

The Solid Waste Permits Section of the Indiana Department of Environmental Management (IDEM) has issued a permit modification to Bio Town Ag, Inc., 402 West 100 North, Reynolds, IN, Land Application Permit No. IN LA 000795. Bio Town Ag, Inc. holds a permit allowing them to land apply or market/distribute treated biosolids, industrial waste products, and compost containing biosolids and/or industrial waste products for application to the land. This modification approves 14 additional site-specific sites to their land application program. These sites have been reviewed and approved for use and are listed in the permit. For specific information concerning their land application program, contact Nolan Toovey, Bio Town Ag, Inc. at (219) 984-5915. If you have any questions regarding the permit process, contact Morrighan O'Connell, the environmental manager assigned to this permit, at (317) 232-3362 or moconnel@idem.IN.gov. This permit is written in accordance with Indiana Administrative Code 327 IAC 6.1.

The final decision is available online via IDEM's Virtual File Cabinet (VFC). Please go to: <http://vfc.idem.in.gov/>. Documents related to this approval can be found by selecting the "Solid Waste Program ID" in the "Quick Search" field (in the upper right-hand corner of the page) then enter the permit number, 000795. Search results can be narrowed to permit related documents by clicking on the down arrow next to "IDEM Document Type" and selecting "OLQ Permit".

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 with the Office of Administrative Law Proceeding (OALP). If you seek to have the effectiveness of the permit stayed during the Administrative Review, you must also file a Petition for Stay (see 317 IAC 1-3-2). The Petition(s) must be submitted to the OALP at the below address within 15 days of the date of publication of this Notice:

Office of Administrative Law Proceeding
100 North Senate Avenue, Suite N802
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, address, and telephone number 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 4-21.5-3-17, any document serving as a petition for review or review and stay must be filed with the OALP. Filing of such a document is complete on the earliest of the following dates:

1. the date on which the petition is delivered in person to the OALP, by the close-of-business;
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;
4. Submitted using OALP's online petition form, available at <https://www.in.gov/oalp/>.

In order to assist permit staff in tracking any appeals of the decision, please provide a copy of your petition to Morrighan O'Connell, IDEM, Solid Waste Permits, IGCN 1154, 100 North Senate Ave., Indianapolis, IN 46204-2251.

The OALP will provide you with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders regarding this decision if you submit a written request to the OALP. If you do not provide a written request to the OALP, you will no longer be notified of any proceedings pertaining to this decision. For additional information on filing a petition with OALP, visit their website at [IN.gov/oalp](https://www.in.gov/oalp/).