INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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April 20, 2005

Via fax and email

Re: Petition to Amend Order Adopting the Findings of Fact and Recommended Order of the Hearing Officer

Dear Ms. Lehner

In a petition dated February 17, 2005, the Dearborn County Regional Sewer District requested that the Indiana Department of Environmental Management (IDEM) amend the Order Adopting the Findings of Fact and Recommended Order of the Hearing Officer for the Organization of the Dearborn County Regional Sewer District dated November 17, 2003.

Paragraph 14 of the Findings of Fact and Recommended Order states as follows:

" A. The Dearborn County Commissioners shall appoint two (2) citizen (non elected officials) members. One(1) of such two (2) members shall own real estate in Ceaser, Clay, Washington, Sparta, Hogan or Center Township; and one (1) of such two (2) members shall own real estate in Jackson, Kelso, York, or Manchester Township. These terms expire December 31, 2004."

The petition states, "...to provide broader and more equitable representation of Dearborn County on the Board, the Board requests that Paragraph 14(A) of the Order...be amended to state the following:

" A. The Dearborn County Commissioners shall appoint two (2) citizen (non elected officials) members. One(1) of such two (2) members shall own real estate in Ceaser, Clay, Washington, Hogan or Center Township; and one (1) of such two (2) members shall own real estate in Jackson, Kelso, York, Sparta or Manchester Township. These terms expire December 31, 2004."

IDEM will not rule on this requested amendment as it feels it lacks jurisdictional authority. Instead, such an amendment is more appropriately made by the District's board of trustees. Please contact me if you have any questions.

Sincerely,

Lynne Newlon
IDEM Regional District Coordinator