



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
RICHARD A. LEOPOLD, DIRECTOR

January 27, 2009

CON 12-15
Doc #20420

Mr. Jeffrey McDermott
Union Pacific Railroad Company
1400 Douglas Street – Stop 1030
Omaha, NE 68179

RE: Phase II Site Assessment Report Addendum for the Union Pacific Railroad Fauser Oil Lease Properties, East Parcel – Contract Audit No. 178534, Oelwein, Iowa

Dear Mr. McDermott:

The IDNR has reviewed the Phase II Site Assessment Report Addendum for the above-mentioned site in Oelwein, Iowa. The following is a review of the UPRR Fauser East property.

On the site designated as the UPRR Fauser Oil Lease Site East Parcel, located west of South Frederick Avenue and south of 4th Street Southwest, petroleum contamination was detected in soil and groundwater in the initial site assessment. TEH diesel, TEH motor oil, benzene, MTBE and 1,2,4-trimethylbenzene were detected in one or more groundwater samples at concentrations that exceeded their respective Statewide or Tier 1 Standard. The extent of contamination was not defined. A work plan for additional assessment was submitted to the Department and approved.

The addition site assessment involved advancing two off-site borings (GP-17 & GP-18) to 25 feet bgs. A soil sample and a groundwater sample was collected from each and analyzed for TEH and VOCs. Eleven contaminants were detected in the soil sample from GP-18, all at concentrations below their respective standard. Sixteen contaminants were detected in the soil sample from GP-17 (west of the site). Two of those contaminants (TEH diesel and ethylbenzene) were detected at concentrations that exceed their respective standard. Sixteen contaminants were detected in the groundwater sample from GP-17. Five of those contaminants (TEH diesel, benzene, ethylbenzene, naphthalene, and 1,2,4-trimethylbenzene) were detected at concentrations that exceed their respective Tier 1 or Statewide Standard for protected groundwater. None of the contaminant concentrations exceeded their respective standard for non-protected groundwater.

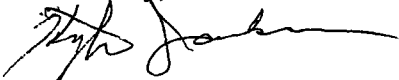
With consideration of the conditions noted above, the Department does not require any follow-up action based on the Phase II and Phase II Site Assessment Report Addendum findings for the UPRR Fauser Oil East Parcel. This determination should not be construed to be an endorsement by the DNR that a hazardous condition does not exist on the property. Instead, it is a conclusion by the DNR that available information (without regard to the quality or quantity of that information) does not suggest the likely existence of a hazardous condition on the property. Furthermore, this determination does not constitute an endorsement by the DNR as to the appropriateness of any proposed use of the property.

Since there are no regulatory requirements for the conduct of Phase I/II Environmental Assessments, the DNR does not approve or reject or otherwise make judgment on the quality or adequacy of Phase I/II Environmental Assessments. Instead the DNR looks at the information provided in the Phase I/II Environmental assessment in addition to other generally available information about the property (e. g., geology, well location, land use) for evidence of a potential hazardous condition (as defined in 567 Iowa Administrative Code (IAC) Chapter 131). Hazardous conditions are required to be reported to the DNR (567 IAC 131). If a more definitive pronouncement of the environmental condition of the property is desired, enrollment in the Iowa Land Recycling Program (LRP) could be considered.

The decision to not require further investigation at the UPRR Fauser Oil East Parcel site is subject to revision if future information about this site suggests a change is warranted.

Please contact me at (515) 242-5084 if you have any questions regarding this decision.

Sincerely,



Hylton Jackson, Environmental Specialist-IDNR

Cc: Cal Lundberg, Contaminated Sites Supervisor-IDNR
IDNR Field Office #1
Scott Adner, Delta Environmental, 985 Lincoln Road, Suite 220, Bettendorf, IA 52722