

PROPOSED AMENDMENT

HB 1348 # 2

DIGEST

Grease control. Amends the regulatory scheme for grease control equipment. Allows the regulating authority to request photos from a grease hauler. Removes specific requirements for a FOG control and maintenance program. Provides that a unit that has accepted septic since 2023 shall continue to accept septic.

1 Page 3, delete lines 34 through 39, begin a new paragraph and
2 insert:

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

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

9 **(e) If a regulated entity's characteristics change and the**
10 **regulated entity begins to generate fats, oils, or grease in quantities**
11 **requiring interception, the regulated entity shall install grease**
12 **control equipment.".**

13 Page 4, delete lines 6 through 7, begin a new paragraph and insert:
14 **"Sec. 15. (a) A regulating authority charging additional sewer**
15 **rates or surcharges shall only charge the just and reasonable costs**
16 **to operate a FOG program.**

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

21 **(c) A utility may not charge non-FOG rate payers to subsidize**
22 **the costs of the FOG program costs."**

23 Page 4, delete lines 17 through 42, begin a new paragraph and
24 insert:

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

26 **(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 or easement and upstream of a utility's system.".

Page 5, delete line 1.

Page 5, delete lines 27 through 37, begin a new paragraph and insert:

"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 continuously exceeds the allowable concentration.".

Page 6, delete lines 4 through 40, begin a new paragraph and insert:

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

Page 7, delete lines 11 through 20.

Page 7, delete lines 24 through 27, begin a new line block indented and insert:

"(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."

Page 8, delete lines 7 through 19, begin a new paragraph and insert:

"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) A unit that has issued permits to install or that has permitted the installation of:

(1) residential onsite sewage systems (as defined in IC 16-41-25-0.4); or

(2) nonresidential onsite sewage systems (as defined in

1 **IC 16-19-3.5-3.5);**
2 **since 2023 shall continue to allow for the disposal of septage picked**
3 **up from within the unit or a neighboring unit at a wastewater**
4 **treatment facility within the unit.**

5 **(b) A wastewater treatment facility shall accept septage from a**
6 **bordering unit.".**

(Reference is to HB 1348 as introduced.)