

The Cope...



INCMA's Monthly Fax Newsletter

March 2009

LEGISLATIVE ISSUES
UPDATE

Below please find an update on key bills that may be of interest to foundries from the INCMA 2009 State Legislative Tracking List:

- 1) HB 1324
Employee's right to work annual effort. Status: Dead
- 2) SB 580 dealing with illegal immigrant matters. Status: Passed Senate. House may or may not move the bill.
- 3) SB 21 makes life more difficult for scrap metal thieves. Status: Passed Senate /Scheduled for hearing in the House.
- 4) HB 1166 requires employers with 50-100 employees to provide notice of closure or layoffs. Defines liability. Status: Passed House. Not expected to move in the Senate.
- 5) SB 79 / HB 1047 create an Env. Rule Board to implement a "no more stringent" policy in Indiana. Status: Dead
- 6) HB 1352 Requires IN to participate in one of several Climate Registries. Status: Passed House. Heard by Senate Comm.

- INCMA testified against the bill currently being held.
- 7) HB 1721 Unemployment Insurance Fund Solvency. Status: Dead but new language is expected to be



- amended into a Senate vehicle bill.
- 8) SB 201 / 420 Utility matters related to takings and renewable energy and cost recovery. Expected to be primary vehicles for utility matters not advantageous to rate payers. Status: Passed Senate.
 - 9) SJR 1 Resolution to allow citizens to vote on amending the Constitution to include property tax caps. Status: Passed Senate but future is uncertain. Log on to incma.org to view the complete list.

SAND NEWS
Efforts continue to find

new ways to promote reuse of foundry sand including a national EPA/AFS market development plan recently commented on by INCMA members. INCMA has also relayed member suggestions to IDEM on changes needed at the state level including more flexible storage timeframes.

COURT RULES
AGAINST FAIR
INTERPRETATION

Several months ago, INCMA filed an Amicus brief in support of the Steel Dynamics effort to challenge IDEM's more stringent interpretation of a rule incorporated by reference from federal regulations. Unfortunately, the state Supreme Court has declined to hear the case letting the lower court decision stand in favor of IDEM's ability to, after adoption, apply a more stringent interpretation.

EPA GHG REGISTRY
BEGINS TO MOVE

EPA announced late last week that a new Green House Gas emission registry rule will be published soon with a 60 day comment period. The rule will apply to all

facilities emitting more than 25,000 metric tons of GHG annually and a few other categories such as engine manufacturers. The rule is expected to require industry to track their emissions in 2010 to be reported in 2011. Engine manufacturers would not have to track and report until 2011/2012. Proposed rule text is available from INCMA.

FOUNDRIES TO
CHALLENGE NIPSCO
RATE CASE

At least one foundry owner in the Nipsco territory has decided to join with other industrial companies to challenge the newly proposed Nipsco energy rates. If unchallenged, the proposed rates could result in utility cost increases for foundries of nearly 100%. The formal challenge will proceed over the next several months.

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