

IC 13-27-8

Chapter 8. Environmental Performance Based Programs

IC 13-27-8-1

Department development of environmental performance based programs

Sec. 1. The department:

(1) may, to encourage continuous and sustainable environmental progress through the development and use of an environmental management system, develop and implement an environmental performance based program that:

(A) is consistent with the policies of this article; and

(B) is based on the national environmental performance track program developed by the United States Environmental Protection Agency; and

(2) may develop and implement other environmental performance based programs, including programs that promote any of the following:

(A) Pollution prevention.

(B) Waste minimization.

(C) Environmental management systems.

(D) Advanced environmental compliance.

As added by P.L.100-2006, SEC.12.

IC 13-27-8-2

Participation in program not required

Sec. 2. A person may not be required to participate in a program developed and implemented under section 1 of this chapter.

As added by P.L.100-2006, SEC.12.

IC 13-27-8-3

Program rulemaking by the boards

Sec. 3. (a) The following boards may adopt rules to implement this chapter to the extent consistent with federal law:

(1) The board.

(2) The underground storage tank financial assurance board established by IC 13-23-11-1.

(b) The rules adopted under subsection (a) may establish the following:

(1) Eligibility requirements for participation in environmental performance based programs.

(2) Compliance methods and schedules that:

(A) differ from compliance methods and schedules that apply to nonparticipants in environmental performance based programs under rules adopted by the boards;

(B) apply only to participants in environmental performance based programs; and

(C) include any of the following:

- (i) Changes to monitoring and reporting requirements and schedules.
- (ii) Streamlined submission requirements for permit renewals.
- (iii) Prioritized applications.
- (iv) Authorization to make without prior governmental approval certain operational changes that do not result in additional environmental impact.
- (3) Recognition incentives to encourage participation in environmental performance based programs.
- (4) Other incentives consistent with the policies of this title and federal law to encourage participation in environmental performance based programs.
- (5) Requirements for participants in environmental performance based programs to implement any of the following:
 - (A) Continuous improvement environmental systems.
 - (B) Pollution prevention and waste minimization programs developed under IC 13-27-7.

As added by P.L.100-2006, SEC.12. Amended by P.L.133-2012, SEC.155.