

Meika Vogel
Vice-President, General Counsel
Diamond Vogel, Inc.
1110 Albany Place Southeast
Orange City, Iowa 51041
Email: meika.vogel@diamondvogel.com

December 14, 2021

Sent by Electronic Mail

Director Kayla Lyon
Iowa Department of Natural Resources
502 East Ninth Street – 4th Floor
Des Moines, Iowa 50319
Email: kayla.lyon@dnr.iowa.gov

Re: Vogel Paint & Wax Co. Site, Maurice, Iowa (EPA ID No. IAD980630487) – Request for Approval of the Impending Change of Ownership

Dear Director Lyon:

I am writing regarding the Vogel Paint & Wax Co. (“VPW”) site located in Maurice, Iowa. Ownership of the site will transfer to Diamond Vogel, Inc., at approximately 11:59 pm on December 31, 2021, as part of a corporate realignment. Pursuant to Iowa Code section 455B.430, the company is requesting your approval of this change of ownership for purposes of maintaining compliance with the Iowa Registry of Hazardous Waste Disposal Sites (“the Registry”).

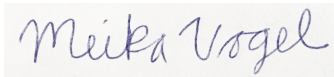
The site is currently owned by Vogel Paint & Wax Company, Incorporated, an Iowa corporation. VPW is currently a wholly owned subsidiary of Vogel Paint, Inc. (“VPI”), which is also an Iowa corporation. VPI is a holding company that 100% owns the operating subsidiary companies that comprise the Diamond Vogel businesses. The realignment will merge the entire VPW entity (including all assets and all liabilities) into VPI, along with all of the other wholly owned subsidiaries, resulting in one legal entity that will own all of the combined assets and liabilities. VPI’s name will be changing to Diamond Vogel, Inc. to be consistent with corporate branding. The current legal structure is a collection of entities that came about through various acquisitions over the years that do not line up well with the current business structure. So, the purpose of the consolidation is to simplify the legal structure in a way that allows management of the Diamond Vogel business according to its actual business units, in terms of financial reporting, contracts, business registrations, etc., rather than based on historical legal entity silos.

Region 7 of the United States Environmental Protection Agency (“USEPA”) is aware of the impending change of ownership. On July 7, 2021, the agency stated by letter that it had no objections to the contemplated change. (See Attachment A.)

The change in ownership will not affect use of the site. Nor will it affect day-to-day operations or the company's ability to fulfill its obligations under Consent Order No. 2003-HC-02. Accordingly, I am requesting your approval of this transfer on behalf of the Iowa Department of Natural Resources for purposes of maintaining compliance with the Registry.

Thanks in advance for your time and attention to this request. Please contact me if you have any questions or require additional information. Otherwise, I look forward to receiving your response.

Best regards,



Meika Vogel

Enclosure

cc: Mike Sullivan, IDNR
Hylton Jackson, IDNR