INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.
100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Michael R. Pence
Governor

Carol S. Comer
Commissioner

December 29, 2015

Brookville Lake Regional Waste District
21 East Union St.
Liberty, IN 47353

Dear District:

Re: Bond Language

This letter is to advise you that the Order to modify your bond language is complete.

If you have any questions, please contact me at (317) 233-1190.

Sincerely,

Edward Judson
Regional Sewer District Coordinator
Office of Water Quality

STATE OF INDIANA	)	BEFORE THE INDIANA DEPARTMENT
	) SS:	OF ENVIRONMENTAL MANAGEMENT
COUNTY OF MARION	)	
IN THE MATTER OF:	)	
	)	
MODIFICATION OF BONDING	)	
REQUIREMENTS OF THE	)	
BROOKVILLE LAKE REGIONAL	)	
WASTE DISTRICT	)	

SECOND ORDER MODIFYING THE ORDER FORMING THE BROOKVILLE LAKE REGIONAL WASTE DISTRICT

The Brookville Lake Regional Waste District (District) Petitioner, was previously established by Order from the State of Indiana Stream Pollution Control Board, dated August 20, 1974. The Order is for the purpose of collection, treatment and disposal of sewage and distribution of water. Item 6 of the Order states: "That the Board of Trustees shall provide sufficient bond for all officers, Trustees, or employees who have any power to dispense funds of the district. Said bond, as a minimum, shall be in an amount equal to, plus 10% of, those funds anticipated to be received by the District during a fiscal year of the district, divided by six (6), which amount shall be determined annually be the Board of Trustees."

On or about September 9, 2015, the District, by its Board of Trustees, petitioned to amend item 6 of the Order, pursuant to Indiana Code (IC) §13-26-1-2, to read: "That the Board of Trustees shall provide sufficient bond for all officers, Trustees or employees who have any power to dispense or accept funds of the district. The amount must equal thirty thousand dollars ($30,000) for each one million ($1,000,000) of receipts of the District during the last complete fiscal year before the purchase of the bond. The amount may not be less than thirty thousand dollars ($30,000) nor more than three hundred thousand dollars ($300,000) unless the fiscal body approves a greater amount for the officer or employee or is a requirement for funding by a State of Federal agency."

The Commissioner of IDEM now orders that the Order dated August 20, 1974, be amended. The District's request to revise the bonding requirements for anyone who has power to dispense funds is approved.

Item 6 of the Order shall now read: "That the Board of Trustees shall provide sufficient bond for all officers, Trustees or employees who have any power to dispense or accept funds of the District. The amount must equal thirty thousand dollars ($30,000) for each one million ($1,000,000) of receipts of the District during the last complete fiscal year before the purchase of the bond. The amount may not be less than thirty thousand dollars ($30,000) nor more than three hundred thousand dollars ($300,000) unless the fiscal body approves a greater amount for the officer or employee or is a requirement for funding by a State of Federal agency."

In all other respects, the Order dated August 20, 1974, shall remain the same.

Pursuant to IC §4-21.5-3-5(f) and IC §4-21.5-3-2(e), this Order to amend the Order dated August 20, 1974 forming the Brookville Lake Regional Waste District, becomes effective eighteen (18) days after its mailing. If you wish to challenge this decision, IC §4-21.5-3-7 requires that a petition for administrative review be filed. The petition describing your intent must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, IGC-N, Indianapolis, Indiana 46204, within eighteen (18) days from the mailing of this notice. This petition must be filed in accordance with IC §4-21.5-3-7, and must include facts demonstrating that the petitioner is the petitioner, a person aggrieved by this decision, or a person entitled to review by law.

DATED in Indianapolis, Indiana, on this 17th day of December, 2015.

Carol S. Comer,
Commissioner
Indiana Department of Environmental Management