

IOWA DEPARTMENT OF NATURAL RESOURCES

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Doc #18287

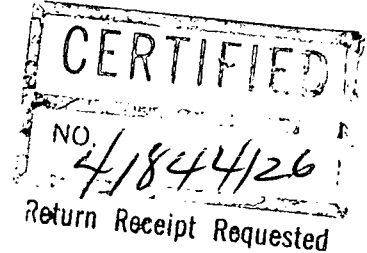
IN THE MATTER OF:

Miracle Recreation Equipment Site

R & C Industries, Inc.

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

TO: **R & C Industries, Inc.**
Richard Ahrens, President
P.O. Box 230
Grinnell, IA 50112



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 R & C Industries, Inc. and located in Grinnell, Iowa on the registry on or before November 26, 1996. The property is legally described as:

Parcel "A" in Lot D in the NW ¼, Section 17, T80N, R16W of the 5th P.M., Poweshiek County, Iowa, according to the plat thereof appearing of record in Plat Book D at page 390 in the Poweshiek County Recorder's Office. Further described as: Commencing at the Northeast corner of Lot A in Lot 3 in Lot F in said NW ¼, Section 17-80-16; thence N87°11'20"W, 33.28 ft. along the North Line of said Lot A; thence N0°37'50"E, 68.23 ft.; thence N87°21'40"W, 44.95 ft.; thence S0°37'50"W, 68.23 ft.; thence S87°21'40"E, 44.95 ft. to the Point of Beginning. Said Parcel containing 3,065 square feet; Parcel "A" in Lot B in Lot 3 in Lot F in the NW ¼, Section 17, T80N, R16W of the 5th P.M., Poweshiek County, Iowa, according to the plat thereof in Plat Book 5, Page 110. Further described as: Commencing at the Northeast corner of said Lot B; thence N89°09'45"W, 91.40 ft. along the North Line of said Lot B; thence S0°01'40"W, 36.00ft. to the Point of Beginning; thence S0°01'40"W, 109.00 ft.; thence N89°09'45"W, 151.00 ft.; thence N0°01'40"E, 109.00 ft.; thence S89°09'45"E, 151.00ft. to the Point of Beginning. Said parcel containing .38 acres;

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.

**IOWA DEPARTMENT OF NATURAL RESOURCES
REGISTRY NOTICE
Miracle Recreation**

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 Grinnell, Iowa is now classified as: "e"

"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 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

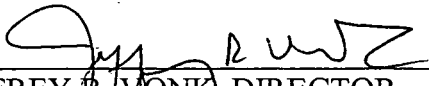
Pursuant to Iowa Code sections 455B.429 and 561 IAC 7.5(1), as adopted by reference by chapter 567 IAC 7, a written Notice of Appeal to the Environmental Protection Commission may be filed within 30 days of receipt of this Order. The Notice of Appeal should be filed with the Director of the department, 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



JEFFREY R. VONK, DIRECTOR
IOWA DEPARTMENT OF NATURAL RESOURCES

Dated this 24 day of
July, 2003