



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

11201 Renner Boulevard  
Lenexa, Kansas 66219

Mr. Rob McDonald  
President and CEO  
A.Y. McDonald Industries, Inc.  
1001 East 12th Street  
Dubuque, Iowa 52001  
Sent electronically to: **RMcDonald@aymcdonald.com**

And

Mr. Jon Dienst, P.E.  
City of Dubuque  
City Hall, 50 W. 13<sup>th</sup> Street  
Dubuque, Iowa 52001

RE: Approval of request for Temporary Deviation of the Environmental Covenant- September 2022  
A.Y. McDonald Mfg. Co. Site  
1001 East 12<sup>th</sup> Street  
Dubuque, Iowa

Dear Mr. Rob McDonald and Mr. Jon Dienst:

The U.S. Environmental Protection Agency has reviewed your letter dated August 11, 2022, providing advance notification of construction around A.Y. McDonald Property and request for the deviation of the Environmental Covenant on the northeast corner of A. Y. McDonalds property. Based on the review of the letter, it is EPA's understanding that the temporary deviation of the covenant is being requested on the northeast corner of the A.Y. McDonald property for the purpose of a staging area for the construction of the Bee Branch Trail. This notification was provided in accordance with activity and use limitations stipulated in Section 7b of the Environmental Covenant recorded for the property in 2018.

Within this letter, the EPA provides its consent of the proposed activities conditioned upon the following: 1) ensuring worker health and safety, 2) proper handling and management of contaminated excavated materials including any contaminated soils or groundwater, and 3) ensuring that the integrity of the engineered barriers and security fencing is maintained upon completion of excavation activities in accordance with the EPA-approved Environmental Covenant.



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When available, no later than 10 days prior to, please provide written notification of the start date of actual construction activities. If you have any questions concerning this matter, please contact me at (913) 551-7559 or by email at [norris.lauren@epa.gov](mailto:norris.lauren@epa.gov).

Sincerely,

Lauren Norris  
Project Manager  
RCRA Oversight, Authorization, Grants  
& PCB Branch  
Land, Chemical & Redevelopment Division

cc: Matt Culp, IDNR