

IOWA DEPARTMENT OF NATURAL RESOURCES

*Matt C.*

**CON 12-15**  
**Doc # 10835**

IN THE MATTER OF:

**Helgeson's Sanitary Landfill**

**NOTICE OF INTENT TO  
REMOVE PROPERTY  
FROM REGISTRY OF  
CONFIRMED ABANDONED  
OR UNCONTROLLED  
DISPOSAL SITES**

**TO: Helgeson's Sanitary Landfill**  
**Scott Helgeson**  
**24807 Highway 105**  
**Lake Mills, IA 50450**

**I. CURRENT STATUS**

Pursuant to Iowa Code section 455B.426, the director of the Department of Natural Resources is required to maintain a registry of confirmed abandoned or uncontrolled disposal sites located in Iowa. Pursuant to this authority the director placed a property owned by Scott Helgeson and located in Lake Mills, Iowa on the registry on or before August 1990. The property is legally described as:

The S 1/2 of the NW 1/4, and the N 1/2 of the SW 1/4, both of the NW 1/4 of Section 6, T99N, R22W, in Worth County, Iowa.

Pursuant to section 455B.427(3) of the Code of Iowa the director shall assess the relative priority of the need for action at each site to remedy environmental and health problems resulting from the presence of hazardous wastes or hazardous substances at the sites. In making assessments of relative priority, the director, shall place every site in one of the classifications listed at 455B.427(3)"a" through "e". The subject site was placed on the registry as a classification "d" site.

**II. RECLASSIFICATION**

Pursuant to the requirements of section 455B.427(3) of the Code of Iowa the director has now reclassified the subject property. The above-described property in Lake Mills, Iowa is now classified as:

"e. site properly closed, no evidence of present or potential adverse impact, no further action required."

Pursuant to section 455B.427(4) of the Code of Iowa the site shall be removed from all subsequent annual reports and the registry of hazardous waste or hazardous substance disposal sites. Pursuant to section 455B.431 the director shall file a notice of the reclassification and

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REGISTRY NOTICE  
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removal with the county recorder. Pursuant to section 455B.431 this reclassification does not warrant to a future purchaser of the site that the site will be free from any future adverse impacts as a result of use of the site as a hazardous waste or hazardous substance disposal site.

**III. APPEAL RIGHTS**

Pursuant to Iowa Code sections 455B.175(1) and 561 IAC 7.5(1), as adopted by reference by chapter 567 IAC 7, a written Notice of Appeal to the Environmental Protection Commission may be filed within 30 days of receipt of this Order. The Notice of Appeal should be filed with the Director of the department, and must identify the specific portion or portions of this order being appealed and include a short and plain statement of the reasons for appeal. A contested case hearing will then be commenced pursuant to Iowa Code chapter 17A and chapter 561 IAC 7.

**Appeal, if any, addressed to:**

Director, Iowa Dept. of Natural Resources  
Henry A. Wallace Building  
Des Moines, Iowa 50319-0034

**Questions relating to appeal rights:**

Jon C. Tack  
Iowa Department of Natural Resources  
Henry A. Wallace Building  
Des Moines, Iowa 50319-0034  
Ph: 515/281-8889

  
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JEFFREY R. MONK, DIRECTOR  
IOWA DEPARTMENT OF NATURAL RESOURCES

Dated this 30 day of  
November, 2001