



August 21, 2017

BRAD RANDOLPH
811 AVENUE E
FORT MADISON IA 52627

CON 12-15
DOC# 33430

Dear Sir or Madam:

As you are aware, the Fort Madison Landfill site located in Lee County, Iowa, has been included on the Iowa Registry of Hazardous Waste or Hazardous Substance Disposal Sites since 1989. The Registry was authorized by the Iowa Legislature at IC § 455B.427. That same section was amended to restrict the addition of any additional sites to the Registry after July 1, 2011. As such, the current Registry is outdated and of little practical value to the public.

Sites on the Registry may be removed from the Registry upon execution of an environmental covenant developed pursuant to the provisions of IC § 455I that addresses the contaminated portions of the listed property. DNR is reaching out to all parties responsible for sites on the Registry to request that they develop and implement an environmental covenant that addresses site contamination at listed sites. Model "fill-in-the-blanks" environmental covenants, along with instructions for covenant approval and submission, have been developed by DNR. These documents are available at the following website:

<http://www.iowadnr.gov/Environmental-Protection/Land-Quality/Underground-Storage-Tanks/Leaking-Underground-Tanks/Environmental-Covenant>.

DNR is authorized to request that the Iowa Legislature rescind 455B.427, and other related sections, when no sites remain on the Registry. If the remaining sites on the Registry implement environmental covenants, DNR will seek such rescission. At this point, the Registry serves no useful purpose, since any party can find information about any contaminated site on DNR's contaminated sites' online database.

If you are interested in pursuing this option so the site can be removed from the Registry, please contact Matt Culp at 515-725-8337 or matt.culp@iowadnr.gov. Additionally, if you are uninterested in pursuing this option, we would appreciate knowing this fact, as well. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Amie Davidson". The ink is dark and the signature is fluid.

Amie Davidson, P.E.
Environmental Program Supervisor
Land Quality Bureau