

STATE OF INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE

The Indiana Department of Environmental Management, Office of Water Quality has formally reviewed and approved the Phase I Wellhead Protection Plan for Mishawaka Utilities (PWSID # 5271009) located in Mishawaka in St. Joseph County.

If you wish to challenge this action, you must file a Petition for Administrative Review with the Office of Administrative Law Proceedings (OALP), 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 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 Administrative Law Proceedings (OALP) within fifteen (15) days of the issuance 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 Administrative Law Proceedings  
Indiana Government Center North  
Suite N802  
100 North Senate Avenue  
Indianapolis, Indiana 46204

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

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. An identification of each petitioner's interest in the subject of the petition.
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 determination; or
  - 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 facts, terms or conditions of the action for which the petitioner requests review.
7. The identity of any persons represented by the petitioner.
8. The identity of the person against whom administrative review is sought.
9. A copy of the action that is the basis of the petition.
10. 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. 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 an action 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, OALP 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 OALP at the address above.

For additional information on filing a petition with OALP, visit their website at [www.IN.gov/oalp](http://www.IN.gov/oalp).

For ADA accommodation requests, email [info@idem.in.gov](mailto:info@idem.in.gov).