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Colleen Pearce, Cerro Gordo County Recorder

Aud

Type / Title of Document: FMI Cornelius LRP No Further Action Certificate

59<sup>00</sup>cs Return Document to:

Name: FMI Cornelius, Inc (Attn: Don Gifford)  
Address: 2421 15th St SW Mason City, Ia 50401  
Street Address City Zip

Telephone: 641-512-1744

Preparer Information

Name: FMI Cornelius, Inc  
Address: 2421 15th St SW Mason City 50401  
Street Address City Zip

Telephone: 641-512-1744 (Don Gifford)

Taxpayer Information

Name: FMI Cornelius, Inc.  
Address: 101 Broadway St West, Suite 100 Osseo, Minn. 55369  
Street Address City Zip

Telephone: 641-512-1744 (Don Gifford)

Grantor(s): FMI Cornelius, Inc. (owner/taxpayer)

Holder(s) / Grantee(s): FMI Cornelius, Inc. (owner/taxpayer)

Legal Description, including parcel identification number, if available:

State law requires that all instruments have signatures notarized. See Iowa Code, 9E.14, 9E.15, and 558.39.

On or after July 1, 2005, any document that does not conform to the document formatting standards shall not be recorded except upon payment of an additional recording fee of ten dollars (\$10.00) per document or instrument.

# **IOWA DEPARTMENT OF NATURAL RESOURCES LAND RECYCLING PROGRAM**

## **NO FURTHER ACTION CERTIFICATE**

This document certifies that the property described below and depicted on Exhibit A (the "Affected Area") has satisfied the regulatory standards qualifying the area for a no further action classification under Iowa's Land Recycling Program in accordance with the administrative rules contained in chapter 567 Iowa Administrative Code 137. A no further action classification generally means that voluntary participants in this program have identified and assessed certain contaminants of concern and sufficiently addressed them such that the risk to human health, safety and the environment is deemed acceptable according to standards adopted by the Iowa Department of Natural Resources (Grantor).

This no further action classification applies to the Affected Area. Exhibit B is a brief summary of the activities undertaken and the regulatory process that has resulted in this no further action classification. The no further action classification applies only to the contaminants listed on Exhibit C.

A classification of no further action grants to "protected parties" protection from future environmental liabilities pursuant to Iowa Code Chapter 455H. The scope of the liability protection generally corresponds to the scope of the environmental condition(s) that qualifies for the no further action classification. Iowa Code section 455H.301 enumerates certain conditions which could authorize re-opening regulation of the Affected Area and removal of liability protections to certain protected parties. Interested parties should contact the Iowa Department of Natural Resources to obtain more information on the environmental conditions assessed within the Affected Area and any potential environmental concerns not specifically addressed or associated with areas outside the Affected Area.

### **DESCRIPTION OF THE AFFECTED AREA:**

**The Affected Area is comprised of the following five (5) parcels:**

Parcel 1 (Parcel No. 07-17-104-001-00):

Lot ten (10) in Industrial Park Fourth Addition, Mason City, Iowa, except the south 170.30 feet thereof and except that portion of lot 10, described as follows: commencing at the southeast corner of said lot 10; thence N 00°38'54" W, 170.30 feet along the east line of said lot 10 to the north line of the south 170.3 feet of said lot 10 and the point of beginning; thence S 89°21'06" W, 64.22 feet along said north line of the south 170.3 feet; thence N 00°30'40" W 198.00 feet; thence N 89°29'20" E, 8.00 feet; thence N 00°30'40" W, 161.68 feet to the north line of said lot 10; thence N 89° 21' 06" E, 55.36 feet to the northeast corner of said lot 10; thence S 00°38'54" E, 359.66 feet to the point of beginning

Parcel 2 (Parcel No. 07-17-127-001-00):

Lot Eleven (11) in Industrial Park Fourth Addition to Mason City, Iowa.

Parcel 3 (Parcel No. 07-17-176-001-00):

That portion of the south half (S1/2) of the northwest quarter (NW1/4) of section seventeen (17), Township ninety six (96) north, range twenty (20), west of the 5th P.M., City of Mason City, Cerro Gordo County, Iowa, described as follows: Commencing at the northwest corner of said northwest quarter; thence S 00°20'57" E, 1324.36 feet to the northwest corner of said south half of the northwest quarter; thence N 89°21'06" E, 744.05 feet along the northerly line of said south half of the northwest quarter to the southwest corner of Lot 10 in the Industrial Park Fourth Addition, Mason City, Iowa, and the point of beginning, thence continuing N 89°21'06" E, 1481.00 feet along said northerly line of the south half of the northwest quarter to the southeast corner of Lot 12 in said Industrial Park Fourth Addition; thence S 00°38'54" E, 50.00 feet; thence S 89°21'06" W, 1481.28 feet along a line parallel with said northerly line of the south half of the northwest quarter; thence N 00°19'24" W, 50.00 feet to the point of beginning.

Parcel 4 (Parcel No. 07-17-104-002-00):

That portion of Lot 10 in Industrial Park Fourth Addition, Mason City, Iowa, described as follows: Commencing at the Southeast corner of said Lot 10; thence N 00°38' 54" W, 170.30 feet along the East line of said Lot 10 to the North line of the South 170.3 feet of said Lot 10 and the point of beginning; thence S 89° 21' 06" W, 64.22 feet along said North line of the South 170.3 feet; THENCE N 00° 30' 40" W, 198.00 feet; thence N 89° 29' 20" E, 8.00 feet; Thence N 00° 30' 40" W, 161. 68 feet to the North line of said Lot 10; thence N 89° 21' 06" E, 55.36 feet to the Northeast corner of said Lot 10; thence S 00° 38' 54" E, 359.66 feet to the point of beginning, containing 0.50 acres.

Parcel 5 (Parcel No. 07-17-104-003-00):

The South 170.3 feet of Lot Ten (10) in Industrial Park Fourth Addition, Mason City, Iowa, together with easement on the existing driveway from the North line of said Lot 10 to the property herein to be conveyed.

**Property owners of the parcels comprising the Affected Area as of the date of the filing of this certificate and their mailing addresses are as follows:**

IMI Cornelius, Inc., 101 Broadway Street W, Suite 100, Osseo, Minnesota, 55369

**Enrolled Participant (Grantee):**

IMI Cornelius, Inc., 101 Broadway Street W, Suite 100, Osseo, Minnesota, 55369

**Department file reference:**  
CON 12-15, IMI Cornelius Inc.

**CONDITIONAL NO FURTHER ACTION CLASSIFICATION:**

The no further action classification and the attendant liability protections for the Affected Area is subject to the maintenance and continued effectiveness of the following institutional or technological controls or other remedial activities:

**Institutional Controls:**

In order to eliminate potential exposure routes for contaminants left in place above Residential Statewide Standards, IMI Cornelius, Inc has selected the use of an institutional control in the form of an environmental covenant. Institutional controls are described in IAC-567-137.7(2). The environmental covenant restricts specific land use alternatives, and thereby eliminates residential exposure routes and, at the same time, protects site workers, utility workers and construction workers from unacceptable contaminant exposure levels. The environmental covenant for this site was filed and recorded in Cerro Gordo County, Iowa on December 23, 2009 and assigned the document number 2009-9903 covering the property locally known as 2421 15th Street Southwest, Mason City, Cerro Gordo County, Iowa

**Continuing Responsibilities:**

Groundwater contamination still exists on site; the contaminated groundwater plume has been shown to be decreasing in concentration as the source (contaminated soil) has, for the most part, decreased below Statewide Standards by natural attenuation. The contaminants of concern are volatile organic compounds identified on Exhibit C. Maintenance of the institutional control is the only continuing responsibility with respect to the 'Affected Area'.

**PUBLIC NOTICE:**

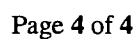
IN ACCORDANCE WITH IOWA CODE CHAPTER 455H AND DEPARTMENT RULES, PARTICIPANTS IN THE LAND RECYCLING PROGRAM MAY NOT HAVE BEEN REQUIRED TO IDENTIFY AND ADDRESS ALL KNOWN OR SUSPECTED RELEASES OF CONTAMINANTS IN ORDER TO QUALIFY FOR A NO FURTHER ACTION CLASSIFICATION. FOR THE AFFECTED AREA IDENTIFIED IN THIS CERTIFICATE OR THE REAL ESTATE AFFECTED BY THIS RECORDED DOCUMENT, INTERESTED PARTIES MAY CONTACT THE DEPARTMENT TO OBTAIN FURTHER INFORMATION.

This certificate does not constitute a warranty or a representation of any kind to any person as to the environmental condition, marketability or value of the Affected Area other than that certification required by Iowa Code section 455H.301 et seq. Interested parties should not rely solely on the representations contained in this certificate.

[illegible]

Signed or attested before me on this 20<sup>th</sup> day of January, 2010, by

Lisa Nissen My Commission Expires 3/17/12  
NOTARY PUBLIC, STATE OF IOWA





Iowa Land Recycling Program  
IMI Cornelius, Inc.  
2421 15<sup>th</sup> Street Southwest  
Mason City, Cerro Gordo County, Iowa

Exhibit 'A'

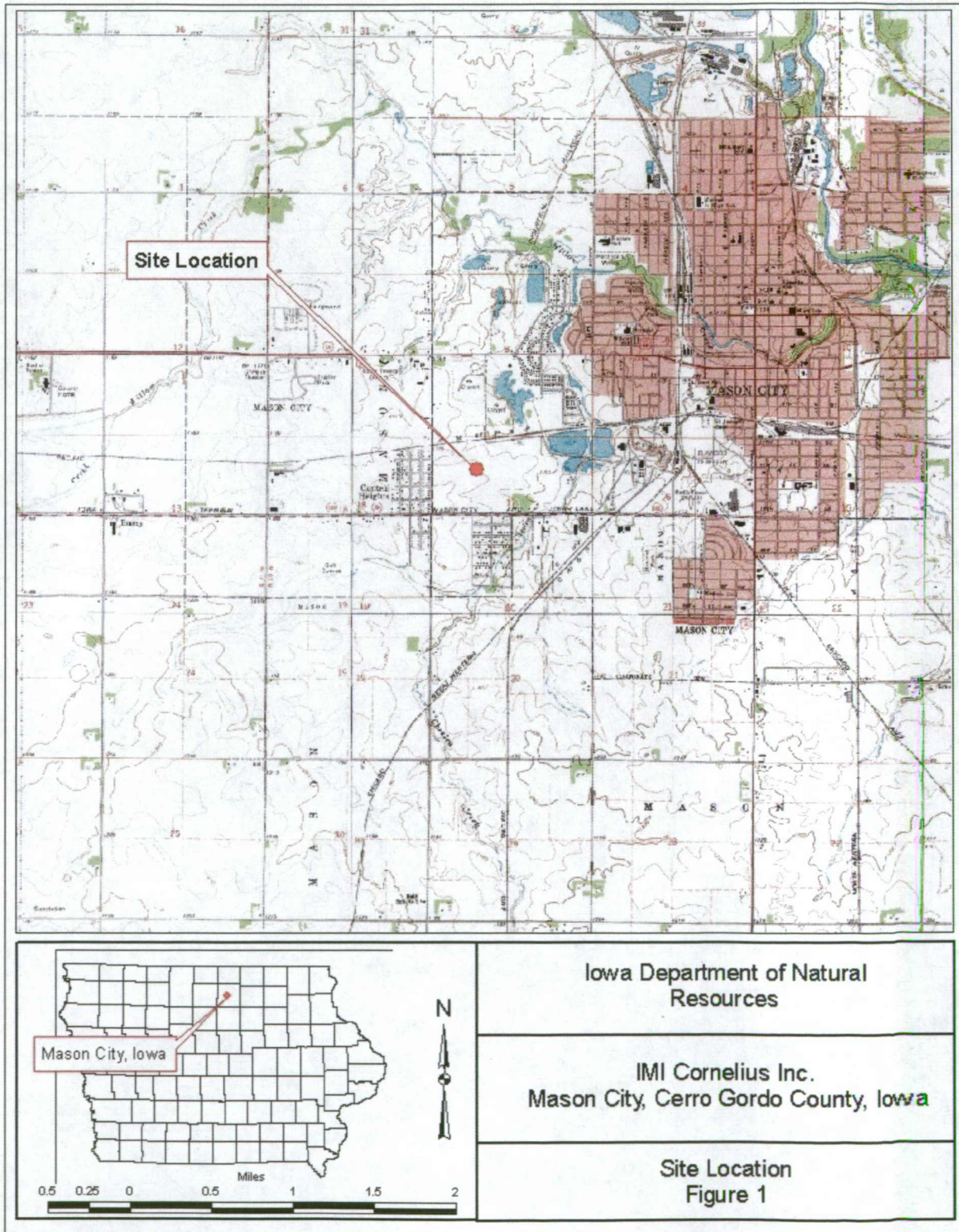
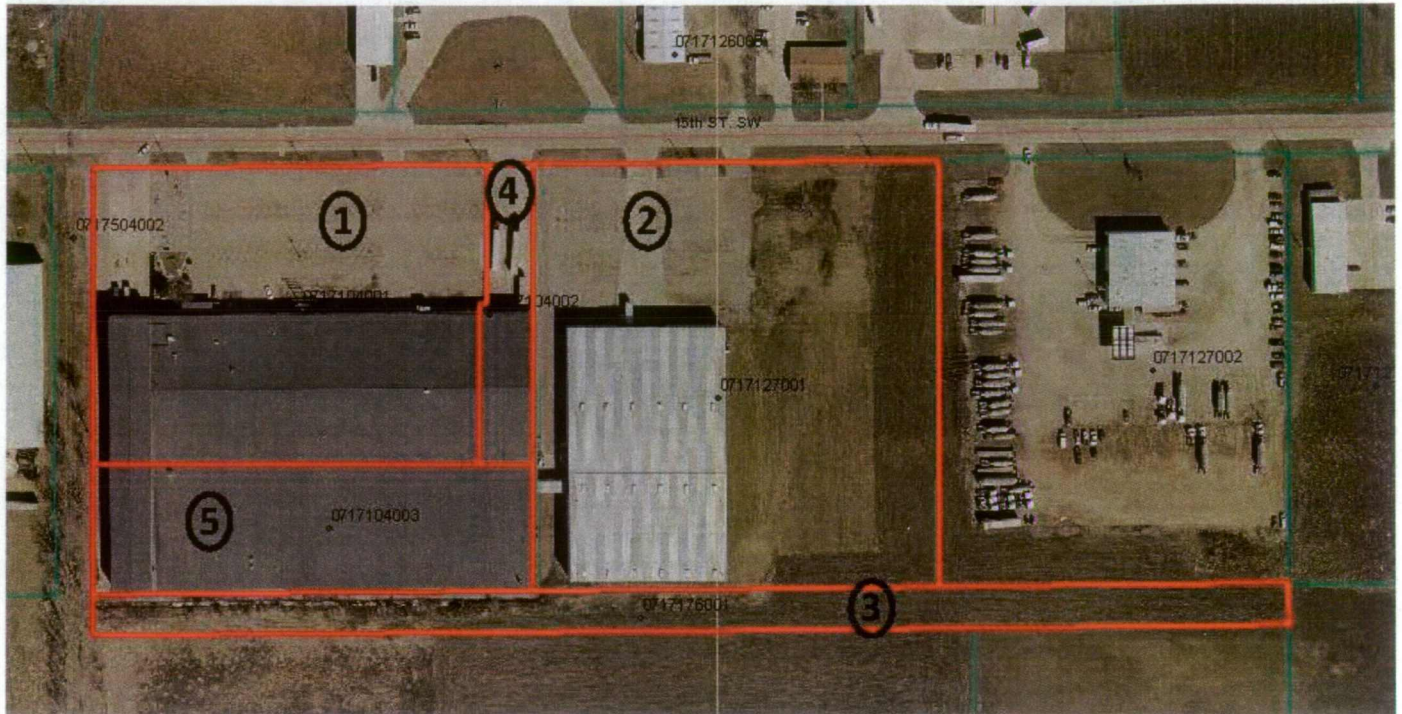




Exhibit 'A' Continued



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### Exhibit 'A' Continued

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Iowa Land Recycling Program  
IMI Cornelius, Inc.  
2421 15<sup>th</sup> Street Southwest  
Mason City, Cerro Gordo County, Iowa

Exhibit B

Summary of Assessment Activities

The IMI Cornelius property located at 2421 15th Street Southwest, Mason City, Cerro Gordo County, Iowa consists of manufacturing, warehouse, and office space. IMI Cornelius entered the Iowa Department of Natural Resources (IDNR) Land Recycling Program to investigate, assess, and perform any cleanup necessary on a voluntary basis. Laboratory tests for volatile organic compounds (VOC) confirmed that groundwater at the site contained 1,1-dichloroethene above IDNR's statewide standard.

Reports summarizing the work that has been done to characterize soil, soil gas, and groundwater at the site include the following:

- Phase I Environmental Site Assessment for IMI Cornelius, Inc., Mason City, Iowa, ENSR Document 09413-187-100, July 2007. The Phase I report identified the vapor degreaser, trough system, and former fuel oil tanks as recognized environmental conditions.
- Phase II – Additional Site Investigation and Groundwater Sampling, ENSR Document 08505-725-100, February 2008. The results of sampling and analysis of seven soil borings and five monitoring wells were summarized in this report.
- Site Assessment Report, ENSR Document 12899-001, September 2008. A thorough sub-slab soil gas survey and focused soil sampling were performed and the horizontal and vertical extend of groundwater impacts were investigated.
- Risk Evaluation Response Action Report, AECOM Document 12899-001, January 2009. Indoor air testing and additional groundwater monitoring were documented in this report.
- Final Report, AECOM Document 12899-001, July 2009, Final documentation of the environmental actions preformed to date.
- Environmental Covenant, December 2009, Final recorded environmental covenant restricting land-use.

A summary of the study results is provided below.

## Exhibit 'B' Continued

VOC contamination at the IMI Cornelius site was likely the result of minor releases of chlorinated solvent from former degreasing operations. The only evidence of a release was the presence of low levels of a few VOC in environmental samples. There was no available information to describe the timing, quantity, or nature of any releases at the site. Based on the pattern of VOC found in soil, soil gas, and groundwater, AECOM concluded that the release was small, occurred long ago (solvent use ceased prior to 1994) and only one VOC (a degradation product) is found in any environmental media above the statewide standards.

The study determined that groundwater was the only medium associated with site contamination above statewide standards. The site assessment data indicated no on-going transfer of VOC from one medium to another. The sub-slab soil vapor survey and subsequent soil sampling and analyses showed that no sources or "hotspots" of VOC are present in the soil beneath the building. Based on the lack of soil concentrations above statewide standards, no response actions were recommended for soils at the site. Laboratory analyses of soil gas samples and indoor air samples confirmed that the chemicals present in sub-slab soil gas were not migrating into the building, and that no chemicals were present in the indoor air at concentrations that pose a risk to workers in the building. No response actions were recommended for soil gas at the site.

Land use at the site and vicinity is industrial and is likely to remain industrial in the future. No actual groundwater receptors were identified during the study. No surface water was present in the study area. The stratigraphy at the site included 15 feet of silty clay soils overlying the limestone and dolomite bedrock. The upper-most water-bearing zone consisted of weathered limestone and dolomite bedrock (Shell Creek Formation) from approximately 15 feet to 35 feet below the ground surface. The water-bearing zone was underlain by a confining layer that extended at least 150 feet deep (which was the depth of the deepest boring for the study). The shallow groundwater flowed northeast at an estimated rate of approximately 22 feet per year.

The groundwater VOC concentrations are stable at levels just above the statewide standard for 1,1-dichloroethene. This chemical is a degradation product of the chlorinated solvents formerly used at the site. The parent compounds are either absent or occur in trace concentrations below the statewide standards.

The appropriate response action to address the shallow groundwater conditions is an environmental covenant for the property prohibiting the installation of water wells on the property to protect against impacted groundwater being used until such time as the concentrations fall below the statewide standard.

Iowa Land Recycling Program  
IMI Cornelius, Inc.  
2421 15<sup>th</sup> Street Southwest  
Mason City, Cerro Gordo County, Iowa

Exhibit C

Contaminants of Concern

The contaminants of concern for groundwater and soil in this 'no further action' certificate include the following:

**Volatile Organic Compounds**

Contaminant	CAS #	Contaminant	CAS #
1) Acetone	67-64-1	33) 1,3-Dichloropropane	142-28-9
2) Benzene	71-43-2	34) 2,2-Dichloropropane	594-20-7
3) Bromobenzene	108-86-1	35) 1,1-Dichloropropene	563-58-6
4) Bromochloromethane	74-97-5	36) cis-1,3-Dichloropropene	10061-01-5
5) Bromodichloromethane	75-27-4	37) trans-1,3-Dichloropropene	10061-02-6
6) Bromoform	75-25-2	38) Ethylbenzene	100-41-4
7) Bromomethane	74-83-9	39) Hexachlorobutadiene	87-68-3
8) 2-Butanone	78-93-3	40) 2-Hexanone	591-78-6
9) n-Butyl benzene	104-51-8	41) Isopropylbenzene	98-82-8
10) sec-Butyl benzene	135-98-8	42) p-Isopropyl toluene	99-87-6
11) tert-Butyl benzene	98-06-6	43) Methylene chloride	75-09-2
12) Carbon tetrachloride	56-23-5	44) Methyl isobutyl ketone	108-10-1
13) Chlorobenzene	108-90-7	45) Methyl tert-butyl ether	1634-04-4
14) Chloroethane	75-00-3	46) Naphthalene	91-20-3
15) Chloroform	67-66-3	47) n-Propylbenzene	103-65-1
16) Chloromethane	74-87-3	48) Styrene	100-42-5
17) 2-Chlorotoluene	95-49-8	49) 1,1,1,2-Tetrachloroethane	630-20-6
18) 4-Chlorotoluene	106-43-4	50) 1,1,2,2-Tetrachloroethane	79-34-5
19) 1,2-Dibromo-3-chloropropane	96-12-8	51) Tetrachloroethene	127-18-4
20) 1,2-Dibromoethane	106-93-4	52) Toluene	108-88-3
21) Dibromochloromethane	124-48-1	53) 1,2,3-Trichlorobenzene	87-61-6
22) Dibromomethane	74-95-3	54) 1,2,4-Trichlorobenzene	120-82-1
23) 1,2-Dichlorobenzene	95-50-1	52) 1,1,1-Trichloroethane	71-55-6
24) 1,3-Dichlorobenzene	541-73-1	56) 1,1,2-Trichloroethane	79-00-5
25) 1,4-Dichlorobenzene	106-46-7	57) Trichloroethene	79-01-6
26) Dichlorodifluoromethane	75-71-8	58) Trichlorofluoromethane	75-69-4
27) 1,1-Dichloroethane	75-34-3	59) 1,2,3-Trichloropropane	96-18-4
28) 1,2-Dichloroethane	107-06-2	60) 1,2,4-Trimethylbenzene	877-44-1
29) 1,1-Dichloroethene	75-35-4	61) 1,3,5-Trimethylbenzene	102-25-0
30) cis-1,2-Dichloroethene	156-59-2	62) Vinyl chloride	75-01-4
31) trans-1,2-Dichloroethene	156-60-5	63) Xylenes (total)	1330-20-7
32) 1,2-dichloropropane	78-87-5		



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

# STATE OF IOWA

DEPARTMENT OF NATURAL RESOURCES  
RICHARD A. LEOPOLD, DIRECTOR

January 22, 2010

## CERTIFIED MAIL

Don Gifford  
Vice President of Operations  
IMI Cornelius Inc.  
2421 15<sup>th</sup> Street SW  
Mason City, Iowa 50401

Re: Iowa Land Recycling Program No Further Action Certificate

Dear Mr. Gifford

Enclosed you will find the 'No Further Action Certificate' (NFA) for the IMI Cornelius LRP site signed by the Director of the Iowa Department of Natural Resources. Please have it recorded at the Cerro Gordo County Recorder's Office and then return a copy back to me. I have also enclosed the recording cover sheet needed for the county recorder's office. Because institutional controls were placed on the IMI property the NFA will not be final until it is recorded (IAC-567-137.11(3)).

If not already completed, all monitoring wells not needed for other purposes must be abandoned as noted in IAC-567-39, *Requirements for Properly Plugging Abandoned Wells*. Form 542-1226, Abandoned Water Well Plugging Record, will need to be filled out for each well abandoned.

If you have any questions or need further information please feel free to call or e-mail at (515) 281-4171 or [dan.cook@dnr.iowa.gov](mailto:dan.cook@dnr.iowa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "D. Cook".

Daniel Cook  
Environmental Specialist Senior  
Contaminated Sites

encl: IMI Cornelius LRP No Further Action Certificate  
Model Recording Cover Sheet  
IAC-567-39, Requirements for Properly Plugging Abandoned Wells  
Form 542-1226

c: Cindy Garza IDNR Field Office 2 w/out IAC-567-39 and Form 542-1226





# STATE OF IOWA

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

DEPARTMENT OF NATURAL RESOURCES  
RICHARD A. LEOPOLD, DIRECTOR

## FOR DIRECTOR'S SIGNATURE

### IOWA LAND RECYCLING PROGRAM NO FURTHER ACTION CERTIFICATE

**DATE:** January 8, 2010  
**TO:** Richard Leopold, Director, Iowa Department of Natural Resources  
**FROM:** Daniel Cook, Contaminated Sites Section

#### APPROVALS:

Wayne Gieselman, Administrator, Environmental Services

Initial and Date: WG. 1-15-10

Brian Tormey, Bureau Chief, Land Quality

Initial and Date: BT 1/12/10

Cal Lundberg, Supervisor, Contaminated Sites Section

Initial and Date: CL 1/12/10

Tamara Mullen, Attorney, Legal Services

Initial and Date: TM 1-11-10

#### PROGRAM MANAGER SUMMARY:

IMI Cornelius Inc. has completed all requirements of IAC-567-137, *Iowa Land Recycling Program*, for the enrolled property known as the IMI Cornelius site in Mason City, Iowa. IMI Cornelius will have continuing responsibilities for the site described in the NFA and institutional controls.

If you have any questions please ask.

###



Date Produced: 02/01/2010

STATE OF IOWA

The following is the delivery information for Certified Mail™ item number 7108 2133 3936 6468 3065. Our records indicate that this item was delivered on 01/26/2010 at 02:51 p.m. in MASON CITY, IA, 50401. The scanned image of the recipient information is provided below.

Signature of Recipient:

*Ron Bull*  
Ron Bull

Address of Recipient:

2421 15<sup>th</sup> St

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 2895861 21641170