

**STATE OF INDIANA**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**PUBLIC NOTICE NO: 20220412 – IN0025674 – F**  
**DATE OF NOTICE: APRIL 12, 2022**

The Office of Water Quality issues the following NPDES FINAL PERMIT:

**MAJOR – RENEWAL**

**ELKHART (city) WWTP**, Permit No. IN0025674, ELKHART COUNTY, 1201 South Nappanee Street, Elkhart, IN. This municipal facility discharges 20 million gallons daily of treated sanitary, industrial & combined sewer wastewater into the St. Joseph River. IDEM received a completed Streamlined Mercury Variance (SMV) renewal application and has incorporated it into this permit. Permit Manager: Nicholas Eilerman, 317/232-8619, [neilerma@idem.in.gov](mailto:neilerma@idem.in.gov).

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**Notice of Right to Administrative Review [Permits]**

If you wish to challenge this Permit, you must file a Petition for Administrative Review with the Office of Adjudication (OEA) and serve a copy of the Petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

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

Commissioner  
Indiana Department of Environmental Management  
Indiana Government Center North  
100 North Senate Avenue - Room 1301  
Indianapolis, Indiana 46204

The Petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the Permit.
3. A statement of facts demonstrating that each petitioner is:
  - a. a person to whom the order is directed.
  - b. aggrieved or adversely affected by the Permit.
  - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the Permit.
7. The Permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the Permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the Permit. Examples are:

1. Failure to file a Petition by the applicable deadline.
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a Permit stayed during the Administrative Review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1. Pursuant to IC 4-21.5-3-17, OEA will provide all parties with Notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to Notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above. More information on the appeal review process is available on the website for the Office of Environmental Adjudication at <http://www.in.gov/oea>.