INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.

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Governor

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PUBLIC NOTICE

DATE OF NOTICE: March 2, 2010

The Indiana Department of Environmental Management (IDEM) has issued an emergency approval to start construction for the BETWEEN THE BUNS-GRANGER, public water system PWSID # 2710410, this project is described as the Between the Buns-Granger. The public water system will be required to obtain a construction permit for this project under 327 IAC 8-3.

Any person adversely affected or aggrieved by this decision authorizing construction of this project may request a review, provided that a petition for administrative review is filed as required by IC 4-21.5-3-7. The petition must be filed within eighteen (18) days of the date of this notice. The petition must include facts demonstrating that the petitioner is the applicant, a person aggrieved or adversely affected by this decision or a person otherwise entitled to review by law.

If a petition for review is filed within eighteen (18) days of the mailing date of the approval and a petition for stay of effectiveness of the approval is filed by a party or another person who has a pending petition for intervention in the proceeding, an environmental law judge shall, as soon as practicable, conduct a preliminary hearing to determine whether the permit should be stayed in whole or in part. The burden of proof in the preliminary hearing is upon the person seeking the stay per IC 4-21.5-3-4.

Additionally, IC 13-15-6-2 requires that a petition include:

1. The name and address of the person making the request;
2. The interest of the person making the request;
3. Identification of any persons represented by the person making the request;
4. The reasons, with particularity, for the request;
5. The issues, with particularity, proposed for consideration at the hearing; and,
6. Identification of the approval terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of law governing permits of the type granted or denied by the Office Of Water Quality.

Pursuant to IC 4-21.5-3-1(f), any document serving as a petition for review or review and stay must be filed with the Office of Environmental Adjudication. The filing of such a petition is complete on the earliest of the following:

1. The date on which the petition is delivered or the date of the postmark on the envelope containing the petition, if the petition is mailed via United States Postal Service addressed as follows:

   Office of Environmental Adjudication
   100 North Senate Avenue
   Government Center North, Room 501
   Indianapolis, Indiana 46204

   or,

2. The date on which the petition is deposited with a private carrier, as shown by a receipt issued by the carrier, if the petition is sent by private carrier.

In order to assist the permit staff in tracking appeals, we request that you submit a copy of your petition to Patrick Carroll, Chief of the Drinking Water Branch Office of Water Quality, at 100 N. Senate Ave., P.O. Box 6015, Indianapolis, Indiana 46206.

The application, emergency approval and related documents, comments received and other pertinent information are on file at 100 N. Senate Avenue, Indianapolis, Indiana. Please bring the foregoing to the attention of persons whom you know would be interested in this matter. Any questions concerning this project should be directed to the Construction Permit Section of IDEM, OWQ, Drinking Water Branch at (317)234-7246.