

**Iowa Department of Natural Resources
Environmental Services
Report of WW By-passes**

During the period April 1, 2007 through April 30, 2007, 22 reports of wastewater by-passes were received. A general summary and count by field office is presented below. This does not include by-passes resulting from precipitation events.

Month	Total	Avg. Length (days)	Avg. Volume (MGD)	Sampling Required	Fish Kill
October '06	3(11)	0.427	0.055	1	0(0)
November '06	3(7)	0.063	0.033	2	0(0)
December '06	11(7)	0.862	0.016	1	0(0)
January '07	7(10)	0.213	0.004	1	0(0)
February '07	34(6)	0.386	0.070	6	0(0)
March '07	14(12)	0.162	0.011	3	0(0)
April '07	22(12)	0.393	0.068	5	0(0)
May '06	11(18)	0.135	0.004	3	0(0)
June '06	9(7)	0.342	0.076	5	0(0)
July '06	9(5)	0.078	0.003	2	0(0)
August '06	15(13)	0.196	0.023	8	0(0)
September '06	9(3)	0.285	0.024	0	0(0)

(numbers in parentheses for same period last year)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
8	2	0	2	4	6

**IOWA DEPARTMENT OF NATURAL RESOURCES
COMPLIANCE AND ENFORCEMENT BUREAU**

DATE: June 1, 2007
TO: Environmental Protection Commission
FROM: Ed Tormey
SUBJECT: Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Elyry Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Daryl & Karen Hollingsworth d/b/a Medora Store(Indianola)	UT	8,292	3-15-96
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
Lindahl & Sons Salvage (Boone)	AQ/SW	10,000	11-29-00
R & R Ranch (Osceola)	WW	10,000	8-30-00
Alice Hillhouse; Hillhouse Real Estate Corp. (Denison)	UT	3,000	2-28-01
Teckenburg, Inc.; Jerry Teckenburg (Cedar Rapids)	UT	6,380	7-06-01
Keith Craig; The Farm (Council Bluffs)	UT	3,890	8-08-01
James Harter (Fairfield)	WW	1,780	8-01-01
Wisconsin North dba National Petroleum, Inc. (Clinton)	UT	5,000	8-04-01
# Troy DeGroote; Casey DeGroote (Butler Co.)	AFO/AQ/SW	242	3-08-02
Charlotte Caves (Oskaloosa)	HC	10,000	4-03-02
# Practical Pig Corporation (Clinton Co.)	AFO	2,000	5-26-02
Mobile World, L.C. (Camanche)	WW	2,000	5-27-02
M-F Real Estate; Fred "Butch" Levell (Carter Lake)	HC	1,701	8-18-02
Midway Oil Co.; David Requet (Davenport)	UT	5,355	9-20-02
Dale Schaffer (Union Co.)	AQ/SW	10,000	11-05-02
U.S. Petro, Inc.; SSJG Petroleum; Sukhdev Singh	UT	32,690	2-28-03
Midway Oil Co.; David Requet; John Bliss	UT	44,900	2-28-03
Green Valley Mobile Home Park (Mt. Pleasant)	WW	5,000	4-23-03
Midway Oil Company (West Branch)	UT	7,300	5-03-03
Midway Oil Company (Davenport)	UT	5,790	5-03-03
Efren Valdez (Warren Co.)	SW	2,782	6-09-03
Albert Miller (Kalona)	AQ/SW	10,000	9-26-03
* Jerry Feilen and Rick Bain (Pottawattamie Co.)	AQ/SW	1,663	12-15-03
Robert L. Nelson (Orient)	UT	617	12-26-03
Mark Anderson (Des Moines Co.)	AQ/SW	6,188	3-22-04

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Mike Phillips aka Jeff Phillips (Cambridge)	AQ	5,000	3-27-04
Mike Messerschmidt (Martinsburg)	AQ/SW	500	4-13-04
Interchange Service Co., Inc., et.al. (Onawa)	WW	6,000	5-07-04
Emer Carlson (Fairfield)	AQ	6,500	6-01-04
*Floyd Kroeze (Butler Co.)	AFO	1,500	6-01-04
Iowa Falls Evangelical Free Church (Iowa Falls)	WS	750	6-13-04
Mitchell Town Pump (Mitchell)	WS	2,080	6-16-04
# Dunphy Poultry (Union Co.)	AFO	1,500	6-27-04
Shane Preder (Ft. Madison)	AQ	477	7-12-04
James L. Heal d/b/a A-1 Domestic (Homestead)	SW/WW	1,800	7-16-04
Ranch Supper Club (Swisher)	WS	300	8-02-04
*James Boller (Kalona)	AFO	3,634	8-19-04
# Cash Brewer (Cherokee Co.)	AFO/SW	10,000	8-25-04
Spillway Supper Club (Harpers Ferry)	WS	1,500	9-06-04
David Niklasen (Shelby Co.)	SW	100	9-11-04
# Doorenbos Poultry; Scott Doorenbos (Sioux Co.)	AFO	1,500	10-09-04
T & T Corner Bar (McIntire)	WS	3,000	10-26-04
Rock N Row Adventures (Eldora)	WS	3,000	10-23-04
# Jason Fox (Audubon Co.)	AFO	1,000	11-27-04
# Norm Cleveringa (Lyon Co.)	AFO	750	11-27-04
Americana Bowl (Ft. Madison)	WS	100	11-28-04
Howard Traver, Jr. (Cass Co.)	SW	3,000	12-14-04
Valley Country Café; NOO Investment Co. (Cass Co.)	WS	5,000	2-18-05
Denzel Edwards (Cass Co.)	AQ/SW/HC	500	3-01-05
* Fran Oil Company (Council Bluffs)(3 Admin. Orders)	UT	4,300	4-09-05
Virgil Ehlers; Ehlers Oil Co. (Soldier)	UT	8,040	4-23-05
* Reginald Parcel (Henry Co.)	AQ/SW	260	4-23-05
Harold Linnaberry (Clinton Co.)	SW	1,000	5-18-05
* Country Stores of Carroll, Ltd. (Carroll)	UT	1,408	6-06-05
Mehmert Tiling, Inc. (Cresco)	UT	8,849	6-10-05
Elery Fry; Allen Fry; Mel Fry; Ron Fry (Moravia)	SW	10,000	6-20-05
Fedler and Company; Tony Fedler (Mt. Pleasant)	HC	3,670	6-25-05
# Matt Hoffman (Plymouth Co.)	AFO	750	8-08-05
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	8,500	12-29-05
Vernon Kinsinger (Washington Co)	SW	3,930	12-31-05
# Joel McNeil (Kossuth Co.)	AFO	2,500	1 21-06
Carl Cliburn (Wapello Co.)	AQ/SW	3,474	2-03-06
TOMA Properties, LLC (Washington)	WS	1,000	2-17-06
Affordable Asbestos Removal, Inc. (Monticello)	AQ	7,000	4-28-06
Jeff Albrecht (Humboldt Co.)	AQ	500	5-06-06
CRM Enterprises; Envirobest, Inc. (Iowa City)	AQ	7,000	5-21-06
James L. Heal; A-1 Imports (Homestead)	WW/SW	10,000	6-18-06
*Tony Mertens (Mt. Pleasant)	AFO	2,644	7-20-06
*Dale Schumann (Buena Vista Co.)	AFO	2,000	8-01-06
Michael Drea (Woodbury Co.)	AQ	6,000	8-13-06

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BOLD Entries Have Been Referred to DRF

# Troy VanBeek (Lyon Co.)	AFO	3,500	10-16-06
Rueter & Zenor Co.; Rueters Red Power (Carroll) SEP	AQ/SW	400	11-06-06
# Randy Rudolph (Audubon Co.)	AFO	3,500	11-06-06
Larry Bergen (Worth Co.)	AQ/SW	2,000	11-01-06
* Fred Miller; Earthworks Contracting (Quimby)	AQ	8,020	12-15-06
* Waddell's Metal Recycling (Blue Grass)	AQ	1,000	5-01-07
* Wayne Staab (Plymouth Co.)	AQ	250	1-01-07
#*Galen Drent (Boyden)	AFO	1,510	2-01-07
* Curt Kline; Connie Kline (Dunlap)	AQ	1,000	3-01-07
Council Bluffs Community School District	AQ	3,500	3-08-07
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	600	4-01-07
Mobile World, LC; R. Victor Hanks (Clinton Co.)	WW	22,500	4-01-07
Craig Burns (Postville)	WW	4,000	4-15-07
Edward Branstad; Monroe "Monty" Branstad (Forest City)	AQ	4,500	4-16-07
# Todd Kay (Buena Vista Co.)	AFO	3,000	4-16-07
# Garrelts Livestock Feeders (Palo Alto Co.)	AFO	3,000	5-02-07
#*Harvey Driesen (Sioux Co.)	AFO	1,250	5-15-07
#*E & N Farms, Ltd. (Lyon Co.)	AFO	800	5-15-07
#*John Kauffman (Iowa City)	AFO	3,952	5-20-07
* John Danker (Lee Co.)	AQ/SW	2,914	5-22-07
* Country Terrace Mobile Home Park (Ames)	WW	590	6-01-07
#*Paul Rehder (O'Brien Co.)	AFO	375	6-01-07
* Crestview Mobile Home Park (Ames)	WW	1,000	6-01-07
#*Michael and Karen Schieltz (Dubuque Co.)	AFO	2,913	6-07-07
* Midway Water & Lighting Co., Inc. (Marion)	WS	1,200	6-20-07
#*Randy Gergen; R & D Farms (Sioux Co.)	AFO	1,125	7-15-07
#*Charles F. Deering, Jr. (Postville)	AFO	2,500	9-30-07
#*Charles Wauters (Keystone)	AFO/SW	3,500	12-01-07
#*Joe Tomka (Carroll Co.)	AFO	3,500	12-01-07
#*Rahn Eischeid (Carroll Co.)	AFO	2,500	4-01-08
Goldsmith & Son, Inc.; J & G Pallet LLC (Sergeant Bluff)	WW	10,000	-----
Industrial Laminates/Norplex, Inc. (Postville)	AQ	3,750	-----
# Crossroads Cattle Co. (Council Bluffs)	AFO	9,500	-----
	TOTAL	485,860	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Gerald and Judith Vens (Scott Co.)	FP	5,000
# Iowa Select Farms, L.P.; AG Waste Consultants (Hamilton Co.)	AFO	3,000
# Dan Witt (Clinton Co.)	AFO	3,000
Dallas County Care Facility (Adel)	WW	5,000
# Doug Wedemeyer (Adair Co.)	AFO	2,500
Mt. Pleasant, City of	WW	500
# Kenneth Dahlhauser (Whittemore)	AFO	2,500
Chelsea, City of	WW	3,000
# Doug Osweiler (South English)	AFO	5,000
# Ray Slach (Cedar Co.)	AFO	3,000
# Natural Pork Production, II LLC (Shelby Co.)	AFO	5,000

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Country Living MHP (Altoona)	WW	5,000
Strawberry Point, City of	WW	10,000
B & H Food & Gas, Inc. (Davenport)	UT	10,000
U.S. Nation Mart, Inc. (Davenport)	UT	10,000
Tegh, Inc. (Bettendorf)	UT	8,500
# Jeff Holland (Winnebago Co.)	AFO	5,500
# Bob Kerrigan (Union Co.)	AFO	750
Carpenter Bar & Grill (Carpenter)	WS	10,000
# Swine USA; Davis Finishing Site (Clarke Co.)	AFO	750
# Gettler Dairy (Guthrie Co.)	AFO	5,000
Iowa Ethanol, LLC; Reilly Construction Co. (Worth Co.)	WW	10,000
Broin & Assoc., Inc.; Iowa Ethanol, LLC (Worth Co.)	WS/WW	10,000
Broin & Assoc., Inc.; Otter Creek Ethanol (Osceola Co.)	WW	10,000
LeMars, City of	WW	9,000
Alton, City of	FP	5,000
# Jansma Cattle Co., Inc. (Lyon Co.)	AFO	10,000
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000
# Michael Veenstra; Allan Veenstra (Mahaska Co.)	AFO	5,000
Gary Hart (Clinton)	AQ/SW	4,250
Cedar Rapids, City of	WW	5,000
# Mike Elsbernd (Winneshiek Co.)	AFO	3,000
# Ted T. Smith (Buena Vista Co.)	AFO	3,000
S. J. Louis Construction, Inc. (Pleasant Hill)	WW	5,000
Monty Branstad (Winnebago Co.)	AQ/SW	8,000
Honey Creek Campground (Pottawattamie Co.)	WW	1,000
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000
Peeters Development Co.; Mt. Joy MHP (Scott Co.)	WW	10,000
Hoover Land Corp.; River Road Golf Club (Algona)	WS	1,375
Dirk Graves (Glenwood)	AQ	1,000
Ruby Field, Inc.; Ed Grafke (Sigourney)	UT	5,112
# Ted Dickey dba Dickey Farms (Muscatine Co.)	AQ/SW/AFO	8,000
Iowa Quality Beef Supply Cooperative (Tama)	WW	10,000
# Scott Lenz (Carroll Co.)	AFO	8,000
Edward Branstad; Jordan Branstad (Winnebago Co.)	AQ/SW	8,000
Bruce Piper; Piper Motor Company, Inc. (Bloomfield)	AQ/WW	10,000
Bedrock Gravel, In. (Buena Vista Co.)	AQ/SW	10,000
	TOTAL	266,737

The following administrative penalties have been collected:

NAME/LOCATION	PROGRAM	AMOUNT
#*Harvey Driesen (Sioux Co.)	AFO	250
* John Danker (Lee Co.)	AQ/SW	139
Country Estates Mobile Home Park (Mills Co.)	AQ/SW	3,000
# J & V Van Gorp, Inc. (Jasper Co.)	AFO	3,000
#*Randy Gergen; R & D Farms (Sioux Co.)	AFO	375
#*Charles F. Deering, Jr. (Postville)	AFO	1,250
# Southern Waste Handling, Inc. (Mr. Ayr)	AFO	5,000
* Country Terrace Mobile Home Park (Ames)	WW	110
# Mike Rausch; Justin Rausch (O'Brien Co.)	AFO	2,000
#*Dennis Kuehl (Cass Co.)	AFO	1,500
# Claussen Family Farm, LLC (Scott Co.)	AFO	4,000
* Waddell's Metal Recycling (Blue Grass)	AQ	250

*Payment Schedule

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#*John Kauffman (Iowa City)	AFO	208
#*Paul Rehder (O'Brien Co.)	AFO	375
Randy Griffin (Jasper Co.)	AQ/SW	500
#*Michael and Karen Schieltz (Dubuque Co.)	AFO	361
* Crestview Mobile Home Park (Ames)	WW	250
* Midway Water & Lighting Co., Inc. (Marion)	WS	100
* Country Terrace Mobile Home Park (Ames)	WW	110
# Gary Rupiper (Carroll Co.)	AFO	8,000
Iowa Falls, City of	WW	2,500
	TOTAL	33,278

The following penalties were collected by Revenue during the Month of April.

Daryl & Karen Hollingsworth d/b/a Medora Store(Indianola)	UT	250
Robert L. Nelson (Orient)	UT	20
	TOTAL	270

TOTAL MONIES RECEIVED 33,548

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
June 1, 2007**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Aldag, Travis Ida Co. (3)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred Petition Filed Answer Filed	7/18/05 11/29/05 12/01/05
Bridges Bay Resort, LLC Spirit Lake (3) UPDATED	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed	9/19/06 4/18/07
Bulk Petroleum Corporation 28 Sites (1) (6)	Underground Tank	Operation and Maintenance Violations	Referred to Attorney General	Referred Petition Filed	6/19/06 2/01/07
Cargill, Inc.; Mort's, Inc. Iowa Falls (2)	Solid Waste Wastewater	Illegal Disposal; Prohibited Discharge	Referred to Attorney General	Referred	11/14/06
Clinton, City of (6)	Wastewater	Compliance Schedule; Discharge Limits	Referred to Attorney General	Referred	9/19/05
Cohrs, Bernard; Cohrs Construction Dickinson Co. (3)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred	11/14/06
Country Stores of Carroll, Ltd.; LeMars Country Store, LeMars (3)	Underground Tanks	Leak Detection; Record Keeping	Referred to Attorney General	Referred	3/06/07
Des Moines, City of; Metropolitan WW Reclamation Authority (5)	Wastewater	Compliance Schedule	Referred to Attorney General	Referred	8/15/06
De Vos, Harold and Sharon Rock Rapids (3)	Air Quality Solid Waste Wastewater	Open Burning; Illegal Disposal; Operation Without Permit	Order	Referred Petition Filed	9/19/06 1/23/07
Environmental Recycling Co., Inc. Dwight Oglesbee Masena (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred	12/05/06
Feinberg Metals Recycling Corp., Ft. Madison (6)	Solid Waste Wastewater	Operation Without Permit; Illegal Disposal; Stormwater – Operation Without Permit	Referred to Attorney General	Referred	3/06/07
Garrett Corporation; Delta Industries Waterloo (2)	Air Quality	Construction Without Permit; Construction Contrary to Permit	Referred to Attorney General	Referred	1/02/07
General Motor Corporation Sioux City (3)	Hazardous Condition	Remedial Action	Order	Referred	9/19/06

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ENVIRONMENTAL PROTECTION COMMISSION
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June 1, 2007**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Golden Oval Eggs LLC Thompson (2)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	12/05/06 3/29/07
Heisdorffer, Leland Keokuk Co. (6) UPDATED	Air Quality Solid Waste	DNR Defendant	Defense	Petition Filed (No original notice served) IDNR's Motion to Dismiss/Strike Hearing Date Ruling on Motion (Dismissed all damage claims against the State) Trial Date	10/06/05 8/07/06 9/01/06 9/11/06 5/11/07
Kruse Dairy Farm, Inc. Dyersville (1)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred	12/19/05
Landfill of Des Moines #4 Des Moines (5)	Solid Waste	Operation Permit Violations – Other	Referred to Attorney General	Referred Petition Filed	4/17/06 1/23/07
Leigh, Marsha Glenwood (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Defendant's Motion to Dismiss State's Resistance/Motion to Dismiss Motion to Intervene Hearing on Motion to Dismiss Ruling Denying Motion to Dismiss Resistance to Motion to Intervene Hearing on Motion to Intervene Ruling Denying Motion to Intervene Hearing on Defense Motions Motion for Judgment on Default Order Granting Default Judgment (\$100,000/Civil; \$10,000/Admin. & Injunction)	9/20/04 3/29/05 4/20/05 5/02/05 5/12/05 5/23/05 5/23/05 5/23/05 6/27/05 6/29/05 12/05/05 9/12/05 12/7/05
Miller, Albert Kalona (6)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred Petition Filed	9/19/06 1/23/07
Miller Products Company Osceola (5)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	12/05/06
Miller, Robert Batavia (6)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred Petition Filed	8/15/06 1/23/07

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June 1, 2007**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Mobile World LC Camanche (6) UPDATED	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Bankruptcy Petition Filed Plan for Reorganization Appearance by State in Bankruptcy Notice of Intent to Seek Default Appearance by Defendant Trial Date Consent Decree (Injunctive Relief)	8/16/04 4/08/05 4/13/05 4/13/05 6/17/05 3/03/06 3/08/06 11/19/06 3/27/07
Moellers, Kenneth Cresco (1)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; Failure to Report a Release; WQ Violations – General Criteria	Referred to AG	Referred Petition Filed	2/20/06 12/11/06
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred Petition Filed Application for Temporary Injunction Temporary Injunction Trial Date Partial Judgment (Clean-up Order) Contempt Application Contempt Hearing Date Contempt Finding and Civil Penalty (\$100,000 and 30 Days in Jail – Suspended until 7/8/03) Hearing Regarding Contempt Order Regarding Bond/Cleanup Deadline Bond Posted State Objections to Bond Ruling Denying Objections to Bond Status Hearing Date Hearing on Motion to Extend Cleanup Deadline Order Reinstating \$100,000 Civil Penalty Site Clean-up Completed	12/15/97 10/02/98 2/04/99 4/19/99 9/13/00 9/28/00 12/12/02 2/20/03 2/20/03 7/09/03 8/01/03 8/01/03 8/20/03 9/18/03 4/16/04 12/10/04 1/05/05 8/15/06
Pedersen, Dean Laurens (3)	Animal Feeding Operation	Failure to Update Plan	Referred to Attorney General	Referred Petition Filed	4/17/06 12/11/06
Pellett Chemical Co., Inc. Wiota (4) UPDATED	Underground Tank	Failure to Submit Tier 2 Site Assessment	Referred to Attorney General	Referred Petition Filed Defendant's Motion to Dismiss Resistance to Motion to Dismiss Hearing on Motion to Dismiss	6/19/06 3/29/07 4/24/07 4/27/07 5/14/07

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ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
June 1, 2007**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Plymouth Dairy Farms Plymouth Co. (3)	Animal Feeding Operation	Prohibited Discharge – Confinement; Record Keeping; Application in Excess of Crop Usage Rate; Freeboard	Referred to Attorney General	Referred	9/19/05
				Petition Filed	1/10/06
River Bluff Resort, LLC; C.J. Moyna & Sons, Inc.; P.A. McGuire Construction McGregor (1)	Wastewater	Stormwater – Pollution Prevention Plan Violations; Water Quality Violations – General Criteria	Referred to Attorney General	Referred	4/03/07
Roquette America Keokuk (6)	Air Quality	DNR Defendant	Defense	Petition Filed	8/28/03
				DNR's Answer	9/11/03
				DNR's Resistance to Temporary Injunction	9/11/03
				Hearing on Temporary Injunction	9/11/03
				DNR's Brief in Resistance	9/29/03
				Roquette's Brief	9/30/03
				Ruling on Temporary Injunction	1/14/04
				Trial Scheduling Conference	1/06/05
				Trial Date	10/24/05
				Motion for Continuance	6/29/05
				Order Granting Continuance	6/29/05
				Trial Date	4/24/06
				Trial	4/24-28/06
				Roquette's Request to Reopen Evidence	5/25/06
				IDNR Resistance to Reopening Evidence	6/02/06
				Roquette's Reply to Resistance	6/19/06
IDNR Motion/Supp. Resistance	6/21/06				
Order Denying Roquette's Request to Reopen Evidence	7/05/06				
Partial Consent Order	4/09/07				
Roquette America, Inc. Keokuk (6)	Air Quality	Construction Without Permit	Referred to Attorney General	Referred	9/19/06
Rose Bowl, The Mason City (2)	Drinking Water	Monitoring/Reporting – Bacteria, Nitrate; Public Notice	Referred to Attorney General	Referred Petition Filed	7/17/06 1/22/07

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Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Schoenberr, R. B. d/b/a Long Branch Tavern Monmouth (1)	Drinking Water	Permit Renewal	Orders/Penalties	Referred	6/20/97
				Court Order	12/09/98
				Re-Referred	11/21/02
				Petition Filed	3/11/05
				Application for Contempt	3/11/05
				Contempt Hearing	4/01/05
				Order for Contempt (\$3,000 fine)	8/05/05
				Arrest Warrant Issued	4/01/05
				Contempt/Temporary Injunction Hearing	5/03/05
				Temporary Injunction Granted	5/03/05
				Contempt Hearing Date	7/06/05
				Contempt Hearing	8/05/05
				Order Finding Defendant in Contempt \$3,000 Fine	8/05/05
				Amended Petition	1/31/06
				Sharkey, Dennis Dubuque Co. (1)	Air Quality Solid Waste
Simpson, Barry Worth Co.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed	10/18/04
				Answer Filed	11/04/04
SNF, Inc. dba Brand FX Body Company Pocahontas (3)	Air Quality	Operational Violations	Referred to Attorney General	Referred	9/19/06
Stone v. Rembrand Enterprises, Inc.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed	12/06/04
				State Motion to Dismiss	1/10/05
				Hearing	3/07/05
				Ruling Dismissing Damage Claims	5/17/05
				State's Motion for Summary Judgment	2/27/06
				Order Granting Continuance	3/20/06
				Hearing on Summary Judgment	5/01/06
				State's Supp. Reply to Plaintiff's Resistance to Motion for Summary Judgment	6/19/06
				Ruling Denying Motion for Summary Judgment	10/04/06
				Application for Interlocutory Appeal	11/03/06
				Memorandum in Support of Interlocutory Appeal	11/03/06
				Application Denied	1/08/07
				Motion for Separate Trial	1/22/07
				Hearing on Motion for Separate Trial	3/05/07
				Order Granting Separate Trial	3/14/07
				Trial Brief	4/06/07
				Reply Brief	4/13/07
Trial Date	4/16/07				

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
June 1, 2007**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Sweitzer, Chad and Lona; Winter Mobile Home Park New Hampton (1) UPDATED	Drinking Water	Operation Without Permit; Monitoring/Reporting – Bacteria; MCL – Bacteria	Referred to Attorney General	Referred Petition Filed	11/14/06 5/03/07
U.S. Nation Mart, Inc.; Ved Pal; Babli Saini Davenport (6) NEW	Underground Tank	Leak Detection; UST System Deficiencies	Referred to Attorney General	Referred	5/01/07
Yentes, Clifford Council Bluffs (4)	Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	4/03/07

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

June, 2007

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
4/26/99	Gerald and Judith Vens	6	Order/Penalty	FP	Clark	4/09/07 – Internal meeting with DNR management set for 4/12/07. 5/09/07 – Clark calls Vens’ attorney and extends settlement offer. Attorney agrees to inform client and get back to Dept. with response.
12/01/99 12/08/99	Iowa Select Farms, L.P./AG Waste Consultants, Inc.	2	Order/Penalty	AFO	Clark	4/10/07 – ISF and Dept. attorneys unsuccessful attempt to contact AG Wastes Consultants attorney.
7/13/00	Dan Witt	6	Order/Penalty	AFO	Clark	1/10/07 – FO6 staff visited the site to determine the current status and observed that the AFO portion of the farm operations has been closed. 4/07 Sent request for hearing.
10/02/01	Daryl Larson	6	Order	AFO	Clark	Negotiating before filing.
11/27/01	Dallas County Care Facility	5	Order/Penalty	WW	Hansen	10/03 – Letter to County attorney regarding appeal resolution. 1/04 – Letter to attorney regarding appeal. 4/04 – Dept. letter to attorney regarding appeal. 9/04 – Dept. letter to attorney regarding appeal.
1/23/02	Clearview Mobile Home Park	6	Permit Conditions	WW	Hansen	10/31/02 – Construction permit issued for improvement to lagoon system. 10/31/03 – Update on construction project requested from Dept. engineer. 1/30/04 – Status report requested from Dept. staff. 2/24/04 – Letter sent to attorney regarding resolving appeal. 3/15/04 – Letter from facility attorney regarding proposed upgrade with sand filters. 4/26/04 – Dept. letter to MHP attorney requesting construction schedule for project. 5/17/04 – Letter from MHP attorney with new schedule. 10/18/06 – Letter to attorney regarding schedule for resolving appeal. 10/06 – Letter to MHP attorney regarding resolution of appeal. 11/06 – Letter from MHP attorney regarding projects on hold due to revisions in WQ standards rules.
7/18/02	Mt. Pleasant, City of	6	Order/Penalty	WW	Hansen	\$500 penalty payment received for uncontested portion. 12/03 – Dept. letter with settlement offer. 1/30/04 – Dept. letter sent regarding settlement. 2/24/04 & 3/31/04 – Follow-up letters sent regarding settlement. 4/26/04 – Letter received from City attorney regarding Dept. settlement proposal.
7/23/02	Doug Wedemeyer	4	Order/Penalty	AFO	Clark*	4/4/07 – FO4 provides status update.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

June, 2007

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
8/25/02	Kenneth Dahlhauser	2	Order/Penalty	AFO	Clark	1/4/07 - An offer to settle was sent to Mr. Dahlhauser's attorney. This letter gave Mr. Dahlhauser until 1/26/07 to contact Carrie Schoenebaum with regard to the settlement. Attorney called and asked for extended time to review. She will call back. Dahlhauser attorney agrees to settlement. Will send signed consent order.
11/27/02	Chelsea, City of	5	Order/Penalty	WW	Hansen*	9/18/03 - DNR letter. Will monitor for compliance through winter of 2004. 4/07 - FO5 to conduct compliance inspection. 4/19/07 - Inspection report issued to facility. 5/07 - Letter to City regarding resolution of appeal.
2/10/03	Doug Osweiler	6	Order/Penalty	AFO	Clark	4/07 Waiting to hear from attorney on DNR's offer.
2/24/03	Ray Slach	6	Order/Penalty	AFO	Clark	4/29/04 - Settlement invitation letter sent.
4/04/03	Natural Pork Production II, LLP (03-AFO-13)	6	Order/Penalty	AFO	Clark*	3/10/07 - Attorney for NPPII responds to DNR's inquiry, indicating that he will get with client and then back with DNR in next week. 4/10/07 - Clark leaves message for NPPII attorney, asking for status update. 4/10/07 - After Clark leaves message for NPPII attorney, asking for status update, NPPII attorney indicates his client asserts case should be dismissed. 5/9/07 - Dept. refuses to dismiss case and counters with reduced penalty offer.
4/25/03	Ag Processing Inc.	2	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
8/12/03	Southern Waste Handling, Inc.	5	Order/Penalty	AFO	Clark	3/17/07 - Consent Amendment to Order issued. 4/18/07 - Penalty paid. Case closed.
8/29/03	Country Living Mobile Home Park	5	Order/Penalty	WW	Hansen	6/23/04 - Construction permit issued. Settlement offer will be made. 9/04 - Status report from Dept. engineer requested regarding project construction status. 10/05 - Status report requested from Dept. engineer. 11/05 - Facility upgrade completed. New NPDES permit requested for upgraded facility. 12/16/05 - Settlement offer received from MHP attorney. 5/07- letter to MHP attorney about appeal and setting for hearing.
9/05/03	Strawberry Point, City of	1	Order/Penalty	WW	Hansen*	1/5/04 - City to upgrade facilities, compliance will be monitored through

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

June, 2007

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
						2005. 4/07 – Letter to City regarding appeal. . 4/25/07 - Response from City Attorney. 5/11/07- Dept. offer of settlement.
10/08/03	TEGH, Inc. (03-UT-15)	6	Order/Penalty	UT	Wornson	TEGH, Inc. no longer operator; questionable as a viable corporation. Review options.
10/27/03	B & H Food & Gas, Inc. (03-UT-12)	6	Order/Penalty	UT	Wornson	B & H no longer operator; questionable as a viable corporation. Review options.
10/27/03	U.S. Nation Mart, Inc. (03-UT-14)	6	Order/Penalty	UT	Wornson	Proposed consent order drafted.
12/02/03	Jeff Holland	2	Order/Penalty	AFO	Clark	Negotiating before filing.
12/15/03	AGP (Emmetsburg)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
12/29/03	T. Patrick Cashman; Laurie Cashman	5	Order/Penalty	AFO	Clark	Consent amendment to Order issued 3/07/07. 4/10/07 – Penalty paid. Case closed.
1/21/04	Bob Kerrigan	4	Order/Penalty	AFO	Clark	Negotiating before filing.
1/30/04	John Schmall d/b/a Carpenter Bar & Grill	2	Order/Penalty	WS	Hansen	2/26/04 – Letter to WS attorney regarding resolving appeal. 9/04 – Per WS section, facility has returned to compliance. 11/06 – Facility building burned down, facility closed. . 5/07- Dept. letter to attorney about resolving appeal.
2/09/04	Swine USA, LP	5	Order/Penalty	AFO	Clark	2/2/07 – Draft Consent Order sent to attorney for new owner.
2/16/04	Iowa Ethanol, LLC; Reilly Construction Co., Inc.	2	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Otter Creek Ethanol, LLC	3	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Iowa Ethanol, LLC	2	Order/Penalty	WS/WW	Clark*	Meeting held 4/07/04.
2/18/04	Gettler Dairy, Inc.; Dave and Kristen Gettler	4	Order/Penalty	AFO	Clark	4/4/07 – FO4 agrees to perform a site visit to verify remedial work. 5/2/07 – FO4 visits site and reports observations.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

June, 2007

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
3/15/04	Iowa Falls, City of	2	Order/Penalty	WW	Hansen	6/04 – Dept. letter to City attorney regarding settlement. 8/06 – Letter from City attorney regarding resolving appeal. 10/06 – Letter to City attorney regarding settlement and setting case for hearing. 11/06 – Response received from City attorney concerning SEP proposal. 1/07 – Settlement proposal (SEP) received from City attorney; under review by Dept. staff. 3/07 – Settled. City to pay penalty of \$2,500 and perform SEP in an amount of \$10,250. 3/26/07 – Draft consent order sent to City attorney on 3/26/07. 4/2/07 – Consent order signed by City. 4/2/07 – Consent order signed by City. Order signed by Director, issued. Penalty paid 5/15/07. Case closed.
4/02/04	LeMars, City of	3	Order/Penalty	WW	Hansen	4/02/04 – Meeting held to discuss settlement. 1/05 – Tentative agreement reached on settlement.
4/08/04	Silver Creek Feeders	4	Permit Conditions	AFO	Clark	Negotiating before filing.
4/16/04	Ag Processing Inc. (Sheldon)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
5/12/04	Ag Processing, Inc.	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
5/18/04	Alton, City of	3	Order/Penalty	FP	Clark	3/15/07: Attorney for Alton returned Dept. phone call and agreed to check with client regarding settlement offer. 5/08/07 - Dept. called Attorney for Alton. Settlement offer delayed due to change in Alton administration. Will submit offer to DNR by 5/18/07.
5/25/04	CDI, LLC	6	Permit Conditions	AQ	Preziosi	ALJ Proposed Decision issued 12/29/06 and appealed. Appeal will be addressed at April 2007 EPC meeting.
5/27/04	CDI – Charles City	2	Permit Conditions	AQ	Preziosi	ALJ Proposed Decision issued 12/29/06 and appealed. Appeal will be addressed at April 2007 EPC meeting.
6/11/04	University of Iowa	6	NPDES Permit	WW	Hansen	Negotiating before filing.
6/18/04	CDI – Charles City	2	Title V Permit Determination	AQ	Preziosi	ALJ Proposed Decision issued 12/29/06 and appealed. Appeal will be addressed at April 2007 EPC meeting.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

June, 2007

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
6/18/04	Phillip Renze	3	Order/Penalty	AFO	Clark	3/22/07 – Dept. sends draft consent amendment to Renze’s attorney. 5/10/07 – Dept. calls Renze’s attorney for status update; attorney apologizes for delay and commits to providing a response in 24 hours. As of noon, 5/14/07 Dept. has not received a response.
6/24/04	Jansma Cattle Co., Inc.	3	Order/Penalty	AFO	Tack*	Primary RP died. Current operation received construction permit on 11/06/06. Will be settled when construction is completed.
6/28/04	Michael Veenstra; Alan Veenstra	5	Order/Penalty	AFO	Clark	Negotiating before filing.
10/12/04	Gary Hart	6	Order/Penalty	AQ/SW	Tack	Hearing set for 1/19/07. Hearing continued to May 25, 2007.
10/19/04	Cedar Rapids, City of	1	Order/Penalty	WW	Hansen*	5/07 - Dept. letter to City regarding setting case for hearing.
10/21/04	Eugene Kramer	1	Permit Denial	WR	Clark	3/6/07 – Dept. discusses case with attorney for deceased Mr. Kramer. Potential lawsuit against Kramer can still be filed until 4/6/07, so unwilling to withdraw contested case until that is known. 4/10/07 – Clark leaves message for Kramer’s attorney, asking for status update. 5/11/07 – After Clark’s call asking for update, Kramer’s attorney agrees to talk with Executor of Kramer’s estate the week of 5/14/07.
11/02/04	Mike Elsbernd	1	Order/Penalty	AFO	Book	Order and penalty affirmed. Inability to pay claim being evaluated by Department. Offer to reduce penalty rejected, will be turned over to Revenue and Finance
11/10/04	Ted T. Smith	3	Order/Penalty	AFO	Clark	4/10/07 – Clark discusses appeal with Mr. Smith. He will consult with his representatives and decide whether to go to hearing or withdraw appeal.
1/20/05	Monty Branstad	2	Order/Penalty	AQ/SW	Preziosi	Settled. Awaiting penalty payment.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

June, 2007

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
2/04/05	Honey Creek Campground	4	Order/Penalty	WW	Hansen	12/07/05 – Telephone call with Honey Creek attorney regarding hearing and compliance issues. 3/22/06 – Meeting at FO 4 with wastewater owner and attorney. 4/5/06 – FO4 inspection of campground. 5/12/06 – FO letter to facility regarding inspection. 5/22/06 – Letter received from Honey Creek attorney requesting waiver of penalty in view of inspection. Letter to Honey Creek attorney rejecting request to waive penalty. 4/07 – Letter to Honey Creek regarding penalty and setting for hearing. 5/07 to be sent to DIA.
2/17/05	CDI, LLC	2	Permit Conditions	AQ	Preziosi	ALJ Proposed Decision issued 12/29/06 and appealed. Appeal will be addressed at April 2007 EPC meeting.
2/24/05	Mt. Joy Mobile Home Park	1	Order/Penalty	WW	Hansen	10/06 – Letter to MHP regarding settlement of appeal. 11/06 – Information received from MHP owner regarding MORs and certified operator. 4/07 – Letter to MHP regarding appeal and setting for hearing. 5/07- Settled. Consent order sent to MHP owner to be signed.
3/08/05	Randy Griffin	5	Order/Penalty	AQ/SW	Tack	Settled. Revised consent order sent 1/22/07.
3/25/05	Hoover Land Corp.	2	Order/Penalty	WS	Hansen	Negotiating before filing.
4/04/05	Ruby Field; Ed Grafke	6	Order/Penalty	UT	Wornson	No progress, set for hearing.
4/05/05	Dirk D. Graves	4	Order/Penalty	AQ	Tack	Hearing set for 5/22/07.
5/25/05	Iowa Quality Beef Cooperative	5	Order/Penalty	WW	Hansen	6/26/06 – FO meeting with company officials to discuss reopening of plant. 7/12/06 – FO inspection of plant. 10/06 – To be set for hearing.
8/05/05	Scott Lenz	4	Order/Penalty	AFO	Book	Producer submitted offer, Department reviewing offer. Awaiting decision from producer.
11/21/05	CDI, LLC	2	Construction Permit	AQ	Preziosi	ALJ Proposed Decision issued 12/29-06 and appealed. Appeal will be addressed at April 2007 EPC meeting.
2/27/06	Greig & Co., Inc.	3	NPDES Permit	WW	Clark	Negotiating before filing.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

June, 2007

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
3/28/06	Jordan Branstad; Edward Branstad	2	Order/Penalty	AQ/SW	Preziosi	Settled. Awaiting penalty payment.
4/10/06	Praxair, Inc.		Permit Conditions	AQ	Preziosi	Negotiating.
7/07/06	Washington County (Permittee: Riverside Casino)	6	Water Use Permit	WR	Clark	Negotiating before filing.
8/09/06	Cargill (Eddyville)	5	Permit Conditions	AQ	Preziosi	Waiting to hear from Cargill engineer. Meeting will be set with technical staff.
8/28/06	Winnebago Industries, Inc.	2	Title V Permit	AQ	Preziosi	ALJ Proposed Decision issued 12/29/06 and appealed. Appeal will be addressed at April 2007 EPC meeting.
10/06/06	Ted Dickey dba Dickey Farms	6	Order/Penalty	AQ/SW/ AFO	Book	Meeting to be held April 2007. Waiting to hear from attorney as to a meeting.
12/27/06	Piper Motor Co. Inc.	6	Order/Penalty	AQ/WW	Tack	Reviewing discovery responses.
1/08/07	Cargill (Eddyville) 02-A-393-S3, 02-A-394-S2, 02-A-395-S2, 02-396-S3, 05-A-930, 05-A-931	5	Permit Conditions	AQ	Preziosi	Negotiating before filing.
1/09/07	Charlie Van Meter; Van Meter Feedyard	5	Permit Conditions	WW	Clark	Negotiating before filing.
1/11/07	Clow Valve Company (20 Permits)	5	Permit Conditions	AQ	Preziosi	Negotiating before filing.
5/11/07	Bedrock Gravel	3	Order/Penalty	AQ\SW	Tack	Negotiating before filing.

* These cases were previously assigned to Mike Murphy.

IOWA DEPARTMENT OF NATURAL RESOURCES
 ENVIRONMENTAL PROTECTION COMMISSION
 RULEMAKING STATUS REPORT

June, 2007

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	ARC #	RULES REVIEW COMMITTEE	HEARING	COMMENT PERIOD	FINAL SUMMARY TO COMMISSION	RULES ADOPTED	RULES PUBLISHED	ARC #	COMMITTEE	RULES REVIEW EFFECTIVE	RULE
1. Ch. 7 – Contested Case Rules	5/01/07	*5/23/07		*6/04/07			*6/12/07	*7/03/07	*7/03/07	*8/01/07		9/03/07	*9/05/07
2. Ch. 22 – Air Construction Permit Exemptions	1/02/07	1/31/07	5694B	2/06/07	3/05/07		3/09/07	5/01/07	5/01/07	*5/23/07		*6/04/07	*6/27/07
3. Ch. 22 – Special Requirements for Visibility Protection	1/02/07	1/31/07	5695B	2/06/07	3/02/07		3/05/07	5/01/07	5/01/07	*5/23/07		*6/04/07	*6/27/07
4. Ch. 40, 43 – Minor Water Main Construction Permit	3/06/07	3/28/07	5795B	4/03/07	4/19/07		4/20/07	*7/03/07	*7/03/07	*8/01/07		*9/03/07	*9/05/07
5. Ch. 61 – WQS Section 401 Certification of Section 404 NWP	11/14/06	12/06/06	5598B	1/03/07	12/26/06		12/26/06	4/03/07	4/03/07	4/25/07	5851B	5/07/07	5/30/07
6. Ch. 61 – WQS – Chemical Criteria Revisions	5/01/07	*5/23/07		*6/04/07	6/14, 19, 21 and 26/07		*7/10/07	*8/06/07	*8/06/07	*8/29/07		*9/05/07	*10/03/07
7. Ch. 64 – Wastewater Construction and Operation Permits	2/06/07	2/28/06	5753B	4/03/07	3/30/07		3/30/07	6/05/07	*6/05/07	*7/04/07		*8/06/07	*8/08/07
8. Ch. 93 – Nonpoint Source Pollution Control Set-Aside Program	5/01/07	*5/23/07		*6/04/07	*6/14/07		*6/21/07	*8/06/07	*8/06/07	*8/29/07		*9/05/07	*10/03/07
9. Ch. 103-106, 112, 114, 115, 118, 120-123 – Financial Assurance Regulations	12/05/06	1/03/06	5633B	2/06/07	3/28/07		3/28/07	*7/03/07	*7/03/07	*8/01/07		*9/03/07	*9/05/07
10. Ch. 113 – Sanitary Landfills for Municipal SW: Groundwater Protection Systems for the Disposal of Non-Hazardous Wastes	11/14/06	12/06/06	5597B	1/03/07		1/22,24 and 26/07	1/26/07	6/05/07	*6/05/07	*7/04/07		*8/06/07	*8/08/07

* Projected

DATE: June 1, 2007

TO: EPC

FROM: Ed Tormey

RE: Enforcement Report Update

The following new enforcement actions were taken during this reporting period:

Name, Location and Field Office Number Date	Program	Alleged Violation	Action	
Independence, City of	Air Quality	Open Burning	Consent Order \$8,000	4/10/07
Ottumwa Wapello Solid Waste Commission, Ottumwa (6)	Solid Waste	Compliance Schedule	Consent Amendment	4/10/07
Iowa Falls, City of	Wastewater	Operational Violations; Prohibited Discharge	Consent Amendment SEP	4/15/07
Craig Hancock; Country Estates, Council Bluffs (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$3,000	4/24/07
Bedrock Gravel, Inc., Buena Vista Co. (3)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Admin. Order \$10,000	4/24/07
Rahn Eischeid, Carroll Co. (4)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; WQ Violations – General Criteria	Consent Order \$5,000	4/28/07
U.S. Nation Mart, Inc.; Ved Pal; Babli Saini, Davenport (6)	Underground Tanks	Leak Detection; UST System Deficiencies	Referred to Attorney General	5/01/07
Great River Regional Waste Authority, Des Moines Co. (6)	Solid Waste	Comprehensive Planning Violations	Consent Order	5/02/07
Randy Griffin, Jasper Co. (5)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Amendment \$500	5/02/07
Jewell Implement Co., Jewell (2)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$1,000	5/07/07
Goldsmith and Son, Inc.; John Goldsmith; Patti Goldsmith; J&G Pallet, LLC, Sergeant Bluff (3)	Wastewater	Prohibited Discharge	Admin. Order \$10,000	5/04/07
Crossroads Cattle Co., Harrison Co. (4)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; WQ Violations – General Criteria	Consent Order \$9,500	5/14/07
Gary Rupiper, Carroll Co. (4)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; WQ Violations –	Consent Order \$8,000	5/14/07

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
General Criteria				
Industrial Laminates/Norplex, Postville (3)	Air Quality	Construction Without Permit; Monitoring/Reporting	Consent Order \$3,750	5/14/07
Jones County; Unincorporated Fairview (1)	Wastewater	Prohibited Discharge	Consent Order Stip. Penalties	5/14/07
Manning, City of (4)	Wastewater	Compliance Schedule; Discharge Limits	Consent Amendment Stip. Penalties	5/14/07

Iowa Department of Natural Resources Environmental Services Division Report of Hazardous Conditions

During the period April 1, 2007, through April 30, 2007, 69 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Month	Total Incidents	Substance				Mode				
		Agri-chemical	Petroleum Products	Other Chemicals	Transport	Fixed Facility	Pipeline	Railroad	Fire	Other*
October	52 (48)	5 (6)	34 (29)	12 (13)	14 (13)	29 (28)	0 (0)	3 (2)	2 (1)	4 (4)
November	60 (55)	13 (10)	30 (35)	17 (10)	19 (16)	27 (28)	2 (0)	4 (3)	1 (1)	7 (7)
December	28 (51)	3 (5)	20 (32)	5 (14)	5 (18)	18 (29)	0 (2)	2 (1)	0 (0)	3 (1)
January	36 (62)	4 (4)	20 (35)	12 (23)	10 (18)	19 (32)	3 (0)	1 (1)	0 (0)	3 (11)
February	50 (49)	6 (2)	38 (36)	6 (11)	7 (10)	35 (35)	1 (1)	3 (2)	0 (0)	4 (1)
March	70 (54)	5 (2)	52 (40)	13 (12)	19 (16)	44 (29)	0 (2)	0 (2)	0 (0)	7 (5)
April	69 (96)	21 (32)	30 (39)	18 (25)	22 (26)	39 (56)	1 (1)	0 (3)	1 (1)	6 (9)
May	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Total	365 (415)	57 (61)	224 (246)	83 (108)	96 (117)	211 (237)	7 (6)	13 (14)	4 (3)	34 (38)

(numbers in parentheses for same period last year)

*Other includes dumping, theft, vandalism and unknown

Total Number of Incidents Per Field Office this Period:

1	2	3	4	5	6
14	18	10	8	15	4

Iowa Department of Natural Resources Environmental Services Division Report of Manure Releases

During the period April 1, 2007, through April 30, 2007, 4 reports of manure releases were forwarded to the central office. A general summary and count by field office is presented below.

Month	Total Incidents	Feedlot	Confinement	Land Application	Transport	Hog	Cattle	Fowl	Other	Surface Water Impacts
October	12 (13)	0 (1)	9 (2)	0 (1)	3 (9)	9 (12)	0 (1)	3 (0)	0 (0)	1 (1)
November	10 (8)	0 (0)	2 (1)	3 (3)	5 (4)	8 (6)	1 (2)	1 (0)	0 (0)	1 (1)
December	5 (2)	0 (0)	5 (1)	0 (0)	0 (1)	4 (0)	1 (2)	0 (0)	0 (0)	1 (0)
January	4 (3)	0 (0)	3 (2)	1 (1)	0 (0)	4 (1)	0 (2)	0 (0)	0 (0)	0 (0)
February	4 (2)	0 (0)	2 (1)	0 (0)	2 (1)	3 (1)	1 (1)	0 (0)	0 (0)	1 (0)
March	7 (2)	0 (1)	6 (1)	0 (0)	0 (0)	6 (0)	0 (2)	0 (0)	0 (0)	2 (2)
April	4 (6)	2 (0)	2 (2)	0 (2)	0 (2)	2 (6)	2 (0)	0 (0)	0 (0)	2 (1)
May	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Total	46 (36)	2 (2)	29 (10)	4 (7)	10 (17)	36 (26)	5 (10)	4 (0)	0 (0)	8 (5)

(numbers in parentheses for the same period last year)

Total Number of Incidents Per Field Office this Period:

1	2	3	4	5	6
0	0	0	3	1	0

Environmental Services Division Variance Report

5/23/2007

Monthly Variance Report April 2007						
Item No.	Facility/City	Program	DNR Reviewer	Subject	Decision	Date
1	ADM - Keokuk	Air Quality	Kyle Ament	Construction Permit	Approved	4/10/2007
2	Northern Natural Gas	Air Quality	Bryan Bunton	Temporary Diesel Generator	Approved	4/11/2007
3	City of Deloit	Water Supply	Daryl Enfield	Elevated Storage Structure Cover	Approved	4/11/2007
4	Casey's General Store	Water Supply	Diana Overstake	Separation Distance	Approved	4/13/2007
5	Iowa State Penitentiary	Air Quality	Kyle Ament	Construction Permit	Approved	4/17/2007
6	Osceola Co. Rural Water System, Inc.	Water Supply	Bob Campbell	Water Quality Testing	Approved	4/18/2007
7	IPL - Ottumwa Generating Station	Air Quality	Kyle Ament	Temporary Parts Washer	Approved	4/23/2007
8	ADM - Clinton Corn Processing	Air Quality	Kyle Ament	Storage Tank	Approved	4/30/2007