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HOUSE BILL No. 1348

Proposed Changes to January 28, 2026 printing by AM134804

DIGEST OF PROPOSED AMENDMENT

Waste. Removes the requirement that grease control equipment be installed by a licensed plumber. Provides that a wastewater treatment plant must continue to accept septage under certain circumstances. Creates a process for septage haulers to resolve disputes with wastewater treatment plants with respect to accepting septage. Specifies certain exceptions. Makes a technical correction.

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

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

- 1 SECTION 1. IC 8-1-46.1 IS ADDED TO THE INDIANA CODE
- 2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2026]:
- 4 **Chapter 46.1. Grease Control**
- 5 **Sec. 1. This chapter applies to the following:**
- 6 (1) A commercial facility that discharges wastewater
- 7 containing fats, oils, or grease into a sewer system.
- 8 (2) A food establishment (as defined in IC 16-18-2-137).
- 9 (3) A mobile retail food establishment (as defined in
- 10 IC 16-18-2-239.3).
- 11 **Sec. 2. As used in this chapter, "fats, oils, and grease" or**
- 12 **"FOG" means any organic substance derived from animal or**
- 13 **vegetable sources that may:**
- 14 (1) solidify;
- 15 (2) congeal; or
- 16 (3) become viscous at ambient temperatures;
- 17 and can obstruct, accumulate, or interfere in a wastewater
- 18 collection or a sewer system.

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

3 **(1) grease interceptors; and**

4 **(2) grease traps;**

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

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

10 **(1) collection;**

11 **(2) transport; or**

12 **(3) disposal;**

13 **of material removed from a grease trap or grease interceptor.**

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

17 **(1) fats;**

18 **(2) oils;**

19 **(3) grease; and**

20 **(4) food solids;**

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

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

25 **(1) intercept;**

26 **(2) congeal; and**

27 **(3) retain or remove;**

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

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

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

35 **(1) good engineering practice;**

36 **(2) state plumbing codes; and**

37 **(3) manufacturer specifications;**

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

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

42 **(1) commercial facility that discharges wastewater**

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

5 Sec. 10. As used in this chapter, "regulating authority" means
 6 the entity having jurisdictional oversight authority over the
 7 regulated entity.

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

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

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

17 that provides sewage disposal service to the public.

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

- 22 (1) blockages;
 23 (2) overflows; or
 24 (3) interference;

25 in a sewer system.

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

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

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

31 ~~(c) A regulated entity's grease control equipment shall be
 32 installed by a licensed plumber.~~

33 ~~(d) [~~

34 (c) Subject to subsection (◀e>[d]), a regulated entity that
 35 demonstrates through operational characteristics, inspection, and
 36 sampling that the regulated entity does not generate fats, oils, or
 37 grease in quantities requiring interception is:

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

40 (◀e>[d]) If a regulated entity's characteristics change and the
 41 regulated entity begins to generate fats, oils, or grease in quantities
 42 requiring interception, the regulated entity shall install grease

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

- 6 (1) state plumbing code requirements;
- 7 (2) manufacturer specifications;
- 8 (3) equipment performance standards; and
- 9 (4) sizing formulas adopted by the regulating authority.

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

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

17 (c) A utility may not charge non-FOG ~~rate~~
 18 ~~payers~~ [ratepayers] to subsidize the costs of the FOG program
 19 costs.

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

23 (b) A regulating authority shall consider the:
 24 (1) size;
 25 (2) products; and
 26 (3) operational characteristics;
 27 of each regulated entity when determining maintenance frequency,
 28 inspection schedules, and rate classifications.

29 Sec. 17. (a) A utility or regulating authority may not:
 30 (1) impose a blanket grease control equipment mandate; or
 31 (2) require the:

- 32 (A) installation of a specific type;
 - 33 (B) installation of a specific size; or
 - 34 (C) specific location;
- 35 of a grease trap or grease interceptor if a regulated entity has the
 36 properly sized and maintained grease control equipment that
 37 prevents FOG discharges exceeding the allowable concentration.

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

- 40 (1) A specific type of grease control equipment.
- 41 (2) The specific placement of grease control equipment on
 42 the property of a regulated entity, so long as the equipment



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1 is placed outside of the utility's right-of-way of easement and
2 upstream of a utility's system.

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

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

- 11 (1) a written approval;
12 (2) a written denial; or
13 (3) modification recommendations;

14 based on performance standards under this chapter within ten (10)
15 business days.

16 (c) A regulating authority shall coordinate with the
17 appropriate:

- 18 (1) building and zoning authority;
19 (2) plumbing permit authorities; or
20 (3) utility;

21 to ensure the regulated entity receives consistent direction before
22 construction.

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

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

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

29 **Sec. 19. A regulating authority or utility may not require the**
30 **regulated entity to retrofit or replace grease control equipment**
31 **unless the regulated entity's FOG discharge continuously exceeds**
32 **the allowable concentration.**

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

- 38 (1) the available space;
39 (2) the structure; or
40 (3) other site constraints.

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

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

2 **(1) Install, operate, and maintain grease control equipment**
 3 **designed to prevent fats, oils, and grease from entering the**
 4 **wastewater system or a nonresidential onsite sewage system.**

5 **(2) Ensure that grease control equipment is properly sized**
 6 **and maintained in compliance with section 13 of this chapter.**

7 **(3) Maintain records that include the:**

8 **(A) date of each haul;**

9 **(B) volume of FOG removed; and**

10 **(C) grease hauler's name.**

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

13 **Sec. 23. (a) A grease hauler shall do the following:**

14 **(1) Take before and after time stamped photographs of each**
 15 **service of a regulated entity.**

16 **(2) Maintain the time stamped photographs and share the**
 17 **time stamped photographs with the Indiana department of**
 18 **environmental management and regulating authority if**
 19 **requested by the Indiana department of environmental**
 20 **management or regulating authority.**

21 **(3) Maintain records showing that the total volume of FOG**
 22 **pumped from a regulated entity matches the total disposed**
 23 **of by the grease hauler.**

24 **(4) Provide documentation or an invoice to a regulated entity**
 25 **after service is completed with the following information:**

26 **(A) The date of the haul.**

27 **(B) The volume of FOG removed.**

28 **(C) The grease hauler's name.**

29 **(b) The Indiana department of environmental management**
 30 **may seek an injunction to prohibit a grease hauler that has violated**
 31 **this chapter more than three (3) times from operating within**
 32 **Indiana.**

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

36 (1) section 148(c) of this chapter;

37 (2) **IC 13-18-12-7.5;**

38 (3) ~~(3)~~ **IC 13-20-17.5;**

39 (4) ~~(4)~~ **IC 13-20-20;**

40 (5) ~~(5)~~ **IC 13-21-14-3; and**

41 (6) ~~(6)~~ **IC 13-23;**

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

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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 ~~unit that, since 2023, 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 IC 16-19-3.5-3.5);~~

>[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 <at>[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 <facility within the unit.

~~(d) A>[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 <facility shall accept septage from a bordering unit.~~

~~(e)>[plant must accept septage.~~

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

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(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.

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