12
staff [2] - 6:10, 26:21
staffers [1] - 35:2
stand [1] - 22:5
Standards [1] - 18:17
standards [6] - 11:2,
23:17, 23:19, 23:23,
24:11, 26:2
standpoint [2] - 44:21,
47:5
start [1] - 6:13
started [3] - 5:8, 6:15,
17:6
state [18] - 6:18, 6:20,
7:23, 8:10, 8:23,
10:16, 10:21, 13:8,
15:7, 22:6, 23:17,
24:8, 24:16, 24:23,
25:9, 28:5, 39:22,
54:6
STATE [1] - 1:1
State [4] - 1:13, 14:17,
22:10, 57:13
states [3] - 15:3, 24:7,
24:10
statewide [1] - 7:11
stationary [1] - 54:2
status [2] - 9:18,
33:23
statute [2] - 34:15,
37:20
statutes [2] - 34:13,
37:23
statutorily [2] - 33:11,
47:1
statutory [3] - 12:13,
16:18, 45:10
still [4] - 36:18, 38:13,
44:18, 44:22
storage [7] - 45:20,
46:22, 47:3, 49:15,
49:20, 51:17, 52:4
stories [1] - 14:13
stormwater [1] - 18:14
straight [1] - 7:18
strategic [1] - 16:9
streamline [4] - 28:21,
37:15, 39:17, 48:13

streamlined [2] - 13:7,
38:17
streamlining [1] -
12:12
Street [1] - 1:15
strictly [1] - 52:3
stringent [2] - 9:12,
25:10
structure [3] - 33:6,
33:15, 33:19
structured [1] - 50:23
stuff [1] - 12:18
subject [1] - 55:16
subjectivity [1] -
44:19
submissions [1] -
21:14
submit [5] - 21:19,
21:23, 25:4, 28:15,
28:18
Subpart [1] - 25:11
subpart [2] - 23:10,
24:1
subsequently [1] -
25:1
subtitle [1] - 23:6
success [1] - 14:13
successes [1] - 14:22
successful [1] - 42:12
sufficient [1] - 33:12
suggested [2] - 22:14,
29:18
suggestions [2] -
35:23, 51:6
summary [3] - 4:13,
4:15, 5:3
supply [1] - 18:16
supported [1] - 9:2
supposed [1] - 33:11
surface [4] - 23:5,
23:16, 23:18, 23:23
sworn [1] - 22:7
synergies [1] - 53:10
synergy [2] - 48:9,
55:3
system [1] - 38:23
systems [1] - 43:16

T

t's [1] - 27:19
table [2] - 21:22, 55:5
tackling [1] - 16:17
tank [2] - 46:22, 47:3
Tank [1] - 49:21
tanks [4] - 45:20,
49:15, 51:18, 52:4
task [4] - 35:9, 35:17,
35:22, 36:8
tasked [1] - 10:9

team [2] - 44:23, 47:16
teams [4] - 16:14,
19:12, 20:6, 20:12
technical [1] - 19:13
techniques [1] - 41:20
technological [1] -
42:11
technology [2] -
11:11, 41:13
Ted [2] - 2:4, 55:20
TELEPHONE [1] -
1:22
ten [1] - 35:6
tentative [1] - 55:15
tentatively [2] - 18:12,
55:13
term [3] - 6:18, 9:21,
17:3
terms [1] - 42:12
testify [1] - 21:18
testimony [1] - 20:14
THE [1] - 1:1
Thereupon [1] - 56:7
thinking [1] - 17:2
third [4] - 26:5, 26:7,
26:18, 35:15
three [2] - 16:12,
54:23
throughout [2] - 8:10,
15:7
throw [1] - 50:4
Thursday [2] - 1:16,
57:7
timing [3] - 27:22,
28:4, 53:10
title [4] - 12:9, 12:18,
13:17, 44:1
today [14] - 4:12, 5:14,
10:2, 12:5, 17:21,
20:17, 21:3, 26:15,
28:14, 32:22, 37:4,
37:6, 52:10, 55:9
today's [5] - 20:10,
20:21, 21:5, 21:12,
21:18
together [5] - 29:2,
33:4, 48:9, 48:18,
54:16
took [1] - 14:21
tool [1] - 43:23
tools [2] - 10:12,
16:15
top [1] - 19:17
topic [1] - 12:3
touch [1] - 19:19
tough [1] - 17:2
towards [1] - 19:9
TOWLER [7] - 37:3,
38:7, 38:11, 38:21,
39:5, 44:12, 45:4

<p>Towler [2] - 2:15, 37:5</p> <p>traditional [2] - 35:21, 36:4</p> <p>transcribed [1] - 57:8</p> <p>transcript [4] - 21:12, 21:13, 21:16, 57:6</p> <p>transition [2] - 6:10, 7:6</p> <p>transparent [1] - 53:15</p> <p>true [1] - 57:5</p> <p>Trust [6] - 47:2, 47:7, 48:4, 49:16, 49:20, 52:3</p> <p>trust [1] - 45:18</p> <p>try [4] - 10:19, 49:13, 50:1, 50:5</p> <p>trying [1] - 47:14</p> <p>turn [1] - 20:23</p> <p>twelve [1] - 31:4</p> <p>two [3] - 27:7, 32:23, 46:1</p> <p>type [1] - 6:10</p>	<p>upcoming [1] - 54:14</p> <p>update [3] - 17:16, 18:6, 37:14</p> <p>updated [4] - 12:12, 26:10, 26:14, 55:17</p> <p>updates [4] - 18:15, 26:6, 26:16, 32:23</p> <p>updating [1] - 34:6</p> <p>upfront [1] - 41:22</p> <p>utilities [1] - 38:8</p> <p>utilize [2] - 20:1, 20:6</p>	<p>3:22, 4:1, 4:3, 4:5, 4:7, 4:9, 4:17, 4:21, 4:23, 5:3, 18:1, 18:3, 18:20, 18:22, 21:2, 22:8, 27:1, 27:4, 28:10, 29:5, 29:8, 29:12, 29:17, 29:21, 29:23, 30:4, 30:6, 30:8, 30:10, 30:12, 30:14, 30:16, 30:18, 30:20, 30:22, 31:1, 31:3, 31:9, 31:11, 31:15, 31:19, 31:21, 31:23, 32:2, 32:4, 32:6, 32:8, 32:10, 32:12, 32:14, 32:16, 32:18, 34:4, 36:20, 36:23, 45:3, 45:5, 48:21, 49:2, 51:19, 52:1, 52:7, 52:21, 53:1, 54:18, 55:1, 55:7, 55:11, 55:22, 56:1, 56:4</p> <p>Vice-chair [2] - 4:9, 19:4</p> <p>Vice-Chairman [3] - 1:11, 2:3, 45:7</p> <p>vice-chairman [1] - 5:7</p> <p>vice-versa [1] - 51:10</p> <p>view [2] - 49:17, 49:18</p> <p>VIJAY [8] - 46:15, 49:11, 50:8, 50:12, 51:11, 52:2, 52:6, 52:18</p> <p>Vijay [2] - 2:15, 46:19</p> <p>vision [1] - 16:10</p> <p>vital [1] - 6:6</p> <p>voice [2] - 30:1, 31:16</p> <p>voluntary [1] - 43:10</p> <p>volunteering [1] - 46:9</p> <p>vote [2] - 30:1, 31:16</p> <p>votes [2] - 31:4, 32:19</p>	<p>web [1] - 41:13</p> <p>Web [5] - 8:19, 11:22, 21:10, 21:17, 38:17</p> <p>week [3] - 7:21, 21:10, 38:15</p> <p>weeks [2] - 6:17, 16:5</p> <p>welcome [1] - 46:12</p> <p>West [1] - 1:15</p> <p>who've [1] - 7:5</p> <p>whole [1] - 11:1</p> <p>wide [1] - 34:22</p> <p>WIIN [2] - 24:5, 24:6</p> <p>William [2] - 1:11, 2:3</p> <p>window [1] - 40:1</p> <p>winner [2] - 8:5, 8:7</p> <p>wish [2] - 20:9, 21:18</p> <p>wishes [1] - 55:8</p> <p>wondering [2] - 27:22, 39:2</p> <p>Woods [1] - 2:10</p> <p>woods [2] - 5:5, 47:18</p> <p>WOODS [5] - 5:6, 41:23, 45:7, 50:16, 53:7</p> <p>workforce [1] - 7:5</p> <p>works [2] - 35:7, 44:9</p> <p>wrapped [1] - 11:16</p> <p>write [1] - 42:22</p> <p>written [3] - 21:12, 21:13, 26:7</p>
<p>U</p>	<p>values [1] - 16:11</p> <p>variation [2] - 43:13, 44:8</p> <p>various [2] - 6:1, 38:16</p> <p>versa [1] - 51:10</p> <p>versed [1] - 28:4</p> <p>version [4] - 25:22, 26:9, 26:10, 26:15</p> <p>versus [1] - 43:10</p> <p>via [2] - 19:12, 20:6</p> <p>VICE [78] - 3:3, 3:10, 3:12, 3:14, 3:16, 3:18, 3:20, 3:22, 4:1, 4:3, 4:5, 4:7, 4:9, 4:17, 4:21, 4:23, 5:3, 18:1, 18:3, 18:20, 18:22, 21:2, 22:8, 27:1, 27:4, 28:10, 29:5, 29:8, 29:12, 29:17, 29:21, 29:23, 30:4, 30:6, 30:8, 30:10, 30:12, 30:14, 30:16, 30:18, 30:20, 30:22, 31:1, 31:3, 31:9, 31:11, 31:15, 31:19, 31:21, 31:23, 32:2, 32:4, 32:6, 32:8, 32:10, 32:12, 32:14, 32:16, 32:18, 34:4, 36:20, 36:23, 45:3, 45:5, 48:21, 49:2, 51:19, 52:1, 52:7, 52:21, 53:1, 54:18, 55:1, 55:7, 55:11, 55:22, 56:1, 56:4</p> <p>vice [5] - 5:7, 21:1, 31:3, 32:18, 51:10</p> <p>Vice [5] - 1:11, 2:3, 4:9, 19:4, 45:7</p> <p>vice-chair [3] - 21:1, 31:3, 32:18</p> <p>VICE-CHAIR [78] - 3:3, 3:10, 3:12, 3:14, 3:16, 3:18, 3:20,</p>	<p>waiting [1] - 35:19</p> <p>WALSH [3] - 22:17, 28:1, 28:3</p> <p>Walsh [3] - 2:14, 22:16, 22:18</p> <p>Washington [1] - 1:15</p> <p>waste [2] - 23:3, 23:14</p> <p>water [5] - 7:3, 15:6, 18:16, 35:8, 36:15</p> <p>Water [1] - 24:3</p> <p>water-based [1] - 36:15</p> <p>weathering [1] - 7:5</p>	<p>Y</p> <p>year [10] - 6:7, 6:13, 6:16, 8:14, 9:8, 9:16, 14:14, 15:10, 15:17, 17:6</p> <p>Year [1] - 7:16</p> <p>years [10] - 6:20, 13:5, 16:1, 16:6, 16:12, 17:8, 17:19, 47:6, 47:13</p> <p>yeses [1] - 31:4</p> <p>yourself [1] - 19:10</p>
<p>U.S [8] - 10:10, 10:16, 22:23, 24:2, 24:3, 24:7, 25:11, 27:16</p> <p>U.S.c [1] - 24:6</p> <p>ultimately [3] - 13:6, 13:8, 15:11</p> <p>uncertainty [1] - 16:16</p> <p>under [5] - 10:13, 15:6, 23:6, 27:10, 44:1</p> <p>undergoes [1] - 52:12</p> <p>Underground [1] - 46:22</p> <p>underground [6] - 45:19, 47:3, 49:15, 49:20, 51:17, 52:4</p> <p>undersigned [1] - 57:2</p> <p>understood [1] - 49:9</p> <p>undertaking [2] - 9:19, 9:20</p> <p>unique [1] - 8:3</p> <p>units [2] - 24:9, 25:19</p> <p>unnecessarily [1] - 9:1</p> <p>unnecessary [4] - 11:8, 13:22, 14:2, 34:15</p> <p>unpaid [2] - 42:22, 42:23</p> <p>up [10] - 11:10, 11:16, 12:8, 13:18, 14:6, 15:4, 18:13, 19:19, 20:18, 45:8</p>	<p>V</p>	<p>W</p>	<p>Z</p> <p>Zehr [3] - 3:8, 30:2, 31:17</p> <p>zero [1] - 31:4</p>