INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

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STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF)
THE MODIFICATION OF THE)
HANCOCK COUNTY)
REGIONAL WATER)
AND SEWER DISTRICT)

SECOND ORDER MODIFYING THE ORDER FORMING THE HANCOCK COUNTY REGIONAL WATER AND SEWER DISTRICT

The Town of Cumberland has initiated an appeal of the Marion Superior Court's October 23, 1996, Findings of Fact, Conclusions of Law and Judgment regarding the Indiana Department of Environmental Management's ("IDEM") Order forming the Hancock County Regional Water and Sewer District. In response to that appeal, the Hancock County Regional Water and Sewer District has requested a second extension of time to submit its district plan to the IDEM. The Commissioner of the IDEM now orders that the Order of March 13, 1996, forming the Hancock County Regional Water and Sewer District, and the Order of January 13, 1996, modifying the formation Order, be amended as follows:

1. That by November 13, 1997, the District shall file with the Commissioner of the Indiana Department of Environmental Management a detailed plan for the initial project of the district; and

2. That in all other respects, Hancock County Regional Water and Sewer District will remain subject to the terms of the original Order entered on March 13, 1996.

Under IC 4-21.5-3-5(f), this Order 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. This petition describing your intent must be submitted to the Office of Environmental Adjudication, ISTA Building, 150 W. Market Street, Suite 618, Indianapolis, Indiana 46204, within eighteen 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 applicant, a person aggrieved by this decision, or a person entitled to review by law.

Pursuant to IC 4-21.5-3-5(d), the Office of Environmental Adjudication will provide the petitioner, or any other person requesting notice, with notice of prehearing conferences, preliminary hearings, hearing stays or orders disposing of the petition for review if a written request for such notice is submitted to the Office of Environmental Adjudication at the above address.

Dated at Indianapolis, Indiana, this 4th day of June, 1997.

Michael O' Connor
Commissioner
Indiana Department of
Environmental Management