CARSON LLP

CarsonLLP.com
260 423-9411

The Harrison
301 W. Jefferson Boulevard, Suite 200
Fort Wayne, IN 46802

Christopher L. Nusbaum
cnusbaum@carsonllp.com

February 27, 2020

Lance Myers
Operations Section Chief
IDEM Office of Water Quality
100 N. Senate Avenue
Indianapolis, IN 46204

(via email to lmyers@idem.in.gov and regular U.S. Mail)

RE: Petition to Modify the Formation Order of the LaGrange County Regional Utility District

Dear Mr. Myers:

Enclosed please find an original and one (1) copy of a Petition Requesting to Modify the Formation Order of the LaGrange County Regional Utility District. Pursuant to Ind. Code §13-26-1-2 (the "Petition") for filing to make changes the amount of Fidelity Bond Coverage the District is required to carry.

Please let me know if you need anything further.

Respectfully,

CARSON LLP

Christopher L. Nusbaum

Enclosures

CLN/dgn

RECEIVED
MAR 02 2020
IDEM/OWQ

STATE OF INDIANA	)	**BEFORE THE INDIANA DEPARTMENT**
	)	**OF ENVIRONMENTAL MANAGEMENT**
COUNTY OF MARION	)	
IN THE MATTER OF:	)	
	)	
THE MODIFICATION OF THE ALLEN COUNTY REGIONAL WATER & SEWER DISTRICT	)	

ORDER APPROVING THE PETITION TO RELEASE AND ABANDON TERRITORY AND FOR THE MODIFICATION OF THE FINAL ORDER ESTABLISHING THE ALLEN COUNTY REGIONAL WATER & SEWER DISTRICT

The Allen County Regional Water & Sewer District ("Allen County RWSD") was established under Indiana Code § 19-3-1.1 (now IC 13-26) by Final Order of the Stream Pollution Control Board of the State of Indiana on July 5, 1979.

On December 5, 2018, the Allen County RWSD submitted to the Indiana Department of Environmental Management ("IDEM") a petition under IC 13-26-1-2 to release and abandon certain territory and modify the July 5, 1979 Final Order to remove that territory. The Petition and its supporting documents are attached to this Order. The facts of the Petition may be summarized as follows:

1. Allen County RWSD wishes to release and abandon certain territory because it has successfully applied for the territory to be included in the Leo-Cedarville Regional Sewer District (Leo-Cedarville RSD).

2. On November 14, 2018, Allen County RWSD exercised its rights as an eligible entity under IC 13-11-2-62 to apply to the board of the Leo-Cedarville RSD for inclusion of the territory in the Leo-Cedarville RSD according to the procedures outlined in IC 13-26-8-1 and 2.

3. Under IC 13-26-8-2, the Allen County RWSD territory described in Exhibits "A" attached to this Order became a part of the Leo-Cedarville RSD's territory upon the approval of Leo-Cedarville RSD's board on November 15, 2018.

ORDER

IT IS NOW ORDERED BY THE COMMISSIONER, pursuant to IC 13-26-1-2(b), that the territory of Allen County RWSD be modified, and the Final Order establishing the District be amended as follows:

1. The territory described in the attached Exhibits "A" shall be released and abandoned by Allen County RWSD and excluded from the District's territory.

2. The July 5, 1979 Final Order establishing the Allen County RWSD shall be amended to exclude the territory described in the attached Exhibits "A". In all other respects the Final Order establishing the Allen County RWSD shall remain the same.

Pursuant to IC 4-21.5-3-5(f) and IC 4-21.5-3-2(e), this Order becomes effective eighteen (18) days after its service by mail. This Order may be challenged by filing a petition for administrative review with the Office of Environmental Adjudication according to the procedures set forth in IC 4-21.5-3-7 and 315 IAC 1-3-2. A petition for administrative review must meet the requirements found in IC 4-21.5-3-7(a) and be filed with the Indiana Office of Environmental Adjudication within eighteen (18) days of the Order's service by mail.

IT IS SO ORDERED this 6 day of February, 2019 in Indianapolis, IN

Bruno L. Pigott, Commissioner
Indiana Department of Environmental Management