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IOWA DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL SERVICES DIVISION | WWW.IOWADNR.GOV/NEWS/

FOR IMMEDIATE RELEASE: AUGUST 6, 2009

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ENVIRONMENTAL PROTECTION COMMISSION TO MEET AUGUST 18 AT HONEY CREEK RESORT

MEDIA CONTACT: Jerah Gallinger at (515) 313-8909 or Jerah.Gallinger@dnr.iowa.gov

MORAVIA -- The Environmental Protection Commission will meet at 9 a.m., Aug. 18, at Honey Creek State Park Resort, 12633 Resort Drive in Moravia. Public participation is scheduled for 9:30 a.m.

The meeting will be preceded by lunch, tours and dinner on Aug. 17. Commissioners will meet at the Lakeshore Grille at the resort at 11:30 a.m. They'll leave the hotel lobby for a tour of the resort at 12:30 p.m., followed by a shuttle trip to Rathbun Regional Water Association, 16166 Hwy J29 in Centerville.

At 2:30 p.m., commissioners will hear an overview of the regional water association's operations in the board room, followed by a tour of the plant at 3 p.m. and a tour of the intake structures at 4 p.m. At 5:30 p.m., they'll head for the Buck Creek area to board a boat at the Rathbun Marina, 21646 Marina Place, Moravia, for a lake tour and dinner on the lake.

The tour and meeting are open to the public. However, reservations for the boat ride must be received by Aug. 13. Make reservations by calling (515) 313-8909 or e-mailing Jerah.Gallinger@dnr.iowa.gov.

Two appointments are scheduled for the regular business meeting in the Winslow Conference Room on Aug. 18. At 1 p.m., commissioners will hear a presentation on agricultural drainage wells. At 2 p.m., Randy Ward has an appointment to discuss a referral to the Attorney General.

The complete agenda follows:

- Approval of Agenda
- Approval of Minutes
- Director's Remarks
- Proposed Rule – Chapter 15 – Cross Media Electronic Reporting
- Contract – ME &V – HHM Education Campaign
- Contract – Solid Waste Alternatives Program – Recommendations
- Final Rule – Chapters 135 and 134, Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (Operator Training and Conflict of Interest)
- Final Rule – Amendments to Wastewater Rules, including Chapters 62 & 63
- Proposed Rules – Chapters 90-93 – Clean Water State Revolving Fund
- Water Supply: Water Use & Allocation Annual Permit Fee
- Notice of Intended Action – Chapter 133, Rules for Determining Cleanup Actions and Responsible Parties
- Referrals to the Attorney General
- Final Rule – Chapter 65 – Definitions and Regulations Pertaining to NPDES Permits
- Monthly Reports
- General Discussion
- Items for Next Month's Meeting
 - Sept. 15 – Windsor Heights
 - Oct. 20 – Fayette

Look for more information on the DNR Web site under "Commissions and Boards" at www.iowadnr.gov.

The members of the commission are Charlotte Hubbell, chair, Des Moines; Marty Stimson, vice-chair, Cedar Rapids; Carrie La Seur, secretary, Mount Vernon; David Petty, Eldora; Susan Heathcote, Des Moines; Paul Johnson, Decorah, Eugene Ver Steeg, Inwood; and Dale Cochran, Urbandale. The director of the DNR is Richard Leopold.

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DNR INVESTIGATION OF FISH KILL NEAR NEW LONDON ONGOING

MEDIA CONTACT: Kurt Levetzow at (319) 653-2135 or kurt.levetzow@dnr.iowa.gov

NEW LONDON – The DNR’s investigation of a fish kill northeast of New London last week shows pesticide levels in Flint Creek were high enough to kill fish.

Laboratory results from water samples detected two fungicides and an insecticide. The insecticide was detected at levels high enough to kill fish.

The combination of insecticide and fungicides are often used when aerial spraying crop fields. The DNR confirmed that Dan Gabeline had hired Air Advantage out of Mount Pleasant to aerial apply insecticides and fungicides on soybean fields adjacent to the creek. Air Advantage subcontracted the spraying with ANF Air Services, Inc. of Garwood, Texas.

“It takes really small amounts of some of these chemicals to be toxic to fish,” said Kurt Levetzow, environmental specialist with the DNR Washington field office.

“Applicators need to watch wind speeds, avoid spraying when the chemicals will drift and be especially careful not to spray over creeks, ponds and tree lines,” he added. “Paying attention to the field borders is really important.”

The investigation began late July 28 after the DNR received a complaint. Staff found dead fish in the stream on July 29.

DNR fisheries completed a fish count on Aug. 1 and reported 542 fish were killed, mostly bluegills. The value of the fish was \$7,342.74.

The DNR will continue to investigate and will consider possible enforcement action. The Iowa Department of Agriculture and Land Stewardship is conducting its own investigation regarding possible pesticide misuse.

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VOLUNTEER SPIRIT AND SPONSOR SUPPORT KEEP RIVER CLEANUP AFLOAT

MEDIA CONTACT: Brian Soenen, DNR, at (515) 205-8587 or Brian.Soenen@dnr.iowa.gov

DES MOINES – Originally scheduled as an 86-mile Cedar River cleanup, the Iowa DNR’s Seventh Annual Project AWARE was forced to implement alternative plans as high water on the Cedar heightened concerns about volunteer safety. Fortunately, flexible plans, adaptable

volunteers and supportive sponsors provided volunteers ample opportunities to experience the diverse resources eastern Iowa has to offer.

Determined to make a difference, 269 participants joined the effort and removed more than 42 tons of trash from area waterways, including the Wapsipinicon River, Pleasant Creek Lake, and Cedar River tributaries of Big and Indian creeks. Volunteers also had an opportunity to clean up flood-impacted neighborhoods in Cedar Rapids and restore native prairie at Rochester Cemetery.

“I liked the creek paddling and that is something that I would never do on my own if not part of Project AWARE,” commented six-year river cleanup veteran Susan Heathcote after cleaning up Big and Indian creeks in Linn County.

River cleanup legend Chad Pregracke and his Living Lands & Waters crew also volunteered for Project AWARE, providing participants with an opportunity to clean the Cedar River’s banks in and around Cedar Rapids and orchestrating a massive cleanup effort along the river near the community of Cedar Bluff. This cleanup netted nearly two-thirds of all the trash collected during the week and illustrated perfectly the role of community involvement and teamwork in the protection and improvement of our state’s natural resources.

In addition to those who volunteered for Project AWARE, there are also those who made the event possible through financial and in-kind support.

“I’m sure I echo many others when I give my heartfelt thanks to the sponsors,” said Melisa Jacobsen, a six-year Project AWARE veteran from Calamus who now coordinates a river cleanup of her own on the Lower Wapsipinicon River. “They help to make this all happen – positive learning experiences, excellent environmental cleanup opportunities and a wonderful culture of people coming together with a common goal.”

Project AWARE would like to extend a sincere and heartfelt “Thank You” to all those who volunteered to clean up the river and to all those who made it possible.

Platinum Paddle Sponsors: Cedar Rapids Linn County Solid Waste Agency · City Carton Recycling · IIHR – Hydroscience & Engineering · Iowa State University Recreation Services · Linn County Board of Supervisors · Linn County Conservation · Rockwell Collins · Rotary Clubs of District 6000 · Roy J. Carver Charitable Trust · The McKnight Foundation · United States Geological Survey · University of Iowa Hygienic Lab · Waste Management · Wendling Quarries Inc. · Iowa DNR - Financial & Business Assistance, IOWATER, Iowa Water Trails.

Golden Yoke Sponsors: Hunter's Specialties · Iowa DNR Law Enforcement · Iowa Geological and Water Survey · Pleasant Creek State Recreation Area.

Silver Stern Sponsors: Cedar County Conservation Board · Connie Struve · Dan Clark · Environmental Advocates · Gazette Communications · Hy-Vee, Inc. · Muscatine County Conservation Board · Palisades-Kepler State Park.

River Rescue Sponsors: Aero Rental and Party Shoppe · Alliant Energy · B4 Brands · Baker Lemar · Benton County Conservation Board · Boone County Landfill · Boy Scout Troop 242 · Can Shed LLC · Casey's General Stores, Inc. · Cedar County Solid Waste Commission · Cedar Rapids Audubon Society · Cedar Valley Paddlers · Central Iowa Paddlers · City of Cedar Rapids Parks and Recreation Department · CrawDaddy Outdoors · Des Moines Area Community College · Des Moines Chapter Izaak Walton League · Divine Engineering, Inc · DNR AmeriCorps Trails Crew · Environmental Professionals of Iowa · Goeke & Rasmussen · Guaranty Bank & Trust Company · Hawkeye Fly Fishing Association · Howard & Phyllis Ciha · Indian Creek Nature Center · Integrated DNA Technologies · Iowa City Landfill & Recycling Center · Iowa Conservation Education Coalition · Iowa Natural Heritage Foundation · Iowa Recycling Association · Iowa Rivers Revival · Iowa Soil and Water Conservation Society · Iowa Whitewater Coalition · Jean & Darrel Brothersen · Jean K Gordon · John & Michele Tuthill · Johnson County Conservation Board · Kevin Gleaves · Loparex · Mark Bohner · Metro Waste Authority · MidAmerican Energy Company · Mount Vernon Bank & Trust Company · Mount Vernon Community High School · Muscatine Chapter of Izaak Walton League · Muscatine County Sanitary Landfill · Pac-Kit Safety Equipment Co. · Prairie Winds RC&D · Quaker Oats · Rick's Grille & Spirits · Ruby Frantz · Seatasea Watersports · Snyder & Associates, Inc. · Springbrook Conservation Education Center · Stanley Consultants, Inc · Sticks in the Water · Stine Seed Company · Sue Caley · Teresa Kurtz · The Dental Practice, PC · The Nature Conservancy · Touch the Earth - University of Iowa Recreational Services · Townsend Vision Inc · UNI Outdoors · William L. Thomas.

Life Jacket Sponsors: Citizens Bank, Tipton & Anamosa · Clipper Windpower · Wilton Steel Processing

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COUNCIL BLUFFS ADDED TO DNR DIRECTOR'S PUBLIC FORUM SCHEDULE

MEDIA CONTACT: Tammie Krausman, DNR, at (515) 402-8763 or Tammie.Krausman@dnr.iowa.gov.

COUNCIL BLUFFS– The DNR has added a public forum in Council Bluffs at the Hitchcock Nature Center to the DNR director's schedule of forums being held statewide this summer.

Richard Leopold, director of the Iowa Department of Natural Resources, will be holding the forums again this year to discuss natural resource issues with Iowans. The first forum will be held at Honey Creek Resort State Park on Thursday, Aug. 6.

“I really look forward to hearing from Iowa’s citizens. Last year, we got great feedback and ideas from more than 300 attendees,” said Leopold about the seven forums held last year. “Our relationship with Iowans is something we highly value within the DNR and we will work together on the things most affecting our natural resources.”

Each public forum begins at 6 p.m. with Director Leopold outlining the DNR’s top priorities, the environmental report card, providing an update on budget cuts and discussing local issues. Another hour-and-a-half will be devoted to answering questions from the public.

Other public forums scheduled for Leopold are as follows, listed alphabetically by city:

Bedford

Lake of Three Fires State Park Lodge
Tuesday, Sept. 8, 6 p.m.

Bellevue

Bellevue State Park Lodge
Thursday, Sept. 3, 6 p.m.

Clear Lake

Clear Lake State Park Lodge
Thursday, Sept. 17, 6 p.m.

Council Bluffs

Hitchcock Nature Center
Wednesday, Sept. 30, 6 p.m.

Lehigh

Dolliver State Park Lodge
Thursday, Aug. 20, 6 p.m.

Moravia

Honey Creek Resort State Park Lodge
Thursday, Aug. 6, 6 p.m.

Sioux City

Stone State Park Lodge
Thursday, Sept. 24, 6 p.m.

Solon

Lake MacBride State Park Main Lodge

Thursday, Aug. 27, 6 p.m.

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RIVER TRASH TO ENHANCE DNR BUILDING AT IOWA STATE FAIR

MEDIA CONTACT: Brian Soenen, DNR, at (515) 205-8587 or Brian.Soenen@dnr.iowa.gov

DES MOINES – It may be hard to believe, but the new gate on the west side of the DNR building at the Iowa State Fair isn't just a beautiful new addition...it's garbage. Well, that's what it's made of, anyway.

One way or another, the metals found in the gate made their way into the Winnebago, Shell Rock and Cedar rivers. Last August, 221 volunteers on the DNR's Project AWARE river cleanup event worked together to remove 47 tons of garbage from these rivers and rescued this refuse from its watery grave. With a close look at the gate, the story of how this was done begins to unfold.

Alternating canoe paddles, for example, represent the method by which the trash was removed from the river. Oak leaves found on the paddles represent Iowa's state tree. Much like the mighty oak, our state's rivers help sustain our wildlife, our people and our way of life. And secured to the wheel rim hubs below the paddles, water-main valve covers cast in aluminum sum it all up with one word...WATER.

This new gate is the first installment of a five-year project to replace all the gates on the west side of the building, and during this year's Iowa State Fair, fairgoers will not only have a chance to see this gate, they'll also have a chance to help create a new one.

On select days during the fair, fairgoers can help turn car parts, fence posts, rebar and other trash into art that will be used for next year's gate. Ogden artist David Williamson will guide volunteers as they melt, hammer, mold and shape scrap metal collected by 269 volunteers during this year's Project AWARE, which took place June 20-27, near the Cedar River.

Work will take place at the "Orange Cone Arena" in the courtyard west of the DNR building. Join the effort between 9:00 a.m. and 5:00 p.m. on Aug. 14, 15, 16, 21 and 22. Formal presentations on the DNR Courtyard Stage are also scheduled on these days, during which fairgoers can help create lyrics for a collaborative song by sharing their thoughts about rivers and natural resources as part of an exciting interactive presentation.

For more information, visit the Project AWARE Web site – www.iowaprojectaware.com – or contact Brian Soenen at (515) 205-8587 or Brian.Soenen@dnr.iowa.gov.

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CLINTON BYPASSES TO CREEK, THEN TO MISSISSIPPI

MEDIA CONTACT: Josh Sobaski at the Washington DNR field office at (319) 653-2135 or josh.sobaski@dnr.iowa.gov

CLINTON – The city of Clinton reported a bypass of untreated wastewater at about 4:30 p.m. on Wednesday.

The city found a leak near Turtle Creek and the 300 block of Buell Avenue about 2:30 p.m. The leak was apparently caused by failure of an eight-inch sewer line.

An unknown amount of wastewater flowed from under the creek bed into Turtle Creek, then to Joyce Slough and finally the Mississippi River.

The leakage is ongoing. However, the city planned to start repair work Thursday morning.

The DNR has contacted the downstream water supply at Davenport. The DNR also recommends people avoid contact with the water and keep children and pets out of the creek or slough below the discharge area.

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DNR TO DISCUSS AIR, WATER QUALITY AT 2009 IOWA ENVIRONMENTAL CONFERENCE

MEDIA CONTACTS: Sherry Timmins or Jan Loyson, both with the Iowa Department of Economic Development: sherry.timmins@iowalifechanging.com or jan.loyson@iowalifechanging.com.

DES MOINES – The DNR will present on air quality and water quality at the 2009 Iowa Environmental Conference in Johnston this fall.

The conference, hosted by the Iowa Department of Economic Development and Iowa Association of Business and Industry, will focus on current and emerging environmental and energy policies and practices affecting business and economic development in Iowa.

Other conference speakers will discuss the American Clean Energy and Security Act, updates targeted for small business and stimulus funding opportunities, among other issues.

View the conference agenda and register for the Sept. 16 event at www.iowaabi.org by clicking on the events calendar. The conference will take place at the Foxboro Conference Center in Johnston.

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DNR ENFORCEMENT ACTIONS

MEDIA CONTACT: Full original orders and additional contacts online at www.iowadnr.gov/legal/eactions.html or by contacting Jessie Brown at (515) 281-5131 or Jessie.Brown@dnr.iowa.gov.

DES MOINES — The DNR has taken the following enforcement actions. The following are only briefs; copies of enforcement actions, including the full, original orders and contact information, are available on the DNR's Web site at www.iowadnr.gov/legal/eactions.html.

The Web listing offers orders first taken in 2007 or later (original orders and amendments to orders issued prior to 2007 are not listed).

Administrative Orders

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

Emmet, Winnebago counties

Joe Klukow, dba RK Transport Inc., of Buffalo Center, was issued an administrative order to become a certified manure applicator, along with his employees, and to pay a \$5,000 penalty. The administrative order is in regard to hauling manure without proper certification at a confinement site in Emmet County.

Jefferson County

Rick Spees, of Fairfield, was issued an administrative order to properly dispose all demolition debris, trade waste and other solid waste on his property, run an anonymous newspaper ad outlining consequences for violating open dumping and burning laws, and to pay a \$7,000 penalty. The administrative order is in regard to solid waste and air quality violations at a site in Fairfield. Spees has appealed the order.

Kossuth County

Ramona Gronbach, of Algona, and Larry Gronbach and Thomas Gronbach, both of Fairmont, Minn., were issued an administrative order to halt all open dumping and burning, specifically at a site in Irvington; comply with all requirements regarding proper solid waste disposal; to properly dispose all solid waste at the site; monitor the site and remove solid waste at least

every two months; and to pay a \$3,000 penalty. The administrative order is in regard to air quality and solid waste violations at the Irvington site.

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.

Cedar County

Lu-Jen Farms, Inc., of West Branch, agreed in a consent order to submit a complete manure management plan, including the Iowa Phosphorus Index and fee, and to pay a \$2,000 penalty. The consent order is in regard for failure to submit the plan for a site in Cedar County.

Davis County

Christensen Farms Midwest, LLC, of rural Davis County, agreed in a consent order to submit a complete manure management plan update and fees, and to pay a \$3,000 penalty. The consent order is in regard to failure to submit a manure management plan and fees for a site in Davis County.

Des Moines, Marshall and Polk counties

OMG Midwest, Inc., dba Cessford Construction Company, of Des Moines, and Cessford Construction Co., of Le Grand, agreed in a consent order to submit a plan for upgrades to the wastewater disposal system, submit a written operations and management plan regarding wastewater discharges, submit monthly reports of discharge samples, and pay a \$4,000 penalty. The consent order is in regard to wastewater violations at the Nelson Quarry site in Mediapolis.

Henry County

Wesley Allender, of Mount Pleasant, agreed in a consent order to timely submit manure management plans in the future and to pay a \$1,500 penalty. The consent order is in regard to failure to timely submit a manure management plan for a site in Henry County.

Humboldt, Kossuth counties

Ryan Fehr, of West Bend, and Jaime Schmidt, of Ottosen, dba S & S Pumping, agreed in a consent order to ensure that its employees are properly certified to haul, apply and handle manure; ensure that proper signage is on its vehicles prior to hauling manure, and to pay a \$5,000 penalty. The consent order is in regard to an S&S employee applying manure without certification at a site in Humboldt County, and two of three trucks on-site not displaying required signs.

Monroe County

Cargill, Inc., of Eddyville, agreed in a consent order to have a licensed engineer perform a risk assessment of its wastewater conveyance system and to pay a \$3,000 penalty and \$35,664.83 in fish restitution. The consent order is in regard to an industrial wastewater line break on Cargill's property that resulted in a fish kill in Miller Creek.

Page County

Wellhausen Farms, Inc., of Clarinda, agreed in a consent order to comply with all conditions, including monitoring and reporting requirements, of its National Pollution Discharge Elimination System (NPDES) permit, and to pay stipulated penalties if it does not meet these permit requirements. The consent order is in regard to NPDES permit violations at a cattle open feedlot in Page County.

Tama County

The City of Garwin agreed in a consent order to make improvements and upgrades to its wastewater system. The consent order is in regard to violations of the city's National Pollution Discharge Elimination System (NPDES) permit and a history of sanitary sewer overflows.

Worth County

The City of Grafton agreed in a consent order to pay a \$1,500 penalty and to conduct an engineering study of its wastewater treatment system and make improvements to the system to eliminate wet weather bypassing. The consent order is in regard to wastewater violations.