



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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*Thomas W. Easterly*  
Commissioner

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## MEMORANDUM

DATE: November 7, 2008

TO: Interested Parties

FROM: Daniel Murray, Assistant Commissioner, Office of Air Quality

RE: Notice Decision, Commissioner's Order (#2008-02) and Variance Decision for Indianapolis Power & Light, Indianapolis, Indiana Plant ID #097-00033

### **Notice of Decision: Approval**

In accordance with IC 13-14-1-9, IC 13-14-2-1, IC 13-14-8-8, and IC 4-21.5, the Department of Environmental Management has issued a decision granting approval of an alternative monitoring plan using a Commissioner's Order and a variance to Indianapolis Power & Light, Indianapolis, Indiana from 326 IAC 3-5-1(c)(2)(A). The basis for the decision is set forth in the attached document.

You may have the right to appeal the decision, provided that you file a petition for administrative review as required by IC 4-21.5-3-7. The petition must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, IGCN Room N-501 E, Indianapolis, Indiana 46204 within eighteen (18) days after this notice is deposited in the U.S. mail. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing: (1) the date the document is delivered to the Office of Environmental Adjudication (OEA); (2) the date of the postmark on the envelope containing the document, if the document is mailed to the OEA by U.S. mail; or (3) the date on which the document is deposited with a private carrier as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by this 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 applicant, location or date of this notice will expedite review of the petition.

Pursuant to IC 4-21.5-3-5(d), the OEA will provide parties who request review with notice of prehearing conferences, preliminary hearings, stays or orders disposing of all proceedings if a written request for such notice is submitted to the OEA at the above address.

If you have any questions regarding the appeal process, you may contact OEA at (317) 232-8591.