

Legislative Notice for Rule Readoption

LSA Document #23-811

Under [IC 4-22-2.6-3](#), the Indiana Department of Environmental Management (IDEM) notifies the Legislative Council of its intent to readopt rules in anticipation of rules expiring January 1, 2025.

STATUTORY AUTHORITY: [IC 4-22-2.6](#)

SUBJECT MATTER:

This rulemaking is required under [IC 4-22-2.6](#), which provides for the expiration and readoption of administrative rules. All rules expire on January 1 of the fifth year after the year in which each rule takes effect unless the rule expires or is repealed on an earlier date. The rules listed to be readopted have an expiration date of January 1, 2025, or later. IDEM has chosen to readopt all affected rules at one time rather than readopt each rule separately as its expiration date approaches.

[328 IAC 1](#) includes rule requirements for the Excess Liability Trust Fund (ELTF) for the remediation of releases from underground storage tanks (USTs). ELTF is a dedicated state trust fund that provides financial responsibility for reimbursement of eligible costs related to emergency measures, investigation, corrective action, and ELTF indemnity claims resulting from releases of petroleum from regulated USTs. [328 IAC 1](#) includes requirements for fund scope and management, fund eligibility and access, prioritization of claims, reimbursable costs for claims, ELTF indemnity claims, claim and payment procedures, and other aspects of ELTF. The fund enables the remediation of petroleum releases at UST sites and redevelopment of sites for alternative uses.

OVERVIEW

Rules to be readopted without changes are as follows:

[328 IAC 1](#) EXCESS LIABILITY TRUST FUND CORRECTIVE ACTION AND ELTF LIABILITY INDEMNITY CLAIM PAYMENTS

Rules to be repealed are as follows:

None

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