

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1217

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AN ACT to amend the Indiana Code concerning environmental regulation.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 14-8-2-199 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 199. **(a) "Permit", for purposes of IC 14-28-1-38, has the meaning set forth in IC 14-28-1-38(a).**

**(b) "Permit", for purposes of IC 14-34, means a permit issued under IC 14-34 to conduct a surface coal mining and reclamation operation.**

SECTION 2. IC 14-28-1-37 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 37. The department and the department of environmental management shall, not later than January 1, 2015, develop and implement a process to improve efficiency and transparency in programs for:**

- (1) water quality certifications from the department of environmental management under IC 13-13-5-1(1) and Section 401 of the federal Clean Water Act (33 U.S.C. 1341);**
- (2) permits from the department of environmental management for wetland activity in a state regulated wetland under IC 13-18-22; and**
- (3) permits from the director for a structure, obstruction, deposit, or excavation in a floodway under IC 14-28-1.**

SECTION 3. IC 14-28-1-38 IS ADDED TO THE INDIANA CODE

HEA 1217 — CC 1



AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 38. (a) As used in this section, "permit" means any of the following:**

- (1) A water quality certification from the department of environmental management under IC 13-13-5-1(1) and Section 401 of the federal Clean Water Act (33 U.S.C. 1341).**
- (2) A permit from the department of environmental management for wetland activity in a state regulated wetland under IC 13-18-22.**
- (3) A permit from the director for a structure, obstruction, deposit, or excavation in a floodway under IC 14-28-1.**

**(b) In establishing the process required under section 37 of this chapter, the department and the department of environmental management shall do the following:**

- (1) Determine:**
  - (A) how to inform a person who proposes to perform work for which a permit is required of the need to seek a permit for the work; and**
  - (B) how to ensure that a person proposing to perform work for which a permit is required is informed of every state permit the person needs in order to do the work.**

- (2) Change the:**
  - (A) application forms;**
  - (B) application processes; or**
  - (C) application forms and application processes;**

**used by the department and the department of environmental management for purposes of permits as necessary to ensure that a person proposing to perform work for which a permit is required is not required to provide the same information separately to the department and the department of environmental management.**

- (3) Determine how either the department or the department of environmental management may serve as the single point of contact, for purposes of:**

- (A) distributing and receiving permit applications;**
- (B) obtaining information needed to complete the processing of permit applications; and**
- (C) issuing permits;**

**for an applicant who does not need to have independent contact with the department that is not serving as the single point of contact.**

- (4) Create an internal process to ensure that the appropriate**



**office within the department and the department of environmental management receives and timely reviews each permit application.**

**(5) Ensure that the processing of each permit application is monitored.**



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

