

ENVIRONMENT

# IDEM issues deregulation report under Gov. Braun's orders. Advocates question need, impact

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## Mike Braun becomes the 52nd Governor of Indiana

Chief Justice Loretta Rush swears in Mike Braun as the new Indiana Governor. His wife, Maureen Braun, is at his side.

The [state agency charged with protecting Indiana's environment](#) and Hoosiers from industrial pollution completed its first step to “reduce excessive environmental regulation” and fulfill obligations imposed by Gov. Mike Braun.

Braun issued an [executive order](#) earlier this year requiring state agencies to revisit any environmental regulations that “impose unnecessary burdens on businesses, communities, agencies or industries” in the state. The order also requires agencies to identify “overly

burdensome” regulations and policies and report ways to revisit or rescind them no later than July 1.

The Indiana Department of Environmental Management fulfilled this requirement in a [new report](#) that outlines 10 items for review. These regulations and policies range from streamlining pollution and discharge permits to making it easier for firefighters to conduct open-burn training.

The agency not only plans to pursue changes in state regulations, but says it wants to encourage federal agencies such as the EPA to also change regulations.

In a letter of support for IDEM's report, Braun said states going beyond federal environmental standards create complexity for businesses and farmers, and federal baselines are an appropriate limit.

“We need to unleash the productive side of our economy, while protecting and preserving our state’s natural resources,” Braun wrote.

IDEM said in its report it remains committed to reducing regulatory burdens that do not benefit Hoosiers and the environment.

Industry groups said they welcome the changes in regulations and believe quicker permitting and fewer regulations will bring economic benefits. But environmental advocacy groups oppose the roll-back and contend the state is already behind on protecting Indiana's air and water and the health of Hoosiers. They also questioned why IDEM is tasked with protecting business interests over the environment.

## **Industry and advocates voice concerns to IDEM**

Kim Ferraro, managing attorney at [Conservation Law Center](#), said Braun’s executive order reinforces a false premise that regulating the environment is bad for the economy.



**Gov. Mike Braun delivers his first State of the State address**

Gov. Mike Braun delivers his first State of the State address Wednesday, Jan 29, 2025, at the Indiana State Capitol in downtown Indianapolis.

“There is no evidence to support that,” Ferraro said. “It’s dangerous that we keep putting it out there as the choice we have to make because that’s a false choice.”

The Conservation Law Center joined with other advocacy groups to submit comments to IDEM, but Ferraro said the premise of Braun’s executive order was aimed at getting input from industry and did not focus on the burdens deregulation would have on Hoosiers.

“Current regulation doesn’t meet the law in that it doesn’t go far enough,” Ferraro said. “That imposes many costs on Hoosiers in terms of medical costs and health care bills. It’s bad for human health and the environment and not based in reality or best available science.”

These burdensome costs on human health and the environment are what IDEM should be paying attention to, not the monetary costs of doing business, she said.

“Why is this on environmental agencies to roll back policies?” Ferraro asked. “There are many other state agencies charged with promoting business interests, are they not doing their job? It seems strange to have (IDEM) promote industry interests.”

The groups also argue in their comments that Indiana already faces serious environmental challenges that require the state to go beyond federal standards, and Braun’s order imposes an unnecessary burden on state agencies.

Others, however, are eager to see Braun’s order play out.

“By making sure that our environmental regulations through IDEM match up closely or exactly with the federal regulations, it provides employers with regulatory certainty,” said Ashton Eller, the vice president of governmental affairs at the [Indiana Manufacturers Association](https://www.indystar.com/story/news/environment/2025/07/03/braun-environmental-deregulation-executive-order/84448004007/).

He believes manufacturers who operate nationwide will be enticed to come to Indiana when they see the state's regulations are streamlined with the federal government.

Eller said he's aware of the potential health impacts of environmental deregulation, but views Braun's directive as a modernization of regulations — not an elimination.

"Manufacturers are aware of the environmental outcomes upon health," Eller said. He noted the report acknowledges it's possible to be good stewards of the environment without stifling growth through excessive government mandates.

"We couldn't agree more," he said.

## **IDEM publishes selection of industry comments**

[IDEM sought public input as part](#) of its effort evaluating existing regulations. A selection of those comments was included in the agency's report to Braun. The department received about 1,000 comments from various groups and will review them all while it considers the next steps.

Some farming groups submitting comments thought the state could do more than the federal standards.

Two comments focused on Indiana's [confined animal feeding operation laws](#) on farms. The state's regulations are stricter than federal guidelines, but both commenters supported IDEM's current regulations. They cited how Indiana's regulation offers protection to farmers against nuisance lawsuits and environmentally related litigation.

A large selection of the comments IDEM provided in its report came from industrial groups. One submission asked IDEM to change the verification timeline for wastewater discharge lagoons from once yearly to every five years to coincide with federal permit renewals, while another expressed support for streamlining state permits for coal mining facilities.

Earlier this year, the U.S. EPA announced it also would look into permitting reforms across the country to streamline energy investment, and one coal-mining company urged IDEM to continue to review and update state regulations in alignment with these changing federal priorities.

If IDEM decides state laws that exceed federal regulations should stay in place, the department has until Oct. 31 to review those rules and regulations. The agency must then provide a written report to Braun and the Legislative Council by Dec. 31.

## **IDEM identifies regulations and policy for review**

The 10 regulations and policies IDEM outlined in its report to Braun were chosen so the agency may clarify or rescind them. The agency in its report said it is committed to making sure its regulations

are consistent with current law, supported by best available science and are not “unduly burdensome.”

Here are the 10 items with brief descriptions of what they are:

**Underground storage tank forms:** IDEM says these forms, used during changes in facilities with these tanks, are redundant and duplicative due to federal requirements.

**Prior approval for fire training at an open burn:** IDEM says fire departments requesting prior approval to train with an open burn is burdensome and recommends removing this requirement.

**Streamline pollution discharge permitting:** Facilities currently have three years to come into compliance with pollution discharge permits known as NPDES. IDEM believes this timeline is out-of-date and recommends extending it to five years, in line with U.S. EPA.

**Redefining biomass and feedstock:** The state wants to look at new definitions for biomass and feedstock to clear up confusion on what can be used in anaerobic digesters used for recycling items like manure and food waste.

**Emissions Reduction Plan for malfunctions:** IDEM is considering revising or removing the requirement that air pollution-permitted facilities submit a plan to reduce emissions that resulted from a malfunction.

**Remove IDEM certification requirement for some tax deductions:** IDEM is currently required to certify if certain systems or devices qualify for tax deductions. IDEM says the process is unnecessary and recommends removing the requirement.

**Electronic waste fund flexibility:** Revenue from electronic waste registration and recycling is currently limited to the administration expenses. IDEM recommends expanding what the fund can be used for, like outreach and collection.

**Extend some waste permits:** Solid and hazardous waste permits range from three to five years in length. IDEM proposes extending certain permits to 10 years to reduce the paperwork burden for applicants.

**Streamline application for alternative water discharge limits:** Facilities, like steam-powered electricity generators, which release heated water into rivers and streams are typically bound by temperature limits, unless they can prove their proposed limit won't harm the natural environment. IDEM suggests streamlining the application process to remove burdens and uncertainty for facilities.

**Rescind environmental penalty guidance:** Documents guiding civil penalties for breaches of environmental regulations and penalties for leaking storage tanks will be rescinded.

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