

**Iowa Department of Natural Resources  
Environmental Protection Commission**

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ITEM

14

DECISION

TOPIC

**PROPOSED CONTESTED CASE DECISION - JERRY VANDER PLAATS**

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Jerry Vander Plaats

On October 29, 2004, the department issued Administrative Order No. 2004-AFO-111 to Jerry Vander Plaats. The order required Mr. Vander Plaats to pay a penalty of \$3,000 for failure to submit a manure management plan. That action was appealed, and a hearing on this matter was held on January 6, 2006.

A Proposed Decision was issued on January 20, 2006. The Proposed Decision affirmed, in part, and modified, in part, Administrative Order No. 2004-AFO-111. Specifically, the administrative law judge reduced the civil penalty to \$1,500 because of evidence that Mr. Vander Plaats attempted to comply with the state manure management plan requirements prior to the expiration of the grace period offered by the department.

There has been no appeal of this Proposed Decision. In the absence of an appeal the Commission may decide on its own motion to review the Proposed Decision. If there is no review of this Proposed Decision, it automatically becomes the final decision of the agency.

Edmund J. Tormey, Chief  
Legal Services Bureau

February 28, 2006