



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

Clint Woods
Commissioner

October 24, 2025

Via E-Mail: buckridgehoa@gmail.com

Paul O'Dell, Registered Agent
Buckridge Homeowners Association Inc.
4456 Yale Drive
Lafayette, IN 47905

Dear Mr. O'Dell:

Re: Adoption of Agreed Order
Commissioner, Indiana Department
of Environmental Management
v.
Buckridge Homeowners Association Inc.
PWSID No. IN5279026
Case No. 2025-30722-D
Lafayette, Tippecanoe County

This is to inform you that the Agreed Order in the above-referenced case has been approved and adopted by the Indiana Department of Environmental Management. A copy of the Agreed Order is enclosed.

Please note the terms of compliance contained in the Agreed Order. The time frames for compliance are effective upon your receipt of this correspondence (Effective Date). The invoice for payment of the civil penalty is attached. Payment should be made payable to the "Environmental Management Special Fund" and include the Case Number 2025-30722-D for processing.

If you have any questions, please contact Eunice Okhifo, Case Manager, Water Enforcement Section, at (317) 232-8432 or eokhifo@idem.in.gov.

Sincerely,

Jessica Irvine, Chief
Water Enforcement Section
Office of Water Quality



Adoption of Agreed Order Cover Letter:
Case No. 2025-30722-D
Buckridge Homeowners Association Inc.
PWSID No. IN5279026
Lafayette, Tippecanoe County
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cc: Tippecanoe County Health Department
<http://www.in.gov/idem>



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Mike Braun
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STATE OF INDIANA)		BEFORE THE INDIANA DEPARTMENT
)	SS:	OF ENVIRONMENTAL MANAGEMENT
COUNTY OF MARION)		
COMMISSIONER OF THE DEPARTMENT)		
OF ENVIRONMENTAL MANAGEMENT,)		
)		
Complainant,)		
)		
v.)	Case No. 2025-30722-D	
)		
BUCKRIDGE HOMEOWNERS)		
ASSOCIATION INC.,)		
)		
Respondent.)		

AGREED ORDER

Complainant and Respondent desire to settle and compromise this action without hearing or adjudication of any issue of fact or law, and consent to the entry of the following Findings of Fact and Order. Pursuant to Indiana Code (IC) 13-30-3-3, entry into the terms of this Agreed Order does not constitute an admission of any violation contained herein. Respondent's entry into this Agreed Order shall not constitute a waiver of any defense, legal or equitable, which Respondent may have in any future administrative or judicial proceeding, except a proceeding to enforce this order.

I. FINDINGS OF FACT

1. Complainant is the Commissioner (Complainant) of the Indiana Department of Environmental Management (IDEM), a department of the State of Indiana created by IC 13-13-1-1.
2. Buckridge Homeowners Association Inc. (Respondent) owns and/or operates a community public water system (PWS) with PWSID No. IN5279026, serving 360 persons. The PWS is located at 1691 Wycliffe Drive, Lafayette, Tippecanoe County, Indiana (the Site).
3. A Community Water System (CWS) as defined by 327 Indiana Administrative Code (IAC) 8-2-1(12) is a PWS that serves at least fifteen (15) service connections used by year-round residents or regularly serves at least twenty-five (25) year-round residents.

Visit on.in.gov/survey or scan the QR code to provide feedback.

We appreciate your input!



4. IDEM has jurisdiction over the parties and the subject matter of this action pursuant to IC 13-30-3.
5. Pursuant to IC 13-30-3 *et seq.*, IDEM issued a Notice of Violation (NOV) via Certified Mail to:

Paul O'Dell, Registered Agent
Buckridge Homeowners Association Inc.
4456 Yale Drive
Lafayette, IN 47905

Donna C. Akers, Treasurer
Buckridge Homeowners Association Inc.
4635 Doe Path Lane
Lafayette, IN 47905

6. 327 IAC 8-2-2 states that each PWS shall comply with all provisions of this rule and 327 IAC 8-2.1.
7. Pursuant to 327 IAC 8-2-36(a), the lead action level of 0.015 mg/L and copper action level of 1.3 mg/L applies to all CWSs and non-transient noncommunity water systems (NTNCWSs).

Pursuant to 327 IAC 8-2-36(c)(1), the lead action level is exceeded if the concentration of lead in more than ten percent (10%) (ninetieth percentile) of tap water samples collected during any monitoring period is greater than 0.015 mg/L.

Pursuant to 327 IAC 8-2-36(c)(2), the copper action level is exceeded if the concentration of copper in more than ten percent (10%) (ninetieth percentile) of tap water samples collected during any monitoring period is greater than 1.3 mg/L.

IDEM records indicate that the ninetieth percentile lead level in samples collected during the June 1 through September 30, 2023, monitoring period was 0.059 mg/L which exceeded the lead action level, in violation of 327 IAC 8-2-36(a) and 327 IAC 8-2-36(c)(1).

IDEM records indicate that the ninetieth percentile copper level in samples collected during the June 1 through September 30, 2023, and January 1 through June 30, 2024, monitoring period was 2.12 mg/L and 1.39 mg/L, respectively, which exceeded the copper action level, in violation of 327 IAC 8-2-36(a) and 327 IAC 8-2-36(c)(2).

On December 31, 2024, Respondent submitted to IDEM the required Optimal Corrosion Control Treatment (OCCT) recommendation. On May 13, 2025, IDEM issued a no objection letter for the OCCT recommendation.

8. Pursuant to 327 IAC 8-2-44(a), a water system that exceeds the lead action level based on tap water samples collected in accordance with section 37 of this rule shall sample, in accordance with subsection (c), the tap water of any customer who

requests sampling and deliver to all bill paying customers the public education materials contained in accordance with the requirements in subsection (b).

IDEM records indicate that Respondent failed to deliver public education materials to all bill paying customers following a lead and copper action level exceedance that occurred during the June 1 through September 30, 2023, monitoring period, in violation of 327 IAC 8-2-44(a).

9. Pursuant to 327 IAC 8-2-44(d), a water system shall deliver a consumer notice of lead tap water monitoring results to persons served by the water system at sites that are tested. A water system shall provide the consumer notification as soon as practical but not later than 30 days after the system learns of the lead tap water monitoring results.

IDEM records indicate that Respondent failed to provide a consumer notification to persons served by the PWS at sites that were tested for lead during the July 1 through December 31, 2024, monitoring period, in violation of 327 IAC 8-2-44(d).

Subsequent to issuance of the NOV and upon further investigation, IDEM determined Respondent provided a consumer notification to persons served by the PWS at the sites that were tested for lead during the July 1 through December 31, 2024, monitoring period. Therefore, Respondent is in compliance with 327 IAC 8-2-44(d).

10. Pursuant to 327 IAC 8-2-8.2, IDEM shall evaluate each PWS during a sanitary survey to determine if deficiencies exist.

Pursuant to 327 IAC 8-2-8.2(f), significant deficiencies are conditions found during a sanitary survey that have a potential to cause an immediate risk to human health, any deficiency that was found during a previous sanitary survey but has not been corrected, or the PWS is not in compliance with a correction schedule approved by the commissioner.

Pursuant to 327 IAC 8-2-8.2(h), PWSs using ground water shall respond in writing to any deficiency found during a sanitary survey that is reported to the PWS using ground water by the commissioner. Response requirements are as follows:

1. The response must:
 - A. be made within thirty (30) days of receipt of the report; and
 - B. indicate:
 - i. how the PWS will address deficiencies found during the sanitary survey; and
 - ii. on what schedule the PWS will address deficiencies found during the sanitary survey.

On April 10, 2025, a sanitary survey was conducted by IDEM at the Site in which deficiencies were found. An Inspection Summary Letter dated April 14, 2025, was sent to the Respondent requiring a written response to IDEM within 30 days. On May 9, 2025, IDEM received a response to the letter explaining compliance actions Respondent has taken to correct some of the deficiencies; however, Respondent failed to respond with how the remaining deficiencies would be corrected, along with provide a schedule for addressing the remaining deficiencies, in violation of 327 IAC 8-2-8.2(h).

11. Pursuant to IC 13-18-16-6(a) and (b), all PWSs shall be continuously operated and maintained so that water is safe in quality, clean and adequate in quantity, and chemically satisfactory for ordinary domestic consumption. The person responsible for the operation of a public water system shall take all measures that are necessary to protect the quality and quantity of the raw water supply from actual or threatened contamination.

On August 17, 2022, IDEM staff conducted a technical assistance visit at the Site following the numerous complaints IDEM received from customers via phone and emails regarding the water quality. The complaints included, but were not limited to, discoloration of water, sediment in the distribution system, and concerns with the installation, operation and maintenance of the filtration system.

On September 12, 2022, following the technical assistance visit, IDEM issued a letter of its findings and recommendations to Respondent. During the technical assistance visit, IDEM staff observed and documented maintenance and operational problems related to the source water, filtration system, filter backwash storage tank, finish storage hydropneumatic pressure tanks, and miscellaneous items at the PWS. IDEM worked with Respondent's operator for a solution, but operation and maintenance issues continue at the Site, in violation of IC 13-18-16-6(a) and (b).

12. Subsequent to the issuance of the NOV, IDEM was made aware that Respondent had an additional violation of applicable rules and statutes, as outlined in the Findings of Fact herein.
For the violation that was discovered after August 12, 2025, Respondent waives issuance of the NOV and the settlement period of 60 days, as provided for by IC 13-30-3-3.
13. Orders of the Commissioner are subject to administrative review by the Office of Administrative Law Proceedings under IC 4-21.5; however, in recognition of the settlement reached, Respondent acknowledges notice of this right and waives any right to administrative and judicial review of this Agreed Order.

II. ORDER

1. This Agreed Order shall be effective (Effective Date) when it is adopted by Complainant or Complainant's delegate (as evidenced by signature), and the adopted Agreed Order has been received by Respondent. This Agreed Order shall have no force or effect until the Effective Date. In addition to addressing the violations cited in Paragraphs 7 through 11 of the Findings of Fact above, this Agreed Order also addresses any additional violations of these same rules that may have occurred subsequent to the issuance of the Notice of Violation and prior to the Effective Date.
2. Within 30 days of the Effective Date, Respondent shall deliver public education materials to persons served by the PWS at the specific sites that were tested for lead and copper during the June 1 through September 30, 2023 monitoring period.
3. Within 10 days of delivering the public education materials required by Order Paragraph 2, Respondent shall send to IDEM:
 - A. A signed Certification Form for Notice of Public Education and
 - B. A copy of one (1) public education document sent to customers.
4. Immediately upon the Effective Date, Respondent shall, for any future sanitary surveys where deficiencies are documented, within 30 days of being notified of the deficiencies, provide to IDEM a written response with a Sanitary Survey Corrective Action Plan (CAP). The Sanitary Survey CAP must indicate the following:
 - A. How Respondent will address deficiencies found during the sanitary survey;
 - B. On what schedule (milestone dates) Respondent will address deficiencies found during the sanitary survey; and
 - C. Any corrective actions already completed to address deficiencies by providing proof.

Respondent shall provide proof upon correcting each of the deficiencies within the quarterly progress reports required by Order Paragraph 11 below.
5. Within 30 days of the Effective Date, Respondent shall develop and submit to IDEM for approval a CAP which identifies actions that Respondent will take to maintain compliance with the lead and copper action level, ensure that water provided to its customer is safe in quality, clean and adequate in quantity, and chemically satisfactory for ordinary domestic consumption, and address the remaining deficiencies noted in the most recent sanitary survey. These actions shall include:
 - A. Submitting a construction permit application to install a phosphate feed system and treatment system;
 - B. Developing and implementing a preventative maintenance program for the PWS, which includes replacing or cleaning out pressure storage tanks,

- removal of sludge every time the sludge holding storage tank is drained and documenting all maintenance in permanent record kept at the Site;
- C. Cutting and installing quick connects on both pressure storage tank drain lines, and disconnecting and capping the existing drain lines where they exit the water treatment building;
 - D. Ensuring the top of each well is protected;
 - E. Developing and implementing a cross connection policy;
 - F. Ensuring installation, inspection, and testing of backflow prevention devices;
 - G. Developing an Emergency Response Plan, submitting it to IDEM for approval, and retaining a copy at the Site;
 - H. Addressing inadequate secondary containment; and
 - I. Addressing low and inadequate disinfection residuals/ensuring residuals are maintained above 0.2 mg/L.

The CAP shall include an implementation and completion schedule, with specific milestone dates.

- 6. Respondent shall, after completion of the work required pursuant to the approved CAP from Order Paragraph 5, demonstrate two (2) consecutive 6-month monitoring periods of compliance with the lead and copper action level at each sampling site (Compliance Demonstration). Respondent shall maintain compliance with the action level of lead and copper, as required by 327 IAC 8-2-36 (c)(1) and 327 IAC 8-2-36 (c)(2), after completion of the Compliance Demonstration.
- 7. In the event that violation(s) occur during the Compliance Demonstration, within 30 days of the violation, Respondent shall develop and submit to IDEM, for approval, an Additional Action Plan (AAP) which identifies the additional actions that Respondent will take to achieve and maintain compliance with the action level for lead and copper at each sampling site. The AAP, if required, shall include an implementation and completion schedule, including specific milestone dates.
- 8. The plans required by Order Paragraphs 4, 5, and 7 are subject to IDEM approval. In the event IDEM determines that any plan submitted by Respondent is deficient or otherwise unacceptable, Respondent shall revise and resubmit the plan to IDEM in accordance with IDEM's notice. After three submissions of such plan by Respondent, IDEM may seek civil enforcement of this Order.
- 9. Respondent, upon receipt of written notification from IDEM, shall immediately implement the approved plan(s) and adhere to the milestone dates therein. The approved CAP(s) and AAP shall be incorporated into the Agreed Order and shall be deemed an enforceable part thereof.
- 10. Following completion of the actions included in the AAP, the Compliance Demonstration, as specified in Paragraph 6 above, will re-start. Failure to

demonstrate two (2) consecutive 6-month monitoring periods of compliance with the lead and copper action level at each sampling site at the conclusion of work under an AAP may subject Respondent to additional enforcement action.

11. Beginning upon receipt of approval of the CAP(s) or AAP and continuing until the successful completion of implementation of the approved CAP(s) or approved AAP, Respondent shall submit to IDEM written progress reports within 10 days of the end of each calendar quarter which identifies the compliance actions implemented during each quarter ending March 31st, June 30th, September 30th, and December 31st.
12. Beginning on the Effective Date, Respondent shall continue to monitor for ten (10) lead and copper samples during each 6-month monitoring period, pursuant to 327 IAC 8-2-37.
13. Within 30 days of the Effective Date, Respondent shall update the enclosed "System Basic Information Summary" document by either marking corrections or stating that the information is accurate directly on the attached document. Once completed, the document shall be submitted to the address in Order Paragraph 14.
14. All submittals required by this Agreed Order, unless Respondent is notified otherwise in writing by IDEM, shall be sent to:

Eunice Okhifo, Enforcement Case Manager
Office of Water Quality – IGCN 1255
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, IN 46204-2251
15. Respondent is assessed and agrees to pay a civil penalty of Four Hundred Sixty Dollars (\$460). Respondent shall pay the civil penalty by the due date printed on the invoice, as attached.

Civil and stipulated penalties are payable to the "Environmental Management Special Fund" by mail, phone, or online following the instructions below:

Mail:

Civil and stipulated penalties are payable by check to the "Environmental Management Special Fund." Checks shall include the Case Number 2025-30722-D of this action and shall be mailed to:

Indiana Department of Environmental Management
Accounts Receivable
IGCN, Room 1340
100 N. Senate Avenue

Indianapolis, IN 46204

Online:

Accounts Receivable is accepting payments online by e-Check, Mastercard, Visa, or Discover. Please visit www.IN.gov/IDEM. Under Online Services, click Online Payment options and follow the prompts. A processing fee of \$1, plus 1.99% will be charged for credit card payments. A processing fee of \$1 will be charged for e-Check payments. The Case Number 2025-30722-D of this action is required to complete the process.

Phone:

Accounts Receivable also accepts payments by phone at (317) 234-3099. Follow the instructions for Mastercard, Visa, or Discover payments. A processing fee of \$1 plus 1.99% will be charged for credit card payments. A processing fee of \$1 will be charged for e-Check payments. The Case Number 2025-30722-D is required to complete the process.

16. In the event the terms and conditions of the following paragraphs are violated, Complainant may assess and Respondent shall pay a stipulated penalty in the following amount:

Paragraph:	Violation:	Stipulated Penalty:
2	Failure to deliver public education materials to persons served.	\$300 per week late, or part thereof.
3	Failure to send to IDEM the Certification Form for Notice of Public Education.	\$300 per week late, or part thereof.
4	Failure to submit a written response including a CAP with a schedule with milestone dates within the required time period.	\$250 per week late, or part thereof
5	Failure to submit the CAP within the required time frame.	\$300 per week late, or part thereof.
6 and 10	For lead or copper action level exceedance during the Compliance Demonstration.	\$400 per violation.
7	Failure to submit the AAP, if required, within the given time period.	\$300 per week late, or part thereof.
8	Failure to modify the CAP(s) and/or AAP, if required, within the given time period.	\$300 per week late, or part thereof.
9	Failure to meet and/or implement any milestone date set forth in the approved CAP(s) or AAP.	\$500 per week late, or part thereof.
11	Failure to submit to IDEM a written report of progress within 10 days of the end of	\$300 per violation.

Paragraph:	Violation:	Stipulated Penalty:
	each calendar quarter.	
12	Failure to monitor ten (10) lead and copper samples during each 6-month monitoring period.	\$350 per missed sample.
13	Failure to submit the "System Basic Information Summary" document in the manner specified.	\$100 per week late, or part thereof.

17. Stipulated penalties shall be due and payable no later than the 30th day after Respondent receives written notice that IDEM has determined a stipulated penalty is due, the 30th day being a "Due Date." IDEM may notify Respondent at any time that a stipulated penalty is due. Failure to notify Respondent in writing in a timely manner of a stipulated penalty assessment shall not waive IDEM's right to collect such stipulated penalty or preclude IDEM from seeking additional relief against Respondent for violation of this Agreed Order. Neither assessment nor payment of stipulated penalties shall preclude IDEM from seeking additional relief against Respondent for a violation of this Agreed Order. Such additional relief includes any remedies or sanctions available pursuant to Indiana law, including, but not limited to, civil penalties pursuant to IC 13-30-4.
18. This Agreed Order shall apply to and be binding upon Respondent, its successors and assigns. Respondent's signatories to this Agreed Order certify that they are fully authorized to execute this Agreed Order and legally bind the party they represent. No change in ownership, corporate, or partnership status of Respondent shall in any way alter its status or responsibilities under this Agreed Order.
19. In the event that the monies due to IDEM pursuant to this Agreed Order are not paid on or before their Due Date, Respondent shall pay interest on the unpaid balance and any accrued interest at the rate established by IC 24-4.6-1. The interest shall be computed as having accrued from the Due Date until the date that Respondent pays any unpaid balance. The interest shall continue to accrue on the first of each month until the civil penalty and any interest accrued are paid in full. Such interest shall be payable to the "Environmental Management Special Fund." and shall be payable to IDEM in the manner specified above.
20. In the event that any terms of this Agreed Order are found to be invalid, the remaining terms shall remain in full force and effect and shall be construed and enforced as if this Agreed Order did not contain the invalid terms.
21. Respondent shall provide a copy of this Agreed Order, if in force, to any subsequent owners or successors before ownership rights are transferred.

Respondent shall ensure that all contractors, firms and other persons performing work under this Agreed Order comply with the terms of this Agreed Order.

22. This Agreed Order is not and shall not be interpreted to be a permit or a modification of an existing permit. This Agreed Order, and IDEM's review or approval of any submittal made by Respondent pursuant to this Agreed Order, shall not in any way relieve Respondent of its obligation to comply with the requirements of its applicable permits or any applicable Federal or State law or regulation.
23. Complainant does not, by his approval of this Agreed Order, warrant or aver in any manner that Respondent's compliance with any aspect of this Agreed Order will result in compliance with the provisions of any permit, order, or any applicable Federal or State law or regulation. Additionally, IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of Respondent's efforts to comply with this Agreed Order.
24. Nothing in this Agreed Order shall prevent or limit IDEM's rights to obtain penalties or injunctive relief under any applicable Federal or State law or regulation, except that IDEM may not, and hereby waives its right to, seek additional civil penalties for the same violations specified in the Notice of Violation.
25. Nothing in this Agreed Order shall prevent IDEM (or anyone acting on its behalf) from communicating with the United States Environmental Protection Agency (US EPA) or any other agency or entity about any matters relating to this enforcement action. IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of such communications with the US EPA or any other agency or entity.
26. This Agreed Order shall remain in effect until Respondent has complied with the terms and conditions of this Agreed Order and IDEM issues a Resolution of Case (close out) letter to Respondent.

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INVOICE

Please Remit To:

INDIANA DEPT. OF ENVIRONMENTAL MANAGEMENT
PO BOX 3295
INDIANAPOLIS IN 46206-3295

Page: 1
Invoice No: 000392708
Invoice Date: 10/23/2025
Customer Number: CST100048183
Bill Type: 075
Payment Terms: NET 30
Due Date: 11/22/2025

Bill To:

BUCKRIDGE HOMEOWNER'S ASSOCIATION INC
PAUL ODELL, REGISTERED AGENT
4456 YALE DRIVE
LAFAYETTE IN 47905

AMOUNT DUE: 460.00 USD

Amount Remitted

Note Address Changes Above

Email Address: _____

Write the invoice number on your check and return the upper portion of this invoice.

For billing questions, please email us at BILLING@IDEM.IN.GOV

Line	Adj	Identifier	Description	Quantity	UOM	Unit Amt	Net Amount
1		2025-30722-D	AGREED ORDER	1.00	EA	460.00	460.00
<p>- Accounts Receivable is accepting payments online by e-Check, MasterCard, Visa, American Express or Discover. Please visit www.in.gov/idem. Under Online Services, click Online Payment options and follow the prompts.</p> <p>-You may also call us at 317-234-3132 to pay by MasterCard, Visa, American Express or Discover.</p> <p>-A processing fee of \$0.40 plus 2.06% will be charged for credit card payments. A processing fee of \$0.15 will be charged for eCheck payments.</p> <p>- Pursuant to the Agreed Order for the Case Number noted above in the identifier field, please remit the civil penalty within thirty (30) days of the effective date of the Agreed Order.</p>							
TOTAL AMOUNT DUE :						460.00	

Please write the invoice number on your check and return the upper portion of this invoice with remittance.

PeopleSoft BI
INVOICE PRINT SUMMARY - SELECTED BILLS

Report ID: BIIVCPN
Report Action: INVOICE

Page No. 1
Run Date 10/23/2025
Run Time 15:43:22

<u>Business Unit</u>	<u>Number of Bills</u>	<u>Total Invoice Amount</u>	<u>Currency</u>
00495	1	460.00	USD

Total number of bills printed: 1