



**IOWA DEPARTMENT OF NATURAL RESOURCES**

**December 8, 2005**

**For immediate release**

- 1. Animal feeding, energy on EPC December agenda**
- 2. January sign up for counties to evaluate animal confinement sites**
- 3. State concludes rural odor study; to issue report in February**
- 4. Spring Lake residents asked for input on water quality improvement plan**
- 5. DNR enforcement actions**

**ANIMAL FEEDING, ENERGY ON EPC DECEMBER AGENDA**

DES MOINES – Commissioners will be asked to approve a rule proposal that would better define how the DNR reviews the siting of animal feeding operations, at the Dec. 19 meeting of the Environmental Protection Commission.

The proposal comes after commissioners expressed concern about an increase in construction of livestock and poultry operations in 2005.

“The department is basically giving public notice of the specific criteria that would be used when we review construction permit applications and manure management plans that could potentially cause environmental problems,” said Jeff Vonk, director of the DNR. “This proposal would allow the DNR to place conditions on a proposed building or manure management plan, or to deny it completely if it posed a threat to water quality.

In other action, commissioners will be asked to approve a contract for a cooperative project with the Iowa Central Community College to build an affordable and energy efficient house.

The EPC will meet at the University Hygienic Laboratory, 2220 South Ankeny Blvd. in Ankeny. Public participation is scheduled for 10:30 a.m. The meeting is open to the public. Tours of the laboratory will be held at 8:30 and 9 a.m.

The complete agenda follows:

- Approval of Agenda
- Approval of Minutes
- Director's Remarks
- Contract — U.S. Dept. of Energy Building America Grant – Administration of the Construction of an Affordable Highly Energy Efficient Model Home
- Contract Agreement 2006-7162-01, Laboratory Certification
- Contract - University of Northern Iowa's (UNI) Iowa Waste Reduction Center – Small Business Assistance Program
- Memorandum of Agreement between the U. S. Army Corps of Engineers and the Department.
- Drinking Water and Clean Water State Revolving Loan Fund – 2006 Intended Use Plan Third Quarter Updates
- Adopted and Filed Emergency/Notice of Intended Action: amendment to rule regarding department evaluation; denial of or condition of construction permits or disapproval or modification of MMPs for confinement feeding operations
- Notice of Intended Action – Amend IAC 567—Chapter 144 “Household Hazardous Materials”
- Notice of Intended Action - Air Quality Program Rules Chapters 20, 21, 22, and new Chapter 34: Adoption of the federal Clean Air Interstate Rule (CAIR)
- Update on Fish Tissue Monitoring for Mercury in Iowa
- Notice of Intended Action - Air Quality Program Rules Chapters 23, 25 and new Chapter 34: Adoption of the federal Clean Air Mercury Rule (CAMR)
- Referrals to the Attorney General
  - Kruse Dairy Farm, Inc. (Delaware County) – Animal Feeding Operations and Wastewater
- Iowa Regional Utilities Association (Newton) – Wastewater and Water Supply
- Proposed Contested Case Decisions - Reginald Parcel; Eischeid Farms Inc.; and Ivan Kenney
- Proposed Rule – Amend IAC 567 Chapter 105 – “Organic Materials Composting Facilities”
- Iowa's 2004 Impaired Waters List
- Monthly Reports
- General Discussion
- Items for next month's meeting
- Upcoming Meetings
  - January 17, 2006

More information about the agenda items can be found on the DNR Web site under Commissions and Boards at [www.iowadnr.com](http://www.iowadnr.com).

The members of the commission are Darrell Hanson, chair, Manchester; Jerry Peckum, vice chair, Jefferson; Lisa Davis-Cook, secretary, West Des Moines; Francis Thicke, Fairfield; Donna Buell, Spirit Lake; Mary Gail Scott, Cedar Rapids; David Petty, Eldora;

Suzanne Morrow, Storm Lake; and Henry Marquard, Muscatine. The director of the DNR is Jeff Vonk.

**For more information, contact Kevin Baskins at (515) 281-8395.**

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## **JANUARY SIGN UP FOR COUNTIES TO EVALUATE ANIMAL CONFINEMENT SITES**

DES MOINES – Counties that are interested in evaluating proposed sites for confinement facilities that need a construction permit must formally notify the DNR by Jan. 31, 2006.

“For counties that adopt the master matrix, this is an opportunity to have input on site selection, the type of structures and manure management being proposed,” said Gene Tinker, coordinator of the DNR animal feeding section.

To have that opportunity, counties must adopt and file a construction evaluation resolution and submit it to the DNR between Jan. 1 and Jan. 31, 2006. The resolution will allow counties to use the master matrix when evaluating construction permit applications received from Feb. 1, 2006, to Jan. 31, 2007.

Eighty-six counties filed resolutions in 2005 and 2004. Eighty-seven counties filed resolutions in 2003, the first year that the master matrix was in effect.

Producers in counties that file the resolutions must meet higher standards than other permitted sites. They must earn points on the master matrix by choosing a site and using practices that reduce impacts on the environment and the community.

Participating counties must evaluate the master matrix and make a recommendation to the DNR within 30 days of when the DNR received the application. Counties must also make recommendations on all construction permit applications submitted to the DNR or they forfeit the right to evaluate sites until the next sign-up period.

Counties that have adopted a resolution should mail it to Tammie Krausman at the DNR, 502 East Ninth Street, Des Moines, IA 50319 or fax it to 515-281-6794. Sign-ups occur annually during the month of January.

Most confinement feeding operations that need to apply for a permit are subject to the matrix. For more information on which operations are affected, check the DNR Web site under animal feeding operations at <http://www.iowadnr.com/afo/matrix.html>.

Additional information for counties is available on the Iowa State Association of Counties Web site at <http://www.iowacounties.org/> under topics of interest.

**For more information, contact Tammie Krausman at (515) 281-8382.**

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## **STATE CONCLUDES RURAL ODOR STUDY; TO ISSUE REPORT IN FEBRUARY**

DES MOINES—State environmental officials have concluded a three year study of rural odor levels as the end of the fall manure application season and arrival of cold weather have reduced odors and prevent use of hand-held devices used to take readings, state officials announced today.

The state continues to monitor hydrogen sulfide and ammonia levels near several large feeding operations.

A final report of the findings is expected to be released in February, said Wayne Gieselman, the DNR's top environmental official. The report will be provided to the state legislature, which requested the study, he said. "The report will not list recommendations, but the factual findings of our study," he said.

DNR environmental specialists took readings at separated locations statewide such as rural homes and public places, during inspections of animal feeding operations, in response to public complaints and during manure applications. Nearly 1,800 readings were taken.

The study was designed to collect odor level data at various sized poultry, swine, dairy and beef animal feeding operations, during manure applications and in response to citizen complaints, he said.

**For more information contact Wayne Gieselman at 515-281-5817**

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## **SPRING LAKE RESIDENTS ASKED FOR INPUT ON WATER QUALITY IMPROVEMENT PLAN**

JEFFERSON — Plans for improving water quality at Spring Lake in Greene County will be presented at a public meeting Dec. 20. The draft plan will be discussed at the Depot, located at 509 East Lincoln Way in Jefferson, at 1:00 p.m.

The draft plan, also known as a TMDL or Total Maximum Daily Load, has been developed for Spring Lake. TMDLs are calculations used to determine how much of a pollutant a water body can receive and still maintain water quality standards.

TMDLs also include plans on how water quality can be improved through conservation efforts in the watershed, or the surrounding area that drains into the lake. After receiving

public comments, the TMDL will be forwarded to the U.S. Environmental Protection Agency for final approval.

The water quality problems at Spring Lake are related to high levels of turbidity, or cloudy water. These high turbidity levels are the result of sediment suspended in the water, which originates primarily from within Spring Lake, but also from the Spring Lake watershed. High levels of turbidity make the lake aesthetically objectionable and less desirable for uses like swimming, but do not pose a specific human health threat.

Comments on the draft plan will be received through Jan. 13. Copies of the draft plan are available from the following sources, which can also be used to submit comments:

- Internet: [www.iowadnr.com/water/tmdlwqa/tmdl/publicnotice.html](http://www.iowadnr.com/water/tmdlwqa/tmdl/publicnotice.html)
- E-mail [chris.vangorp@dnr.state.ia.us](mailto:chris.vangorp@dnr.state.ia.us)
- Telephone: Chris Van Gorp at (515) 281-4791
- Mail: Chris Van Gorp, care of Iowa DNR, Wallace State Office Building, 502 E. 9th St., Des Moines, Iowa 50319

**For more information, contact Chris Van Gorp at (515) 281-4791.**

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## **DNR ENFORCEMENT ACTIONS**

DES MOINES — The DNR took the following enforcement actions in October and November 2005. The following are only briefs; please contact Jessie Brown of the DNR for more information at (515) 281-5131.

### **Administrative Orders**

Responsible parties have 30 days to appeal the charges or 60 days to pay the penalty.

- Murl R. Hansen Farm Account, Inc., of Sioux City, was ordered to submit a manure management plan, pay the appropriate filing fees and past compliance fees, and to pay a \$5,000 penalty. The order is in regard to failure to submit a manure management plan and fees for a site in Sioux County. The order has been appealed.
- Randy Hauan, of Thompson, was ordered to pay a \$2,500 penalty. The order is in regard to failure to timely submit a manure management plan and annual compliance fee for a site in Winnebago County. The order has been appealed.
- Chad Arnold, of Kamrar, was ordered to pay a \$2,000 penalty. The order is in regard to failure to timely submit a manure management plan and annual compliance fee for a site in Hamilton County.

### **Consent Orders**

A consent order is issued in settlement of an administrative order or 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.

- Brett Hawthorne, of Jefferson, agreed in a consent order to submit a written compliance plan detailing how he will properly manage and dispose of dead livestock, and to pay a \$1,500 penalty. The order is in regard to a site in Calhoun County.
- Greg Gerber, of Rock Valley, agreed to a payment plan for a \$3,000 penalty assessed in a 2004 administrative order. The original order was in regard to animal feeding operation regulation violations at a site in Lyon County.
- The City of Hull (Hull Water Supply and Hull Wastewater Treatment) agreed in a consent order to pay a \$10,000 penalty. The order is in regard to resolving violations of Iowa's certified operator requirements.
- Al Van Wyhe, of Hawarden, agreed in a consent order to pay a \$1,500 penalty. The order is in regard to failure to timely submit a manure management plan for a site in Sioux County. The penalty has been paid.
- Mark Ehresman, of Huxley, agreed in a consent order to pay a \$2,500 penalty. The order is in regard to the open burning and open dumping of construction and demolition waste at a site in Story County.
- Donald Hopp, of Glenwood, agreed in an amendment to a 2004 administrative order to properly dispose all solid waste on his property by Jan. 31, 2006, and to pay a \$500 penalty.
- Sparboe Agricultural Corporation, of Jefferson, agreed in a consent order to pay a \$1,000 penalty. The order is in regard to illegal dumping of waste at a site in Webster County.
- Fran Oil Company, of Council Bluffs, agreed in a settlement and consent order to pay a \$12,900 penalty in settlement of the pending appeals of three administrative orders. The settlement and consent order is in regard to underground storage tank violations at two sites in Council Bluffs.

**For more information, contact Jessie Brown at (515) 281-5131 or [Jessie.Brown@dnr.state.ia.us](mailto:Jessie.Brown@dnr.state.ia.us).**