

BEFORE THE IOWA DEPARTMENT OF NATURAL RESOURCES

IN THE MATTER OF:

Mr. Dennis L. Elwell

**CON 12-15**  
**Doc #18521**

NOTICE OF INTENT TO  
INCLUDE PROPERTY ON  
REGISTRY OF CONFIRMED  
ABANDONED OR UNCONTROLLED  
DISPOSAL SITES

TO: Mr. Dennis L. Elwell  
107 N. Ankeny Blvd.  
Ankeny, IA 50021

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. Iowa Code section 455B.429(1) provides that thirty days prior to the addition of a site to the registry, the director of the Department shall notify the owner of any part of the site. You are hereby notified of the proposed addition of the site described below to the registry of abandoned or uncontrolled sites, effective 30 days from your receipt of this notice, for the reasons stated below.

1. Mr. Dennis L. Elwell is the owner of real property which is legally described in Appendix A which is incorporated herein in its entirety.

2. The director has evidence that wastes containing alachlor, aldrin, atrazine, 1,2-dibromoethane, 1,2-dichloroethane, dieldrin, disulfoton, heptachlor, malathion, parathion, and toxaphene were disposed of on this site in 1970. These substances constitute "hazardous substances" as is defined by Iowa Code section 455B.411(1).


3. Because of the types, amounts and location of these substances, the director classifies this site as "d" - site properly closed - requires continued management.

You may petition the director for deletion of the site from the registry, modification of the site classification, or modification of any information regarding the site. Such a petition will constitute an appeal of the director's decision. Within 90 days of an appeal, this Department shall conduct a hearing to review the determination.

IOWA DEPARTMENT OF NATURAL RESOURCES  
REGISTRY NOTICE  
ISSUED TO: Mr. Dennis L. Elwell

Any questions regarding this notice should be directed to:

Mark Landa  
Iowa Department of Natural Resources  
Henry A. Wallace Building  
900 East Grand Avenue  
Des Moines, Iowa 50319-0034  
515/281-6243

  
LARRY J. WILSON, DIRECTOR  
IOWA DEPARTMENT OF NATURAL RESOURCES

Dated this 7 day of  
August, 1989

89187DNR0047

Green Card was not  
received - we do know he  
received Notice because  
he has appealed.

## APPENDIX A

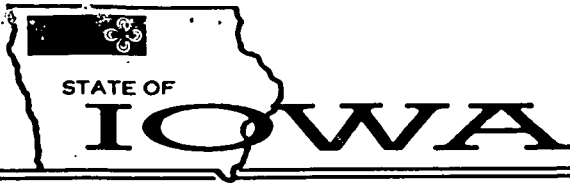
### SITE DESCRIPTION

The Land O'Lakes Facility is located at 5701 E. 17th Street NE, Des Moines, Iowa. The property is described in the Warranty Deed, Book 5774, Page 361, Polk County, Iowa as follows:

The South 450 feet of the North 900 feet of the East 450 feet of the Southwest Quarter (SW 1/4) of Section 12, Township 79 North, Range 24 West of the 5th P. M., Polk County, Iowa, except such portion thereof, if any, which may be included in the existing right of way of the Fort Dodge, Des Moines Southern Railway right of way, which adjoins the property on the east, subject to easements, restrictions, and agreements of record, Now Lot Five (5) in Replat U.P.I. Industrial Park Plat 1, an Official Plat. And a perpetual easement for ingress and egress and for railroad and side track purposes to located in Polk County. Iowa State, to wit:

Commencing at a point on the east line of the Southwest Quarter (SW 1/4) of Section 12, Township 79 North, Range 24, West of the 5th P.M., Polk County, Iowa, 900 feet South of the northeast corner thereof for a point of beginning: thence south along the east line thereof 127.85 feet: Thence in the northwesterly direction to a point 900 feet south of the north line of said southwest quarter (SW 1/4). Which point is 14.25 feet west of the east line of said Southwest Quarter (SW 1/4): Thence east 14.25 feet to the point of beginning.

RE: 90240021



TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
LARRY J. WILSON, DIRECTOR

May 9, 1990

Timothy Brien  
Polk County Recorder  
Polk County Courthouse  
Des Moines, IA 50309

Dear Mr. Brien:

Iowa Code section 455B.426 provides that the director of the Department of Natural Resources shall maintain a registry of sites used for the disposal of hazardous wastes or hazardous substances. Pursuant to Iowa Code section 455B.431, when the director places a site on the registry, he must then file with the county recorder of the county in which the property is located, a statement disclosing the period during which the site was used as a disposal site. Upon receipt of evidence that the site no longer poses a present or potential adverse impact, this determination will also be filed with your office.

Please find enclosed the Notice which is to be attached to the proof of ownership of property described in the Notice. The owner of record is identified at the bottom of the Notice. If there are filing fees, please submit a bill to the Department.

Thank you for your cooperation. If you have any questions regarding this request, please contact me at 515/281-6243.

Sincerely,

Mark Landa  
Compliance Officer  
Legal Services

May 22, 90  
\$10.00

Instr. # 059620

ML:mg

ATTACHMENT

cc: Morris Preston

DEPARTMENT  
OF  
NATURAL RESOURCES  
90 MAY 30 PM 3:15



## APPENDIX A

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RE: 90240021