NOTICE OF DECISION

Indiana Department of Environmental Management (IDEM)

IDEM issued a permit decision for the Indianapolis Resource Recovery Facility (IRRF). This decision authorizes Covanta Indianapolis, Inc. to construct and operate the Advanced Recycling Center (ARC) at the IRRF. The ARC is a municipal solid waste (MSW) sorting facility that will recover recyclable materials from the IRRF's incoming waste stream. Any remaining non-recyclable residual waste will be incinerated at the IRRF. The IRRF is located at 2320 South Harding Street, Marion County, Indiana.

A copy of this permit is available for review at the Indianapolis-Marion County Public Library located at 40 East St. Clair Street, Indianapolis, Indiana.

It can also be viewed online at IDEM's Virtual File Cabinet (VFC) web site using the following steps:

1. Go to http://vfc.idem.in.gov/, which is VFC's "Document Search" page
2. Once there, click on the ***Additional Fields*** dropdown menu.
3. Select ***SW Program ID***.
4. Click the ***Add*** button, which opens the ***SW Program ID*** field.
5. Enter the facility permit number, ***49-13***, in this field.
6. Click the ***Submit*** button, which produces one or more links to the documents for this facility.
7. Click on the ***Page x out of y*** dropdown menu to view additional pages with document links.
8. To find and review the permit decision, click the highlighted numbers in the ***Document #*** column for the most recent dates listed. If the permit decision is not yet available when you first search, try again later, it will soon be posted.

Challenging this Decision

If you disagree with this decision and wish to challenge it, IC 13-15-6-1 and IC 4-21.5-3-7 require you file a petition for administrative review. If you want the permit put on hold during this administrative review ("stayed"), you must also file a petition for stay. These petitions must be submitted to the Office of Environmental Adjudication (OEA) at the following address within the timeframes below:

Office of Environmental Adjudication
Indiana Government Center North
100 North Senate Avenue, Room N501
Indianapolis, Indiana 46204

You will need to include the following in your petitions:

1. Information identifying the decision you are appealing, including the following:
   - name of the facility
   - name of the applicant/permittee
   - permit number
   - date of this notice

2. Information showing you are either:
   - the applicant
   - someone "aggrieved or adversely affected" by the decision, i.e., the decision has a negative impact on you, or
   - someone otherwise entitled by the law

3. Your name and address, or that of the person making the request that you represent

4. Your interest in the decision, or the interest of the person you represent

5. Identification of any persons represented by the person making the request

6. The reasons for the request, with particular detail

7. The issues involved, with particular detail

8. Identification of appropriate new permit terms and conditions that you would like to see used to replace existing ones in the permit that you feel do not comply with the laws governing this kind of permit

9. A copy of the pertinent portions of the permit, decision, or other order for which you seek review. At a minimum, include the portion of the Commissioner's action that identifies the person to whom the action is directed and the identification number of the action.

Deadlines and Timeframes

Please remember you must file your petition(s) within the following timeframes:

1. If you read this notice in a newspaper, you must file the petition within 15 days of the notice's publication date (either the date of the printed newspaper, or the notice date given on the newspaper's website).

2. If you received this notice by U.S. mail, you must file the petition within 18 days of the date of this Notice of Decision (15 days from the date of decision, plus 3 days because this notice was provided by U.S. mail).

3. If you received this notice by email, you must file the petition within 15 days of the date IDEM sent the email.

4. If an IDEM representative personally gives ("serves") you this notice, you must file the petition within 15 days of the date you were given the notice.

The date your petition(s) will be considered received by ("filed with") the OEA is based on the following:

1. If you or someone else personally brings the petition to OEA, the date you do this.

2. If you mail the petition through the regular US mail, the postmark date on the envelope containing the petition.

3. Or, if you send the petition to OEA through a private carrier like UPS, Federal Express, etc., the date you gave the document to the carrier, as shown by the sales receipt you receive from the carrier.

In order to assist permit staff in tracking any appeals of the decision, please provide a copy of your petition to John Hale, IDEM, Solid Waste Permits, IGCN 1101, 100 North Senate Avenue, Indianapolis, Indiana 46204-2251.

Receiving Updates on the Status of this Decision

The OEA will provide you with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders regarding this decision if you submit a written request to the OEA. If you do not provide a written request to the OEA, you will no longer be notified of any proceedings pertaining to this decision.

How to Obtain Additional Information

If you have procedural or scheduling questions regarding your petition, you may contact OEA by dialing (800) 451-6027, and asking for extension 2-8591, or by dialing (317) 232-8591 directly.

If you have questions regarding other aspects of the permit decision, contact John Hale, the Solid Waste Permit Manager assigned to the facility, by dialing (800) 451-6027 and asking for extension 2-8871, dialing (317) 232-8871 directly, or by email at jhale@idem.in.gov.

Please bring this matter to the attention of persons you believe may have an interest in it.

Newspaper NOD