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DOC# 32560

## STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

JANUARY 18, 2017

D&B REAL ESTATE INVESTMENTS  
PO BOX 724  
IOWA FALLS, IA 50126

Subject: Phase II Environmental Site Assessment of the Former Kmart in Iowa Falls

Dear Sir/Madam,

Thank you for the submittal of the Phase II Environmental Site Assessment report on the property referenced above.

The Iowa Department of Natural Resources (Iowa DNR) has reviewed the report for evidence suggesting the existence of a hazardous condition. While contaminants have been detected, the IDNR has not identified evidence suggesting the likely existence of a hazardous condition and is therefore deferring further assessment. The decision to defer assessment at this site is based on the limited extent and concentrations of contaminants documented in the Phase II report.

With consideration of the conditions noted above, the Department does not require any follow-up action based on these findings. This determination should not be construed as 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 does not suggest the likely existence of 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. If such an endorsement is sought, the property may be enrolled in the Iowa Land Recycling Program (LRP), which would involve a more thorough investigation and assessment of risks associated with possible uses of the property (see web link below for details).

(<http://www.iowadnr.gov/InsideDNR/RegulatoryLand/ContaminatedSites/LandRecyclingProgramLRP.aspx>).

Since there are no regulatory requirements for the conduct of Phase II assessments, the DNR also does not approve, reject or otherwise make judgment on the quality or adequacy of the assessment. Instead, the DNR evaluates the information provided as well as other available information about the property (e.g., geology, well locations, local 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 Chapter 131).

Feel free to contact me if there are any questions, comments, or concerns at 1-515-725-8372.

Sincerely,

A handwritten signature in black ink that reads "Shelly Nellesen". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Shelly Nellesen  
Contaminated Sites Section  
Iowa Department of Natural Resources

Cc: Amie Davidson, Supervisor, Contaminated Sites Section, Iowa DNR  
IDNR Field Office 2  
Dave Clearly, Terracon, 3105 Capital Way Suite 5, Cedar Falls, IA 50613  
Troy Batzel, Kwik Trip Inc., 1626 Oak St., PO Box 2107, LaCrosse, WI 54602

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