



FOR IMMEDIATE RELEASE

Jan. 19, 2022

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Groundwater Hazard Documentation rule changes effective Feb. 15

MEDIA CONTACT: Noah Poppelreiter, DNR, at noah.poppelreiter@dnr.iowa.gov.

If you are in an industry using the groundwater hazard statement, circle Feb. 15 on your calendar. The statement will be changing on that date.

The Iowa Department of Natural Resources' rule changes to the Iowa Administrative Code section 558.69 to align groundwater hazard statements with current legislation will become effective Feb. 15, 2023.

New legislation, House File 2343, was signed into law in April 2022. The legislation removes the requirement to record a groundwater hazard statement if no relevant conditions are present and allows county recorders to submit statements to the DNR through a web browser provided by the county.

The DNR's changes include removing language that is now in conflict with the new Iowa Code, referencing a new statement form, and providing the procedure by which county recorders can submit statements to the DNR.

The updated form, which can be found on the [Iowa DNR's website](#) (www.iowadnr.gov/Portals/idnr/uploads/forms/5420960%20Proposed.pdf), makes it clear when a condition is present and provides instruction on when to submit the form and when to include statutory language. Until February 15, applicable real estate transactions must continue to use the current groundwater hazard statement form.

The full adopted and filed rule making, including the proposed amendments to the rules, is available digitally here: <https://www.legis.iowa.gov/docs/aco/arc/6790C.pdf>. The rule making, ARC 6790C, was published Jan. 11, 2023.

DNR enforcement actions

MEDIA CONTACT: Tamara McIntosh, DNR, at 515-725-8242
or Tamara.McIntosh@dnr.iowa.gov.

DES MOINES – DNR staff work with individuals, businesses and communities to help them protect our natural resources by complying with state and federal laws. This approach is very effective. In the few cases where compliance cannot be achieved, the DNR issues enforcement actions. The following list summarizes recent enforcement actions. Find the entire, original orders on DNR's website at www.iowadnr.gov/EnforcementActions.

Consent Orders

A consent order is issued as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

Johnson County

Hightower Development, Inc d/b/a Park Place Northwest, LLC

Comply with all terms of its National Pollutant Discharge Elimination System permit and pay a \$5,000 administrative penalty.

Administrative Orders

Responsible parties have 60 days to appeal the order or 60 days to pay the penalty.

Benton County

Brad Zieser

Pay a \$3,000 administrative penalty.

Grundy County

Nolan Junker

Submit 2022's manure management plan update and fee and pay a \$3,000 administrative penalty.

Washington County

Kevin C. Flynn

Obtain the services of a permitted asbestos abatement company to supervise cleanup of the site and properly dispose of all asbestos-containing waste; submit an asbestos notification to the DNR prior to starting the cleanup; submit landfill receipts after completing the cleanup; and pay a \$10,000 administrative penalty.

Grundy County

Steve Nelson d/b/a Nelson Construction, LLC

Send at least one primary employee to a three-day Asbestos Inspector course and submit proof of completion to the DNR and pay a \$6,000 administrative penalty.

Air Quality permits under review

MEDIA CONTACT: Marnie Stein, DNR, at 515-725-9525 or Marnie.Stein@dnr.iowa.gov for Title V permits; or Peter Zayudis, DNR, at 515-201-4596 or Peter.Zayudis@dnr.iowa.gov for Construction permits.

DES MOINES – The DNR Air Quality Bureau has the following draft permits up for review. The permits help protect Iowans' health and air quality. DNR's permitting staff review each permit application to ensure facilities comply with state and federal air quality requirements. We encourage public comments on draft permits, providing help on how to make effective comments. Submit written comments to the assigned permit writer before 4:30 p.m. on the last day of the comment period. DNR considers public comments before finalizing the permits.

Title V Operating Permits

Title V Operating permits are reviewed and re-issued every five years. Facilities with a Title V permit have the potential to emit large amounts of air pollutants compared to other facilities. The five-year reviews are a federal requirement and ensure adequate monitoring is included in the permit. The DNR plans to issue Title V Operating Permits for the following facilities. Find permit details at www.iowadnr.gov/titlev-draft.

Page County

NSK Clarinda – 1100 N First St., Clarinda.

The application was submitted to operate their existing Ball and Roller Bearings facility. The public comment period ends Feb 18.

Construction Permits

DNR engineers review and issue construction permits to facilities before they build new or modify existing sources of air pollution. The public may review the following air quality construction permits available online at www.iowadnr.gov/airpermitsearch OR through the [EASY Air Public Inquiry Portal](#) and then click the Public Notice tab.

Clinton County

Guardian Industries, LLC – 300 South 5th Ave E, DeWitt.

Project No. 22-308, The Curtain System/Climaguard Curtain Coater is no longer operating at the facility; therefore, permit number 95-A-154-P5 is being amended to remove all references to the curtain coater. The public comment period ends Feb 17.