

# The Cope...



## INCMA's Monthly Newsletter

January 2019

### 2019 SESSION UPDATE

The General Assembly convened on January 3rd for this year's long session. Below are summaries of a few key issues for INCMA members that could impact foundries. [Weekly updates of INCMA's total tracking list](#) is online.

### HB 1001: IDEM Permit Fees

The discussion about IDEM permit fee increases continues. The draft budget bill, HB 1001, includes language that would allow the Environmental Rules Board to increase permit fees. Included in the budget language are limitations as to the frequency of increases and what percent increase is allowable. The fee increase issue has two primary parts; authority to establish fees and the dollar amounts. Regarding the authority to establish the fees, the primary change would transfer the power from the legislature to the Environmental Rules Board. The board is made up of appointees made by the Governor representing various sectors impacted by the permitting process and ex officio members. This shift of power is significant. In years past, the regulated community would have not felt

comfortable with this decision to be a part of the executive branch. However, the practical reality is that the legislature has not and likely would not increase fees due to the political consequences of raising taxes and fees. Many permit holders feel that the work product from IDEM is beginning to suffer due to lack of funding.

As to the cost of the increase and permit fees



going forward, the answer is elusive. Discussions with IDEM officials reveal a current shortfall between \$3 and \$5 million dollars for the various programs. Data released by IDEM shows that some permit types would see modest increases and others could be significant. An outstanding question at this point is whether IDEM would attempt to fund the entire shortfall in the first effort by the Environmental Rules

Board? If so, the impact could be significant on some permit holders.

The bill also provides that IDEM will provide for independent study of the cost of service to guide the rulemaking board. In addition, limitations in the bill would allow a fee to be changed only once in a five year period and by no more than ten percent. INCMA staff are partnering with environmental consultants to better understand the overall impact. Stay tuned.

SB 99: Wage Assignments for Clothing and Tools Provides that a wage assignment may be made to pay for the rental or use of uniforms, shirts, pants, other job-related clothing, equipment, or tools necessary to fulfill the duties of employment.

HB 1055: Judgment Liens Provides that additional identifying information must be included when recording a judgment lien. Provides that a judgment lien is extinguished when certain items are recorded with the county recorder in the county where the judgment lien is recorded.

### INCMA LEGISLATIVE CONFERENCE

[Register now](#) for INCMA's 2019 Leg. Conference scheduled for Wednesday Feb. 13th at the Hilton Hotel in Indianapolis. Confirmed speakers include: Stephanie Salmon, AFS Lobbyist; Stan Pinegar, President, Duke Energy Indiana, Kevin Brinegar, IN Chamber President and Rick Rubles, Commissioner, IN Dept. of Labor. Special thanks to our sponsors: **ASK Chemicals, B&L Information Systems, CenterPoint Energy, KERAMIDA, Inc., Pillar Group Risk Mgmt, Hill & Griffith, and Waupaca Foundry.**

### SILICA UPDATE

OSHA has completed the long awaited Silica FAQ negotiated by AFS which is to be released by OSHA this week. Watch your email! AFS also held a webinar last week reviewing the FAQ. If you missed the webinar, [a recording is available for viewing by clicking here.](#)

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