

The Cope...



INCMA's Monthly Newsletter

June 2024

TITLE V AIR PERMITTING AFFIRMATIVE DEFENSE

As discussed in last month's newsletter, EPA has disallowed use of an "emergency" as an affirmative defense against enforcement actions associated with Title V permits. EPA provided states with an interim period to align state permitting programs. INCMA met with the IDEM leadership earlier this month regarding permit holder's continued use of the affirmative defense during what could be a lengthy period of transition. IDEM has acknowledged the defense is still active in State rule and in individual permits so companies may still cite it. However, IDEM has indicated they will likely be scrutinizing it much more closely and staff are suggesting that EPA may over file if IDEM were to allow use of the defense. EPA overfilling could in turn increase any penalty assessed and drawing EPA's attention may not be worth the risk. IDEM is working on a Fact sheet to be shared with industry later this year while an amendment to state rule is pending. Updating individual permits may take years.

INCMA MEMBER DINNER & GOLF OUTING

Register now for INCMA's 2024 member dinner and golf outing to be held on Monday/Tuesday August 26/27th. The event will once again be held at the Pretty Lake Golf Club in Plymouth, IN. **Please note** that the Pretty Lake Golf course has been



completely redone and is like a "new course" according to local club members. The member dinner will be held Monday evening featuring a guest speaker TBA, followed by an excellent day of golf, networking and fellowship. [Click here to register and join in the fun!](#)

INCMA DUES INCREASE

2024/25 Dues Invoices went out last week and reflect a modest 4-5% increase recently approved by the INCMA Board of Directors. Dues haven't been increased since 2017.

The Board felt it was necessary to keep up with costs and ensure our efforts representing the foundry sector on regulatory/legislative matters remain effective.

2024 AFS ADVOCACY SUMMIT WRAP UP

Eight Indiana foundries/ INCMA members participated in this year's AFS Washington DC "fly-in" earlier this week. Attendees were updated on several issues including trade, energy and general



economic matters. (Pictured above, Bill Gartland, Chris Shanks, and Tim Street). On Capitol Hill, attendees met with



Cong. Bucshon, Yakym, Spartz, and Senators Braun and Young (prior picture: Nick Heiny, Bill Gartland, Brad Hinkle, Chris Shanks and Tim Street). Attendees also met with Cong. Bank's staff.

NLRB WAKE-UP CALL

B&T Law Blog: "A mostly unanimous U.S. Supreme Court has ruled that a National Labor Relations Board (NLRB) request for preliminary injunctive relief, while unfair labor practice charges are pending, is to be evaluated by the same standards as any other injunction request. The ruling rejected the position of the NLRB that its requests should be subject to a more deferential standard". [Read the full article!](#)

WELCOME NEW MEMBER

INCMA welcomes new associate member, Optimal Facility Management Solutions. [Click here for more information and to view a list of all INCMA members.](#)

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