



IDEM Legislative Update Northwest Indiana Forum February 6, 2014

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Governor's Environmental Bills

- Senate Bill 107- Sen. Charbonneau
 - Transfer of Sewage System Regulatory Authority
- House Bill 1183- Rep. Wolkins
 - Recycling Reporting, State Goal, and Study



Senate Bill 107

- Transfer of Sewage System Regulatory Authority
 - Moves responsibility for on-site commercial waste systems and residential septic system regulation from the Indiana State Department of Health (ISDH) to IDEM.
 - Currently, IDEM is responsible for septic system failures without direct authority over the septic systems themselves.
 - Through the transfer, IDEM will acquire ISDH employees that work with septic systems.
 - ISDH rules that regulate septic systems will remain in effect until IDEM is able to adopt rules.



House Bill 1183

- Recycling Reporting, State Goal, and Study
 - Establishes a goal of recycling 50% of municipal solid waste by 2019.
 - Requires every recycler to report to IDEM on the recycling activities conducted by the recycler with an emphasis on:
 - Paper
 - Plastic
 - Glass
 - Metal
 - Instructs a legislative summer study committee to investigate recycling policies that will enable the State to achieve the 50% goal.



IDEM's Legislative Agenda

- Senate Bill 217- Sen. Charbonneau
 - Compartmentalized Underground Storage Tanks (USTs)
 - Review of Regulated Drains
- Senate Bill 359- Sen. Charbonneau
 - Confined Feeding Operations (CFOs)
 - Composting
- House Bill 1342- Rep. Wolkins
 - Environmental Restrictive Covenant Modifications (ERC)
 - Department of Revenue (DOR) Fee Transfer
 - Underground Storage Tank Fee Structure



Senate Bill 217

- **Compartmentalized Underground Storage Tanks**
 - Clarifies the statute to state that UST owners must pay a fee per compartment.
 - Changes the Excess Liability Trust Fund determination date from 1988 to 1991.
- **On-site Field Review of Regulated Drains**
 - Allows IDEM and Department of Natural Resources (DNR) the ability to approve regulated field drains from the office rather than visiting every site.



Senate Bill 359

- Confined Feeding Operations
 - Aligns the CFO statute with the CFO rule.
 - Eliminates the 2-year 4-year requirement for construction and replaces it with a 5-year requirement.
 - Requires farmers who have not constructed in the 5-year period to re-notify neighbors in a ½ mile radius of the project.
- Composting
 - Gives IDEM the authority to approve or deny a composting registration.
 - Allows IDEM the ability to revoke a registration for bad actors.
 - Allows the use of organic materials like manure and food scraps to compost vegetative matter.
 - Currently, an operator would have to get an expensive solid waste processing permit to add manure or food scraps.



House Bill 1342

- Environmental Restrictive Covenant Modification
 - Allows IDEM the ability to collect fees, set by the Environmental Rules Board, for work done to modify ERCs.
 - Currently, modifying ERCs are a low priority because there are no funds to support the work.
- Department of Revenue Fee Transfer
 - DOR will transfer the collection of the Hazardous Waste Disposal fee, the Solid Waste Disposal fee, and the Underground Storage Tank fee to IDEM.
 - This will streamline the process and clear up any confusion the regulated community may have on who to contact on a bill.



House Bill 1342 cont.

- Underground Storage Tank Fee Structure Change
 - Petroleum UST owners pay \$90 for each tank or compartment within a tank. The fee is currently divided in half: \$45 to the Petroleum Trust Fund and \$45 to the Excess Liability Trust Fund.
 - The bill changes this so that the entire \$90 would go to the Petroleum Trust Fund.
 - Owners of USTs that contain regulated substances other than petroleum pay \$245 per tank: \$45 to the Hazardous Substances Response Trust Fund and \$200 to the Excess Liability Trust Fund.
 - The bill changes this so that the entire \$245 would go to the Hazardous Substances Response Trust Fund.



Other Environmental Bills

- Senate Bill 212- Sen. Stoops
 - Urges the legislative council to assign a study during the 2014 legislative interim on the topics of:
 - Statewide standards for sewage disposal systems, including septic tanks and related facilities and devices.
 - Sewage disposal systems using alternative technologies that offer performance superior to that of traditional sewage disposal systems.
- Senate Bill 271- Sen. Charbonneau
 - Urges the legislative council to assign to the appropriate committee testimony about:
 - Recommendations made by the utility regulatory commission in its most recent annual report to the legislative council.
 - The effect that the relative availability of water resources has upon state and regional economic development decisions.
 - Ways in which state government agencies could better coordinate their activities relating to the management of water resources.
 - Key elements that a state water plan should contain.



Other Environmental Bills cont.

- Senate Bill 376- Sen. Glick
 - Urges the legislative council to assign the task of studying whether an IDEM employee, whose duties relate to certain solid waste matters, should be required to complete an educational program provided by the Solid Waste Association of North America (SWANA).
- House Bill 1005- Rep. McMillin
 - Government Reduction: Streamlines the Financial Assurance Board.
- House Bill 1141- Rep. McNamara
 - Methamphetamine Lab Disclosure: Requires IDEM to forward certificates of cleanup to the Indiana State Police.



Other Environmental Bills cont.

- House Bill 1143- Rep. Wolkins
 - Environmental Rules and Standards: No More Stringent Than
 - Prohibits the Environmental Rules Board from adopting a rule or standard that is more stringent than the corresponding regulation or standard established under federal law.
- House Bill 1170- Rep. Kersey
 - Regional District Trustees: Saint Mary-of-the-Woods College Issue
 - Provides that only an individual who is registered to vote at an address located in the regional water, sewage, or solid waste district may be appointed as a trustee of the district.
- House Bill 1342- Rep. Davisson
 - Single Contact Point for Wetland Work Permits
 - Requires IDEM and DNR to develop and implement a program under which the agencies will jointly accept and process applications for Wetland Work Permits.



Questions or Comments

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