

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 ENROLLED ACT No. 1348

AN ACT to amend the Indiana Code concerning utilities.

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

SECTION 1. IC 8-1-46.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 46.1. Grease Control

Sec. 1. This chapter applies to the following:

- (1) A commercial facility that discharges wastewater containing fats, oils, or grease into a sewer system.
- (2) A food establishment (as defined in IC 16-18-2-137).
- (3) A mobile retail food establishment (as defined in IC 16-18-2-239.3).

Sec. 2. As used in this chapter, "fats, oils, and grease" or "FOG" means any organic substance derived from animal or vegetable sources that may:

- (1) solidify;
- (2) congeal; or
- (3) become viscous at ambient temperatures;

and can obstruct, accumulate, or interfere in a wastewater collection or a sewer system.

Sec. 3. As used in this chapter, "grease control equipment" refers to the necessary combination of:

- (1) grease interceptors; and
- (2) grease traps;

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to prevent fats, oils, grease, and food solids from being discharged into a sewer system.

Sec. 4. As used in this chapter, "grease hauler" means a person or company regulated and permitted by the Indiana department of environmental management and that engages in the:

- (1) collection;
- (2) transport; or
- (3) disposal;

of material removed from a grease trap or grease interceptor.

Sec. 5. As used in this chapter, "grease interceptor" means an exterior or underground watertight receptacle that is designed to intercept and retain:

- (1) fats;
- (2) oils;
- (3) grease; and
- (4) food solids;

from high volume wastewater flows before the wastewater is discharged into a sewer system.

Sec. 6. As used in this chapter, "grease trap" means a watertight tank designed to:

- (1) intercept;
- (2) congeal; and
- (3) retain or remove;

fats, oils, and grease from wastewater before the wastewater is discharged into a sewer system.

Sec. 7. As used in this chapter, "nonresidential onsite sewage system" has the meaning set forth in IC 16-19-3.5-3.5.

Sec. 8. As used in this chapter, "properly sized" refers to the sizing and configuration of a grease trap or grease interceptor in accordance with:

- (1) good engineering practice;
- (2) state plumbing codes; and
- (3) manufacturer specifications;

sufficient to prevent fats, oils, and grease from entering a sewer system or a nonresidential onsite sewage system in quantities that cause blockages, interference, or maintenance problems.

Sec. 9. As used in this chapter, "regulated entity" means a:

- (1) commercial facility that discharges wastewater containing fats, oils, or grease into a sewer system;
- (2) food establishment (as defined in IC 16-18-2-137); or
- (3) mobile retail food establishment (as defined in IC 16-18-2-239.3).



Sec. 10. As used in this chapter, "regulating authority" means an entity that receives wastewater from a regulated entity.

Sec. 11. As used in this chapter, "sewer system" has the meaning set forth in IC 36-9-22.5-3.

Sec. 12. As used in this chapter, "utility" means:

- (1) a public utility (as defined in IC 8-1-2-1(a));
- (2) a municipally owned utility (as defined in IC 8-1-2-1(h));
- (3) a not-for-profit utility (as defined in IC 8-1-2-125(a));
- (4) a cooperatively owned corporation;
- (5) a conservancy district established under IC 14-33; or
- (6) a regional district established under IC 13-26;

that provides sewage disposal service to the public.

Sec. 13. (a) A regulated entity shall install and operate properly sized grease control equipment to prevent the discharge of wastewater containing fats, oils, or grease in concentrations that cause or contribute to:

- (1) blockages;
- (2) overflows; or
- (3) interference;

in a sewer system.

(b) The regulated entity's grease control equipment shall be:

- (1) designed; or
- (2) approved;

by a licensed professional engineer under IC 25-31 or a professional architect under IC 25-4.

(c) Subject to subsection (d), a regulated entity that demonstrates through operational characteristics, inspection, and sampling that the regulated entity does not generate fats, oils, or grease in quantities requiring interception is:

- (1) exempt from the requirements of this chapter; and
- (2) not required to install grease control equipment.

(d) If a regulated entity's characteristics change and the regulated entity begins to generate fats, oils, or grease in quantities requiring interception, the regulated entity shall install grease control equipment.

Sec. 14. A regulated entity's compliance with this chapter is demonstrated through the installation, maintenance, and operation of grease control equipment in compliance with best practices that meet applicable:

- (1) state plumbing code requirements;
- (2) manufacturer specifications;
- (3) equipment performance standards; and



(4) sizing formulas adopted by the regulating authority.

Sec. 15. (a) A regulating authority charging additional sewer rates or surcharges shall only charge the just and reasonable costs to operate a FOG program.

(b) The regulating authority shall design the costs charged under subsection (a) in a manner such that all costs required to operate a FOG program are covered by the rate or surcharge paid by the regulated entity.

Sec. 16. (a) The regulating authority shall evaluate a regulated entity's compliance with this chapter based on the regulated entity's actual discharge of FOG into a sewer system.

(b) A regulating authority shall consider the:

- (1) size;
- (2) products; and
- (3) operational characteristics;

of each regulated entity when determining maintenance frequency, inspection schedules, and rate classifications.

Sec. 17. (a) A utility or regulating authority may not:

- (1) impose a blanket grease control equipment mandate; or
- (2) require the:
 - (A) installation of a specific type;
 - (B) installation of a specific size; or
 - (C) specific location;

of a grease trap or grease interceptor if a regulated entity has the properly sized and maintained grease control equipment that prevents FOG discharges exceeding the allowable concentration.

(b) A regulating authority or utility may not require the following:

- (1) A specific type of grease control equipment.
- (2) The specific placement of grease control equipment on the property of a regulated entity, so long as the equipment is placed outside of the utility's right-of-way of easement and upstream of a utility's system.

Sec. 18. (a) Before construction or a major renovation of a regulated entity, the owner of the regulated entity or the owner's agent shall submit the proposed grease control equipment design to the applicable regulating authority for review before installation.

(b) Upon receiving the grease control equipment design described in subsection (a), the regulating authority shall review the proposed design and provide:

- (1) a written approval;



(2) a written denial; or
 (3) modification recommendations;
 based on performance standards under this chapter within sixty (60) days.

(c) A regulating authority shall coordinate with the appropriate:
 (1) building and zoning authority;
 (2) plumbing permit authorities; or
 (3) utility;

to ensure the regulated entity receives consistent direction before construction.

(d) A regulating authority that determines a regulated entity's proposed:

(1) grease control equipment design; or
 (2) maintenance plan;

does not meet the performance standard shall provide a written explanation to the regulated entity.

Sec. 19. A regulating authority or utility may not require the regulated entity to retrofit or replace grease control equipment unless the regulated entity's FOG discharge exceeds the allowable concentration at least two (2) times within a thirty (30) day period.

Sec. 20. A regulating authority and utility shall permit a regulated entity to comply with this chapter through alternative grease control equipment or maintenance protocols approved by the regulating authority where installation of an exterior grease interceptor is impractical due to:

(1) the available space;
 (2) the structure; or
 (3) other site constraints.

Sec. 21. A regulating authority shall maintain a FOG control and maintenance program.

Sec. 22. (a) A regulated entity shall do the following:

(1) Install, operate, and maintain grease control equipment designed to prevent fats, oils, and grease from entering the wastewater system or a nonresidential onsite sewage system.
 (2) Ensure that grease control equipment is properly sized and maintained in compliance with section 13 of this chapter.
 (3) Maintain records that include the:
 (A) date of each haul;
 (B) volume of FOG removed; and
 (C) grease hauler's name.

(b) A regulated entity shall maintain all records under this section for two (2) years.



Sec. 23. A grease hauler shall do the following:

- (1) Take before and after time stamped photographs of each service of a regulated entity.**
- (2) Maintain the time stamped photographs and share the time stamped photographs with the Indiana department of environmental management and regulating authority if requested by the Indiana department of environmental management or regulating authority.**
- (3) Maintain records showing that the total volume of FOG pumped from a regulated entity matches the total disposed of by the grease hauler.**
- (4) Provide documentation or an invoice to a regulated entity after service is completed with the following information:**
 - (A) The date of the haul.**
 - (B) The volume of FOG removed.**
 - (C) The grease hauler's name.**

SECTION 2. IC 13-11-2-242, AS AMENDED BY P.L.19-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 242. "Unit", for purposes of:

- (1) section 148(c) of this chapter;
- (2) IC 13-18-12-7.5;**
- ~~(3) IC 13-20-17.5;~~
- ~~(4) IC 13-20-20;~~
- ~~(5) IC 13-21-14-3;~~ and
- ~~(6) IC 13-23;~~

has the meaning set forth in IC 36-1-2-23.

SECTION 3. IC 13-18-12-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 7.5. (a) As used in this section, "septage" means human excreta, wastewater, scum, sludge, and other content introduced through incidental or accidental seepage that is removed from domestic septic tanks, holding tanks, privies, seepage pits, cesspools, compost toilets, or portable sanitary units.**

(b) As used in this section, "septage management vehicle" means a vehicle that is:

- (1) used for:**
 - (A) the removal of septage from holding tanks or sewage disposal systems; and**
 - (B) the transportation of the septage to wastewater treatment plants or other facilities for treatment, temporary storage, or disposal; and**
- (2) subject to regulation under this chapter and 327 IAC 7.1.**



(c) A wastewater treatment plant that has allowed for the disposal of septage on or after January 1, 2023, shall continue to allow for the disposal of septage that is picked up from within the unit where the wastewater treatment plant is located or a neighboring unit to the wastewater treatment plant. However, a wastewater treatment plant need not accept septage if the wastewater treatment plant is not:

- (1) designed to receive;
- (2) permitted to receive; or
- (3) operationally capable of receiving;

septage in accordance with a permit approved by the department.

(d) If a septage hauler believes that a wastewater treatment plant is not accepting septage in violation of subsection (c), the septage hauler may submit a written request to the department to determine whether the wastewater treatment plant must accept septage.

(e) After consulting with the septage hauler and the owner of the wastewater treatment plant, the department shall issue:

- (1) a determination; and
- (2) if applicable, an order requiring the wastewater treatment plant to accept septage.

(f) A determination or order issued by the department under this section is subject to review under IC 4-21.5.

(g) A unit accepting septage from a septage management vehicle may charge a fair and reasonable fee.

(h) Nothing in this section shall be construed to require a wastewater treatment facility to accept septage in a manner that:

- (1) conflicts with its National Pollutant Discharge Elimination System permit or other department issued permit;
- (2) causes or contributes to a treatment process upset or permit violation; or
- (3) necessitates capital improvements or operational changes without full cost recovery.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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