



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.IN.gov

Mike Braun, Governor

January 24, 2025

VIA EMAIL: lutesseptic@gmail.com; crlutes381@gmail.com

Mr. Caleb Lutes
227 West 200 North
Portland, Indiana 47371

Re: Voidance of Septage Management Permit
Septage Management Permit No. 1062
Lutes and Sons Septic Services
Jay County

Dear Mr. Lutes:

We received your voidance request dated January 9, 2025. You requested the voidance of your Septage Management Permit No. 1062 issued January 10, 2023. This permit allowed you to clean sewage disposal systems, transport, and dispose of septage in the State of Indiana.

In your request, you stated that the business and/or vehicle(s) have been sold to Wil Taylor, and that you have retired and are no longer engaged in the septage business. Based on the information provided, the voidance request of your permit is accepted. This letter serves as notice that Septage Management Business Permit No. 1062 is now voided.

As of this date, your permit is no longer effective unless a Petition to Stay is submitted following the procedure outlined in the enclosed "Appeal Procedures" document. If you wish to appeal this decision, you must file a request for administrative review with the Office of Administrative Law Proceedings within 15 days, or if this notice is received by U.S. mail, within 18 days, after the date of this letter. The enclosed "Appeal Procedures" document details the appeal process and your rights and responsibilities for filing an adequate and timely appeal.

If you have questions regarding this matter, please feel free to contact me at (317) 233-5552 or KRGarvey@idem.IN.gov.

Sincerely,

Kate Garvey, Senior Environmental Manager
Solid Waste Permits Section
Office of Land Quality

Enclosure: Appeal Procedures



cc: Jay County Health Department
Jay County Board of Commissioners
Mayor, City of Portland
Bluffton Wastewater Treatment Plant

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 Administrative Law Proceedings (OALP) at the following address within 15 days of the date of this Notice (18 days if you are receiving this notice by U.S. Mail):

Office of Administrative Law Proceedings
Indiana Government Center North, Room N802
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 for 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 to the OALP;
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 [IN.gov/oalp](https://www.in.gov/oalp).

Pursuant to IC 4-21.5-3-17, the OALP 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 OALP at the above address. 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).

From: [Poe, Diane L](#)
To: ["lutesseptic@gmail.com"](#); ["crlutes381@gmail.com"](#)
Cc: ["jay38environmentalist@gmail.com"](#); ["ch_aker@yahoo.com"](#); ["brian_mcqalliard@yahoo.com"](#); ["rexjournay@gmail.com"](#); ["mayorboogs@thecityofportland.net"](#); ["tony.fey@blufftonindiana.gov"](#)
Subject: Lutes and Sons Septic Services, Septage Management Permit 1062, Septage Permit Manager Kate Garvey
Date: Friday, January 24, 2025 1:18:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[Septage Rule.pdf](#)
[012425 1062 Voidance Approval Ltr.pdf](#)

Here is a copy of a permit voidance approval regarding Lutes and Sons Septic Services in Jay County. A hardcopy **will not** be sent to the addressee.

Please contact permit manager, Kate Garvey, with any questions. Her contact information is in the last paragraph of page 1 above her signature block.



Indiana Department of
Environmental Management

Diane Poe
OLQ Permits Branch Administrative Assistant
• (317) 232-4473 • dpoe@idem.IN.gov

Protecting Hoosiers and Our Environment

From: [Microsoft Outlook](#)
To: lutesseptic@gmail.com; crlutes381@gmail.com; rexjournay@gmail.com
Subject: Relayed: Lutes and Sons Septic Services, Septage Management Permit 1062, Septage Permit Manager Kate Garvey
Date: Friday, January 24, 2025 1:18:54 PM
Attachments: [Lutes and Sons Septic Services Septage Management Permit 1062 Septage Permit Manager Kate Garvey.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
lutesseptic@gmail.com (lutesseptic@gmail.com) <<mailto:lutesseptic@gmail.com>>
crlutes381@gmail.com (crlutes381@gmail.com) <<mailto:crlutes381@gmail.com>>
rexjournay@gmail.com (rexjournay@gmail.com) <<mailto:rexjournay@gmail.com>>
Subject: Lutes and Sons Septic Services, Septage Management Permit 1062, Septage Permit Manager Kate Garvey

**Wastewater Management Permit
Request For Voidance**State Form 50396 (R/1-07)
Indiana Department of Environmental Management**INDIANA DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT**Office of Land Quality
Solid Waste Permits Section - Mail Code 65-45
100 N. Senate Ave.
Indianapolis, IN 46204-2251
IDEM Fax# (317) 232-3403

INSTRUCTIONS: To request voidance of your business permit and vehicle license from the Indiana Department of Environmental Management (IDEM) permit tracking system you must fill out this form and return it to the above address or fax it to the number shown in the above box:

Permit Number:(000): 1062 Vehicle(s) Number:(00-000): 1 and 2Most recent permit issuance: 2021Owners name (name in which most recent permit was issued): Caleb Lutes/ Lutes and Sone Septic LLCMailing address of owner: 227 West 200 North Portland Indiana 47371Telephone number (with area code): 2607292067Name of business (if applicable): Lutes and Sons Septic Services LLCLocation of business (if different than mailing address): 1870 South 300 West Portland Indiana 47371

If any of the above information is unknown, contact IDEM @ (800) 451-6027 ext 2-4473

Request for voidance of business permit because:

☒ The business and/or vehicle(s) have been sold.

New owner: _____ Business name: _____

Address: _____ Telephone number: _____

☒ I have retired and I am no longer engaged in the septage business.☐ The business no longer operates within the State of Indiana.☐ Other (explain): _____

By submitting this request for voidance it is understood that the business will be removed from the active permitted list. If at some point in the future the business will be restarted or operated again within the State of Indiana, then a new business permit must be acquired prior to operation.

By signing this form I attest that the information provided above is true and accurate.

01-09-2025

From: [Caleb Lutes](#)
To: [Meulen, Nicholas](#)
Cc: lutesseptic@gmail.com
Subject: Re: Septage Business Permit Voidance for Caleb Lutes D/B/A Lutes and Sons Septic Services - SW ID 1062
Date: Friday, January 17, 2025 2:35:23 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

EXTERNAL EMAIL: This email was sent from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Im not even what his plans are with the truck.

On Fri, Jan 17, 2025, 2:32 PM Caleb Lutes <crlutes381@gmail.com> wrote:

Correct the issue date was 2023, the new owner is Wil Taylor with no septic business established and not sure on his address. (260) 251-9764 is his number.

On Fri, Jan 17, 2025, 1:45 PM Meulen, Nicholas <NMeulen@idem.in.gov> wrote:

Caleb,

Hello, my name is Nick Meulen, and I am a solid waste permit manager working in the septage permitting program for the Indiana Department of Environmental Management. I have reviewed the permit voidance for your business, Caleb Lutes D/B/A Lutes and Sons Septic Services, Permit Number 1062, and noted the following:

1. Your voidance request indicates that your most recent permit issuance was 2021. Please note, our records show that your current permit was issued on January 10, 2023. Please confirm this is the date of your most recent permit issuance.
2. Your voidance indicates that the business and/or vehicles have been sold, but did not provide any information for the new owner (name, business name, address, or phone number). Can you please provide or clarify this information.

Please provide the requested information within 10 days from the date of this email. Feel free to contact me if you have any questions.

Thank you,

Nick Meulen



Indiana Department of
Environmental Management

Nick Meulen
OLQ Solid Waste Permit Section

Land Application Program

• (317) 233-2412 • nmeulen@idem.in.gov
Protecting Hoosiers and Our Environment

 |  |  |  |  |
www.idem.IN.gov