

PROPOSED AMENDMENT

SB 277 # 14

DIGEST

Various changes. Removes provisions that provide for the following from the bill: (1) Establishing the energy development fund. (2) Establishing the Indiana energy efficiency loan fund. (3) Requiring the Indiana department of environmental management (IDEM) to have an agricultural liaison and small business liaison. (4) Authorizing IDEM to add regional offices. (5) Requiring IDEM to staff the environmental rules board and provide all other administrative support to the environmental review board (board). (6) Allowing (instead of requiring) the board to establish certain fees. (7) Requiring the board to take into account the schedule, form, and frequency of the fees to match the operational or revenue needs of the program. (8) Providing that the board may (instead of shall) take certain actions regarding the periodic review of fees. (9) Removing the requirement (making it discretionary) for review of the money in the environmental management permit operation fund. (10) Removing the requirement (making it discretionary) to establish a fee schedule and establish fees in certain circumstances. (11) Removing the requirement (making it discretionary) to adopt an agency rule in certain circumstances. (12) Establishing the Indiana recycling market development board and recycling promotion and assistance fund. (13) Repealing the establishment of the division of pollution prevention. (14) Changing provisions regarding grant awards to support and sustain pollution prevention. (15) Repealing the office of voluntary compliance. (16) Changing purposes of the voluntary compliance fund. Makes other technical, stylistic, and conforming changes to various provisions throughout the bill.

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 environmental law.
- 4 Page 1, delete lines 1 through 17.
- 5 Page 2, delete lines 1 through 31.
- 6 Page 5, delete lines 18 through 42.
- 7 Delete page 6.
- 8 Page 7, delete lines 1 through 37.
- 9 Page 9, line 30, delete "that".
- 10 Page 9, line 31, delete "has been".
- 11 Page 10, delete lines 26 through 38.
- 12 Page 14, line 5, after "of" insert "**an underground injection well**".
- 13 Page 14, line 5, after "landfill" insert ", ".
- 14 Page 17, line 22, reset in roman "and".
- 15 Page 17, line 26, delete "product;" and insert "product.".
- 16 Page 17, delete lines 27 through 34.

- 1 Page 23, line 21, after "to" strike "the".
- 2 Page 24, delete lines 10 through 21.
- 3 Page 25, line 32, delete "has in interest in," and insert **"represents**
- 4 **owners of,"**.
- 5 Page 25, line 40, delete "has in interest in," and insert **"represents**
- 6 **owners of,"**.
- 7 Page 26, line 8, delete "who has an" and insert **"represents owners**
- 8 **of,"**.
- 9 Page 26, line 9, delete "interest in,".
- 10 Page 26, line 11, delete "has an interest" and insert **"represents**
- 11 **owners of,"**.
- 12 Page 26, line 12, delete "in,".
- 13 Page 26, line 22, after "appointing" delete "a".
- 14 Page 28, line 38, delete "nineteen (19)" and insert **"eighteen (18)"**.
- 15 Page 29, delete lines 7 through 8.
- 16 Page 29, line 9, delete "(G)" and insert **"(F)"**.
- 17 Page 31, delete lines 8 through 32.
- 18 Page 34, delete lines 28 through 30, begin a new paragraph and
- 19 insert:
- 20 **"(g) A policy or statement put into effect by this section after**
- 21 **July 1, 2026, expires January 1 of the fifth year after the year in**
- 22 **which the policy or statement takes effect, unless the policy or**
- 23 **statement expires or is repealed on an earlier date or is**
- 24 **reauthorized under this section."**
- 25 Page 39, line 20, delete "Orders." and insert **"Orders, including**
- 26 **those related to enforcement."**
- 27 Page 39, delete line 21.
- 28 Page 39, line 22, delete "(4)" and insert **"(3)"**.
- 29 Page 39, line 23, delete "(5)" and insert **"(4)"**.
- 30 Page 39, line 24, delete "(6)" and insert **"(5)"**.
- 31 Page 39, line 25, delete "(7)" and insert **"(6)"**.
- 32 Page 39, line 27, delete "(8)" and insert **"(7)"**.
- 33 Page 50, line 14, strike "working" and insert **"business"**.
- 34 Page 60, line 19, strike "working" and insert **"business"**.
- 35 Page 61, line 9, strike "working" and insert **"business"**.
- 36 Page 61, line 21, strike "working" and insert **"business"**.
- 37 Page 61, line 30, strike "working" and insert **"business"**.
- 38 Page 61, line 38, strike "working" and insert **"business"**.
- 39 Page 62, line 7, strike "working" and insert **"business"**.

- 1 Page 64, line 17, delete "Commission under 10 CFR Part 50 and
- 2 Part 52." and insert "**Commission**".
- 3 Page 65, delete lines 17 through 42.
- 4 Delete pages 66 through 67.
- 5 Page 68, delete lines 1 through 17.
- 6 Page 71, delete lines 31 through 42.
- 7 Page 72, delete lines 1 through 4.
- 8 Page 84, line 28, delete "met." and insert "met;".
- 9 Page 84, line 30, reset in roman "unless required by federal law."
- 10 Page 88, line 13, strike "working" and insert "**business**".
- 11 Page 89, delete lines 37 through 42.
- 12 Page 90, delete lines 1 through 10.
- 13 Page 91, delete lines 37 through 42.
- 14 Page 92, delete lines 1 through 7.
- 15 Page 99, line 5, strike "working" and insert "**business**".
- 16 Page 99, line 8, strike "working" and insert "**business**".
- 17 Page 99, line 17, strike "working" and insert "**business**".
- 18 Page 99, line 19, strike "working" and insert "**business**".
- 19 Page 99, line 30, strike "working" and insert "**business**".
- 20 Page 99, line 32, strike "working" and insert "**business**".
- 21 Page 100, line 1, strike "working" and insert "**business**".
- 22 Page 100, line 3, strike "working" and insert "**business**".
- 23 Page 107, between lines 10 and 11, begin a new paragraph and
- 24 insert:
- 25 "SECTION 215. IC 13-20-3-5 IS REPEALED [EFFECTIVE JULY
- 26 1, 2026]. ~~Sec. 5. The board shall adopt rules under IC 4-22-2 and~~
- 27 ~~IC 13-14-9 to implement this chapter.~~".
- 28 Page 107, delete lines 11 through 28.
- 29 Page 107, delete lines 40 through 42.
- 30 Page 108, delete lines 1 through 17.
- 31 Page 108, line 38, reset in roman "for which the only input is
- 32 biomass".
- 33 Page 109, line 9, strike "input is".
- 34 Page 109, line 10, strike "biomass" and insert "**inputs are biomass**
- 35 **or appropriate feedstock**".
- 36 Page 114, line 39, delete "or".
- 37 Page 114, delete lines 40 through 41, begin a new line double block
- 38 indented and insert:
- 39 "(B) this chapter; or

1 (C) a rule adopted by the board. ~~under section 6 of this~~
 2 ~~chapter.~~".

3 Page 117, delete lines 36 through 42.

4 Delete page 118.

5 Page 119, delete lines 1 through 6.

6 Page 119, between lines 40 and 41, begin a new paragraph and
 7 insert:

8 **"(e) A person who operates a composting facility that must be**
 9 **registered under this chapter shall submit an annual report to the**
 10 **commissioner that indicates the volume of material processed by**
 11 **the composting facility during the preceding year."**

12 Page 120, line 35, reset in roman "IC 4-23-5.5-6."

13 Page 120, delete line 36.

14 Page 120, line 40, reset in roman "(a)".

15 Page 121, between lines 11 and 12, begin a new paragraph and
 16 insert:

17 **"(b) The recycling activity report form must be posted on the**
 18 **department's website and must do the following:**

19 **(1) Provide for reporting of the:**

20 **(A) name and location of; and**

21 **(B) principal business activities conducted at;**
 22 **the recycler's establishment.**

23 **(2) Include:**

24 **(A) an appropriate space for; and**

25 **(B) instructions requiring the completion of;**
 26 **an appropriate certification, by signature of the recycler (if**
 27 **the recycler is an individual) or a senior official with**
 28 **management responsibility for the recycler (if the recycler is**
 29 **not an individual), of the accuracy and completeness of the**
 30 **recycling activity report.**

31 **(3) Provide for reporting of the quantity, in tons, of each type**
 32 **of recyclable material listed in subsection (c) that was in**
 33 **storage at the reporting recycler's establishment:**

34 **(A) at the start of the calendar year; and**

35 **(B) at the close of the calendar year.**

36 **(4) Provide for reporting of the quantity, in tons, of each type**
 37 **of recyclable material listed in subsection (c) that was**
 38 **transported from the reporting recycler's establishment, or**
 39 **(in the case of a recycler that is a recyclable materials broker)**
 40 **that was transported or delivered by arrangement of the**

recycler, to any of the following:

(A) Other recyclers located in Indiana.

(B) Persons that are located in Indiana but are not recyclers, including persons that may employ the recyclable material as a raw material or a new product without further recycling.

(C) Persons located outside Indiana.

(c) A uniform recycling activity report form posted on the department's website under subsection (a) must specify that the information to be reported by a recycler under subsection (b)(3) and (b)(4) must be reported separately for each of the following types of recyclable materials:

(1) Glass.

(2) Metal, including white goods (ferrous).

(3) Metal (nonferrous).

(4) Paper and paper products (all grades).

(5) Plastic and plastic products.

(6) Single stream recyclable materials.

(7) Any other distinct type of recyclable material not specified in subdivisions (1) through (6)."

Page 121, delete lines 12 through 42, begin a new paragraph and insert:

"SECTION 242. IC 13-20-25-12 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 12: (a) Not later than July 1, 2015, the commissioner shall post on the department's Internet web site a uniform recycling activity report form. The form must do the following:

(1) Provide for reporting of the:

(A) name and location of; and

(B) principal business activities conducted at; the recycler's establishment.

(2) Include:

(A) an appropriate space for; and

(B) instructions requiring the completion of;

an appropriate certification, by signature of the recycler (if the recycler is an individual) or a senior official with management responsibility for the recycler (if the recycler is not an individual); of the accuracy and completeness of the recycling activity report.

(3) Provide for reporting of the quantity, in tons, of each type of recyclable material listed in subsection (b) that was in storage at the reporting recycler's establishment.

- 1 (A) at the start of the calendar year; and
- 2 (B) at the close of the calendar year.
- 3 (4) Provide for reporting of the quantity, in tons, of each type of
- 4 recyclable material listed in subsection (b) that was transported
- 5 from the reporting recycler's establishment, or (in the case of a
- 6 recycler that is a recyclable materials broker) that was transported
- 7 or delivered by arrangement of the recycler, to any of the
- 8 following:
- 9 (A) Other recyclers located in Indiana.
- 10 (B) Persons that are located in Indiana but are not recyclers,
- 11 including persons who may employ the recyclable material as
- 12 a raw material or a new product without further recycling.
- 13 (C) Persons located outside Indiana.
- 14 (b) The uniform recycling activity report form posted on the
- 15 department's Internet web site under subsection (a) must specify that
- 16 the information to be reported by a recycler under subsection (a)(3) and
- 17 (a)(4) must be reported separately for each of the following types of
- 18 recyclable materials:
- 19 (1) Glass.
- 20 (2) Metal, including white goods (ferrous).
- 21 (3) Metal (nonferrous).
- 22 (4) Paper and paper products (all grades).
- 23 (5) Plastic and plastic products.
- 24 (6) Single stream recyclable materials.
- 25 (7) Any other distinct type of recyclable material not specified in
- 26 subdivisions (1) through (6)".
- 27 Delete pages 122 through 123.
- 28 Page 124, delete lines 1 through 6.
- 29 Page 124, delete lines 13 through 42.
- 30 Delete pages 125 through 128.
- 31 Page 129, delete lines 1 through 15.
- 32 Page 130, delete lines 6 through 42.
- 33 Delete pages 131 through 132.
- 34 Page 133, delete lines 1 through 24.
- 35 Page 146, line 3, delete "The administration" and insert "**The**
- 36 **administrator, if appropriate,**".
- 37 Page 149, delete lines 12 through 28, begin a new line double block
- 38 indented and insert:
- 39 "(F) Establish procedures to reopen ELTF eligibility and
- 40 funding for a release previously granted "no further action"

1 (NFA) status by the department should either the department
 2 or the owner of the underground petroleum storage tank or
 3 aboveground petroleum storage tank subsequently decide to
 4 permanently decommission the use of the site as a ~~petroleum~~
 5 ~~facility~~ **UST or AST** and undertake the investigation and
 6 remediation of any residual contamination arising from the
 7 site's former use as a ~~petroleum facility~~. **UST or AST**. Before
 8 reopening ELTF eligibility and funding, the administrator may
 9 require that the applicant provide information regarding the
 10 planned future use of the site.

11 (2) ~~Take testimony and~~ Receive a ~~written~~ report at every meeting
 12 of the board from the administrator or the administrator's designee
 13 regarding the financial condition and operation of the ELTF,
 14 including:".

15 Page 150, delete lines 12 through 18.

16 Page 154, line 36, delete "property" and insert "**a facility or site**".

17 Page 160, line 21, delete "every two (2) years".

18 Page 162, reset in roman lines 16 through 17.

19 Page 162, line 18, reset in roman "(2)".

20 Page 162, line 18, delete "(1)".

21 Page 162, line 22, reset in roman "(3)".

22 Page 162, line 22, delete "(2)".

23 Page 162, line 27, reset in roman "(2)."

24 Page 162, line 27, delete "(1)."

25 Page 162, delete lines 28 through 30.

26 Page 164, line 32, delete "Assist the department in removing" and
 27 insert "**Remove**".

28 Page 166, delete lines 22 through 42.

29 Page 167, delete lines 1 through 41.

30 Page 168, delete lines 21 through 31.

31 Page 173, delete lines 12 through 16.

32 Renumber all SECTIONS consecutively.

(Reference is to SB 277 as printed January 14, 2026.)