

HOUSE BILL No. 1110

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-11-2; IC 13-18-28.

Synopsis: PFAS chemicals. Requires the department of environmental management to adopt maximum contaminant levels for PFAS chemicals and effluent limitation standards for wastewater containing PFAS chemicals by July 1, 2027. Creates various compliance requirements for direct dischargers and indirect dischargers. Establishes various civil penalties. Establishes the PFAS chemical testing and remediation fund. Creates a PFAS chemical grant program.

Effective: July 1, 2026.

Cash

January 5, 2026, read first time and referred to Committee on Environmental Affairs.



Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1110

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-11-2-54.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: **Sec. 54.5. "Direct dischargers", for**
4 **purposes of IC 13-18-28, means a NPDES permit:**

5 (1) applicant; or
6 (2) holder;
7 **seeking to discharge industrial wastewater containing PFAS**
8 **chemicals directly into waters of the state.**

9 SECTION 2. IC 13-11-2-68.8 IS ADDED TO THE INDIANA
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2026]: **Sec. 68.8. "Effluent limitation**
12 **standard", for purposes of IC 13-18-28, means the maximum**
13 **amount of PFAS chemicals a direct discharger or indirect**
14 **discharger is allowed to discharge in its wastewater under the**
15 **federal Clean Water Act (33 U.S.C. 1342).**

16 SECTION 3. IC 13-11-2-107.5 IS ADDED TO THE INDIANA
17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2026]: **Sec. 107.5. "Indirect discharger"**, for purposes of IC 13-18-28, means an entity that:

- (1) intentionally; or
- (2) unintentionally;

introduces industrial wastewater containing PFAS chemicals into a publicly owned treatment works.

SECTION 4. IC 13-11-2-128.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 128.1. "Maximum contaminant level"**, for purposes of IC 13-18-28, means the maximum permissible level of PFAS chemical contamination in drinking water delivered to a user of a public water system.

SECTION 5. IC 13-11-2-136.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 136.7. "National Pollutant Discharge Elimination System permit" or "NPDES permit"**, for purposes of IC 13-18-28, refers to a permit issued under the federal Clean Water Act (33 U.S.C. 1342).

SECTION 6. IC 13-11-2-163.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 163.4. "PFAS chemicals"**, for purposes of IC 13-18-28, means any of the following perfluoroalkyl and polyfluoroalkyl substances that contains at least one (1) fully fluorinated carbon atom:

- (1) Perfluorooctanoic acid (PFOA).
- (2) Perfluorooctane sulfonic acid (PFOS).
- (3) Perfluorohexane sulfonic acid (PFHxS).
- (4) Perfluorononanoic acid (PFNA).
- (5) Perfluorobutanesulfonic acid (PFBS).
- (6) Hexafluoropropylene oxide dimer acid (HFPO-DA).

SECTION 7. IC 13-11-2-177.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 177.5. "Publicly owned treatment works"**, for purposes of IC 13-18-3 and **IC 13-18-28**, has the meaning set forth in 327 IAC 5-1.5-48.

SECTION 8. IC 13-11-2-264.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 264.9. (a) "Waters of the state"**, for purposes of IC 13-18-28, means:

- (1) the accumulations of water, surface and underground, natural and artificial, and public and private; or
- (2) a part of the accumulations of water;

that are wholly or partially within, flow through, or border upon



1 **Indiana.**

2 **(b) The term includes all waters of the United States, as defined**
 3 **in Section 502(7) of the federal Clean Water Act (33 U.S.C.**
 4 **1362(7)), that are located in Indiana.**

5 **SECTION 9. IC 13-18-28 IS ADDED TO THE INDIANA CODE**
 6 **AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE**
 7 **JULY 1, 2026]:**

8 **Chapter 28. Regulation of PFAS Chemicals**

9 **Sec. 1. (a) Not later than July 1, 2027, the department shall**
 10 **establish the following:**

11 **(1) Water quality standards for drinking water containing**
 12 **PFAS chemicals informed by the maximum contaminant**
 13 **levels established under the 2024 federal Safe Drinking Water**
 14 **Act.**

15 **(2) Effluent limitation standards for wastewater containing**
 16 **PFAS chemicals produced by direct dischargers located in**
 17 **Indiana.**

18 **(b) Subject to subsection (c), the department shall:**

19 **(1) update the:**

20 **(A) maximum contaminant levels for identified PFAS**
 21 **chemicals in Indiana drinking water; and**

22 **(B) effluent limitation standards for wastewater containing**
 23 **PFAS chemicals produced by direct dischargers located in**
 24 **Indiana;**

25 **every four (4) years; and**

26 **(2) establish maximum contaminant levels and effluent**
 27 **limitation standards for new PFAS chemicals identified by the**
 28 **department.**

29 **(c) Except in the case of establishing a maximum contaminant**
 30 **level for a new PFAS chemical, the department may not increase**
 31 **the maximum contaminant levels for PFAS chemicals beyond the**
 32 **maximum contaminant levels for PFAS chemicals established by**
 33 **the 2024 federal Safe Drinking Water Act.**

34 **Sec. 2. Beginning July 1, 2029, the department shall incorporate**
 35 **the effluent limitation standards for wastewater established under**
 36 **section 1 of this chapter into the NPDES permits issued to direct**
 37 **dischargers.**

38 **Sec. 3. Beginning July 1, 2029, the department shall require**
 39 **publicly owned treatment works (POTW) to:**

40 **(1) regulate the discharge of PFAS chemicals into the waters**
 41 **of the state by indirect dischargers; and**

42 **(2) establish control mechanisms to reduce the discharge of**



1 PFAS chemicals into the waters of the state.

2 **Sec. 4. (a) The department shall require all direct dischargers to**
3 **conduct mandatory monitoring of industrial wastewater for PFAS**
4 **chemicals as part of the direct discharger's NPDES permit**
5 **obligations.**

6 **(b) A direct discharger shall submit a monthly report describing**
7 **the levels of PFAS chemicals detected in industrial wastewater to**
8 **the:**

9 **(1) department; and**

10 **(2) United States Environmental Protection Agency.**

11 **Sec. 5. (a) The department shall require indirect dischargers to**
12 **implement mandatory monitoring procedures for industrial**
13 **wastewater containing PFAS chemicals.**

14 **(b) An indirect discharger shall implement monitoring methods,**
15 **approved by the department, to track the levels of PFAS chemicals**
16 **discharged in industrial wastewater.**

17 **(c) An indirect discharger shall submit a monthly report**
18 **describing the levels of PFAS chemicals detected in industrial**
19 **wastewater to the:**

20 **(1) department; and**

21 **(2) United States Environmental Protection Agency.**

22 **Sec. 6. (a) A direct discharger or indirect discharger shall**
23 **achieve compliance with the effluent limitation standards**
24 **established by the department not later than July 1, 2029.**

25 **(b) The department shall notify a direct discharger or indirect**
26 **discharger when the direct discharger or indirect discharger is**
27 **violating this section.**

28 **Sec. 7. (a) A direct discharger or indirect discharger that**
29 **exceeds the effluent limitation standards after July 1, 2029, shall**
30 **develop and implement:**

31 **(1) a corrective action plan to remediate the existing levels of**
32 **PFAS chemicals in industrial wastewater; and**

33 **(2) a pollutant minimization program to prevent the future**
34 **discharge of PFAS chemicals.**

35 **(b) A direct discharger or indirect discharger shall share its**
36 **corrective action plan or pollutant minimization program with the**
37 **department within thirty (30) days of determining that the direct**
38 **discharger or indirect discharger is violating the effluent limitation**
39 **standards.**

40 **(c) A direct discharger or indirect discharger has four (4)**
41 **months to meet the effluent limitation standards.**

42 **(d) The department shall publish the monthly monitoring results**



of:

- (1) a direct discharger; or
- (2) an indirect discharger;

that violates section 6 of this chapter and fails to implement a corrective action plan or pollutant minimization program.

(e) The department shall include in the report the following information:

- (1) The name of the direct discharger or indirect discharger.
- (2) The amount of PFAS chemicals discharged by the direct discharger or indirect discharger.
- (3) The name of every PFAS chemical discharged by the direct discharger or indirect discharger.
- (4) Any additional information determined by the department.

Sec. 8. (a) A direct discharger or indirect discharger that violates the effluent limitation standards after July 1, 2029, is subject to a civil penalty not to exceed twenty-five thousand dollars (\$25,000) per day of any violation.

(b) The department may seek injunctive relief under this chapter.

(c) If a direct discharger or indirect discharger continuously violates the effluent limitation standards for four (4) months, the department shall assess a civil penalty of not more than five hundred thousand dollars (\$500,000).

(d) The department shall deposit civil penalties collected under this chapter in the PFAS chemical testing and remediation fund established by section 9 of this chapter.

Sec. 9. (a) The PFAS chemical testing and remediation fund is established.

(b) Subject to subsections (c) and (d), funds from the PFAS chemical testing and remediation fund may be used to:

- (1) offset the costs incurred by entities establishing filtration and purification methods to reduce PFAS chemical levels;
- (2) provide funds for a tenant or landlord to test wells and biosoils for PFAS chemicals; and
- (3) provide funds to remediate extreme PFAS chemical exposure events and carry out blood testing for affected community members.

(c) The department shall prioritize funding projects described in subsection (b)(1) and (b)(2). Only funds remaining after an application cycle for projects described in subsection (b)(1) and (b)(2) may then be used to fund projects described in subsection



1 (b)(3).

2 (d) The department shall only provide funds to a tenant or
3 landlord to test wells and biosoils for PFAS chemicals:

4 (1) one (1) time per year; or

5 (2) within three (3) months of a remediation effort for an
6 extreme PFAS chemical exposure event.

7 (e) The fund shall be administered by the department.

8 (f) The expenses of administering the fund shall be paid from
9 the money in the fund.

10 (g) The treasurer of state shall invest money in the fund not
11 currently needed to meet the obligations of the fund in the same
12 manner as other public money may be invested. Interest that
13 accrues from these investments shall be deposited in the fund.

14 (h) Money in the fund consists of appropriations, gifts, grants,
15 donations from public or private sources, and civil penalties
16 collected under section 8 of this chapter.

17 (i) Money in the fund at the end of the state fiscal year does not
18 revert to the state general fund.

19 Sec. 10. (a) Not later than July 1, 2029, the department shall
20 create a grant program to award:

21 (1) water utilities (as defined in IC 8-1-30.8-4) and volunteer
22 fire departments establishing filtration and purification
23 methods to reduce PFAS chemical levels; and

24 (2) individuals testing wells and biosoils for PFAS chemicals.

25 (b) The department shall publish application requirements for
26 the grant program on the department's website.

27 Sec. 11. (a) A person may file a private action against a:

28 (1) direct discharger; or

29 (2) indirect discharger;

30 that violates this chapter.

31 (b) The person filing a private action for a violation under this
32 chapter shall comply with IC 13-30-3.

33 Sec. 12. The department shall adopt rules under IC 4-22-2 to
34 implement this chapter.

