

June 3, 2024

DESSIE REDMOND
CITY OF COUNCIL BLUFFS
209 PEARL STREET
COUNCIL BLUFFS IA 51503

**RE: Katelman Steel Fabrication at 230 South 11th Street, Council Bluffs, Iowa
Contaminated Sites ID: 716
No Further Action Certificate**

Dear Ms. Redmond:

Attached is the signed and notarized Iowa Land Recycling Program No Further Action (NFA) Certificate for the former Katelman Steel Fabrication site located at 230 South 11th Street, Council Bluffs, Iowa. Because the site is subject to an institutional control, IAC 567 137.11(3) requires the certificate to be recorded with the Pottawattamie County Recorder, and then a copy returned to the Iowa Department of Natural Resources (Iowa DNR) for our records. Upon receipt of a copy of the recorded NFA certificate, the site can be listed as 'closed' on the Iowa DNR Contaminated Sites online database.

Please mail the file-stamped recorded copy to:

Andrew Carver
Iowa DNR – Contaminated Sites Section
6200 Park Ave, Ste 200
Des Moines, IA 50321

If you have any questions or need further information please contact me at (515) 721-7024 or andrew.carver@dnr.iowa.gov.

Sincerely,



Digitally signed by
Andrew Carver
Date: 2024.06.03 14:33:55
-05'00'

Andrew Carver, CGP
Environmental Specialist
Land Quality Bureau

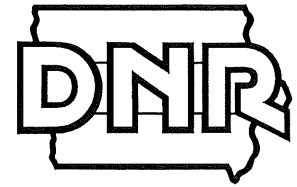
Enclosure: NFA Certificate

Cc: Iowa DNR Field Office #4
Atlantic, IA

Mike Sullivan
Iowa DNR
6200 Park Ave, Ste 200
Des Moines, IA 50321



IOWA DEPARTMENT OF NATURAL RESOURCES
LAND RECYCLING PROGRAM



NO FURTHER ACTION CERTIFICATE

For the
Katelman Steel Fabrication Site
230 South 11th Street
Council Bluffs, Pottawattamie County, Iowa

This document certifies that all or a portion of the property described herein has satisfied regulatory standards qualifying the area for a No Further Action classification under Iowa's Land Recycling Program (LRP) in accordance with the administrative rules contained in chapter 567 Iowa Administrative Code (IAC) 137. A No Further Action classification generally means that voluntary participants in the LRP have identified and assessed certain contaminants of concern and sufficiently addressed those contaminants such that the risk to human health, safety and the environment from those contaminants is deemed acceptable according to standards adopted by the Iowa Department of Natural Resources.

Pursuant to Iowa Code Chapter 455H.304, a classification of No Further Action relieves protected parties from certain future environmental liabilities due to environmental claims resulting from the presence of hazardous substances at, or the future release of hazardous substances from, all or a portion of the property. The scope of the liability protection generally corresponds to the scope of the environmental condition(s) that qualifies for the No Further Action classification.

The legal description of the enrolled property is provided in **Exhibit A**. An aerial view of the enrolled property is provided in **Figure 1**. This No Further Action classification applies to the areas within the enrolled property defined as Affected Areas. **Exhibit B** includes a brief narrative summary of the activities undertaken on the enrolled property and the regulatory process that has resulted in this No Further Action classification. Finally, **Exhibit C** contains a list of the contaminants of concern that were identified during site assessment activities. The No Further Action classification applies only to the contaminants of concern listed in Exhibit C.

AFFECTED AREAS:

The Affected Areas exist within the parcel legally described in **Exhibit A** and are delineated in **Figure 1**.

ENROLLED PROPERTY OWNER:

City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

LRP ENROLLED PARTICIPANT:

City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

DNR FILE REFERENCE:

Site ID: 716

CONDITIONAL NO FURTHER ACTION CLASSIFICATION:

The no further action classification and the attendant liability protections for the Affected Areas provided by this No Further Action certificate are subject to the maintenance and continued effectiveness of the institutional controls as explained below. It is important to note that Iowa Code section 455H.301 authorizes rescission of the liability

protections for protected parties and re-opening of this matter should the enrolled participant fail to comply with the institutional controls obligations herein.

INSTITUTIONAL CONTROLS:

An Environmental Covenant (EC) has been established for the property which has the following requirements:

- The property shall not be used for purposes described in the definition of a "residential land use area" without additional cleanup activities. Residential land-use area is defined in 567 IAC 137.2 as "an area zoned for residential use or an area where residential use currently exists, is planned, or is not otherwise precluded. In addition, a residential land use area includes other areas where frequent, long-term, close contact with soils is likely to occur (e.g. playgrounds, sports fields, gardens, childcare facilities).".
- In the event of a change in land use or transfer of the property, the property owner shall notify IDNR of the change in land use and transfer of property within thirty days of such event.

PUBLIC NOTICE:

IN ACCORDANCE WITH IOWA CODE CHAPTER 455H AND IOWA DEPARTMENT OF NATURAL RESOURCES ADMINISTRATIVE RULES, PARTICIPANTS IN THE LAND RECYCLING PROGRAM MAY NOT HAVE BEEN REQUIRED TO IDENTIFY AND ADDRESS ALL KNOWN OR SUSPECTED RELEASES OF CONTAMINANTS IN ORDER TO QUALIFY FOR A NO FURTHER ACTION CLASSIFICATION. FOR THE AFFECTED AREA IDENTIFIED IN THIS CERTIFICATE OR THE REAL ESTATE AFFECTED BY THIS RECORDED DOCUMENT, INTERESTED PARTIES MAY CONTACT THE DEPARTMENT TO OBTAIN FURTHER INFORMATION.

This certificate does not constitute a warranty or a representation of any kind to any person as to the environmental condition, marketability or value of the above referenced property other than providing the certification required by Iowa Code section 455H.301 *et seq.* Interested parties should not rely solely on the representations contained in this certificate and should contact the Iowa Department of Natural Resources to obtain more information on the environmental conditions assessed within the Affected Areas and any potential environmental concerns not specifically addressed or associated with areas outside the Affected Areas.




KAYLA LYON, DIRECTOR
IOWA DEPARTMENT OF NATURAL RESOURCES

STATE OF IOWA)
)§:
COUNTY OF POLK)

Signed or attested before me on this 31st day of May, 2024, by Jennifer Miller

My Commission Expires May 17, 2025 NOTARY PUBLIC, STATE OF IOWA

JM 5/31/24

Jennifer Miller

