

The Indiana Department of Environmental Management (IDEM) has issued a permit modification to Tyson Chicken, Inc. at 545 Valley Road, Corydon, IN, Land Application Permit, No. IN LA 000700. This modification, to a Nonsite-Specific Land Application Permit, reduces the sampling frequency for heavy metal and approves equivalent methods for a nutrient sampling procedure and assessing plant available nitrogen loading rates based on crop yield. For specific information concerning their land application program, contact Leigh Salgado at (812) 738-5850 or leigh.salgado@tyson.com. If you have questions regarding the permit process, contact Kate Garvey, the environmental manager assigned to this permit, at (317) 233-5552 or KRGarve@idem.IN.gov. The final decision is available online via IDEM's Virtual File Cabinet (VFC) at <http://vfc.idem.in.gov/>. Documents related to this approval can be found by selecting the "Full Text Search" field and entering this facility's permit number, 000700. Look for documents identified as "OLQ Permit" in the "Document Type" column.

Appeal Procedures

If you wish to challenge this decision, IC 13-15-6-1 and IC 4-21.5-3-7 require that you file a Petition for Administrative Review. If you seek to have the effectiveness of the permit stayed during the Administrative Review, you must also file a Petition for Stay. The Petition(s) must be submitted to the Office of Environmental Adjudication (OEA) at the following address within 15 days of the date of publication of this Notice:

Office of Environmental Adjudication
Indiana Government Center North, Room N103
100 North Senate Avenue, Indianapolis, IN 46204

The Petition(s) must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision, or otherwise entitled to review by law. Identifying the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, or date of this notice will expedite review of the petition. Additionally, IC 13-15-6-2 and 315 IAC 1-3-2 require that your 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, for the request;
6. identification of the permit 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 the law governing permits of the type granted or denied by the Commissioner's action; and
7. a copy of the pertinent portions of the permit, decision, or other order for which you seek review, at a minimum, the portion of the Commissioner's action that identifies the person to whom the action is directed and the identification number of the action.

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 OEA. Filing of such a document is complete on the earliest of the following dates:

1. the date on which the petition is delivered to the OEA;
2. the date of the postmark on the envelope containing the petition, if the petition is mailed by United States mail; or
3. 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.

Pursuant to IC 4-21.5-3-17, the OEA will provide you with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this decision if you submit a written request to the OEA at the above address. If you do not provide a written request to the OEA, you will no longer be notified of any proceedings pertaining to this decision.