



8951 Windsor Parkway
Johnston, IA 50131
515.473.6256 • info@impact7g.com
www.impact7g.com

May 24, 2024

Shelly Nellesen
Environmental Specialist Senior
Iowa Department of Natural Resources

Subject: Project Summary Letter/Final Report - Former Flexsteel Facility, Iowa - Proposal for No Further Action Status, Land Recycling Program

Dear Ms. Nellesen,

The subject Site is a 43-acre property owned by Flexsteel and is located at 3400 Jackson Street in Dubuque, Dubuque County, Iowa (Site). The Site consists of six parcels identified as Dubuque County Assessor Numbers 1011426002, 101142603, 1011426004, 1011427004, 1013101001, and 1014230001. The Site was developed with a 715,000-square foot building and associated outbuildings that were formerly used for manufacturing furniture for residential, commercial, recreational vehicle, and marine applications. Previous uses of the Site include a railyard, manufacturing facilities, auto supply storage, and a sawmill.

Flexsteel vacated the Site in 2019 and all but two of the buildings have been demolished. The largest structure was split into "Buildings" that are identified as Buildings 1 through 17, 21, 21A, 21B, 21C, and 22 through 26 internally by Flexsteel. These "Buildings" were areas inside the main structure and not discrete buildings. The outbuildings were identified as Building 27A, Building 41, and Building 42. Building 27A was referred to as a storage building, Building 41 was identified as a former showroom/storage building, and Building 42 was identified as the Fleet Maintenance building. Buildings 41 and 42 are the only buildings that remain and have not been demolished.

Prior environmental studies on the Site identified different investigation areas based on historical uses. These areas were used to design and execute sampling and risk analysis activities. The areas include the Fill Area; Sawmill Area, Truck Maintenance Area; Former Machine Shop, Heating Oil and Lacquer Spill Area; Cistern; Lacquer Spraying Area; Former Machining Building; former USTs; Former Railroad; Stained Concrete; and Crawl Space. A Site Assessment Report dated December 15, 2020 was completed by Blackstone Environmental (Blackstone) that documented investigation activities at the Site. Soil, groundwater, surface water, and sediment samples were collected at the Site in 2019. The site assessment identified waste oil, volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs), lead, cadmium, and arsenic at concentrations above their respective Iowa Statewide Standards (SWS) in soil and groundwater.

A Risk Evaluation/Response Action (RE/RA) dated January 26, 2023 was completed by Blackstone that provided an evaluation of contaminant concentrations detected on the Site exceeding the SWS. The evaluation of cumulative risks at the Site was conducted using the cumulative risk calculator on the IDNR Contaminated Sites Section website. The cumulative risk calculator assesses risk to potentially exposed parties, based on three standard exposure scenarios, from multiple contaminants and multiple media. For the site worker and construction worker scenario in soil ranging from 0 to 2 feet below ground surface (bgs), the cancer risks were acceptable without a response action. The non-cancer risk for site worker and construction workers, primarily driven by lead concentrations, was deemed unacceptable in the Heating Oil and Lacquer Spill Area without a response action.

Blackstone conducted quarterly groundwater monitoring activities at four wells on the Site from April 2022 through February 2023 as detailed in the Groundwater Monitoring Report dated April 14, 2023. Activities included well development, conductivity testing, and groundwater sampling. Each well was analyzed for different parameters. Concentrations of constituents above the SWS for non-protected groundwater source were identified in one well, LS-1. The samples collected from LS-1 were analyzed for VOCs, Iowa OA2, cadmium, chromium, and barium. Concentrations 1,2,4-trimethylbenzene were detected above the SWS for non-protected groundwater source in the second quarter. Benzene was detected at concentrations above the SWS for non-protected groundwater source in each of the four quarters. The concentrations ranged from 1.42 milligrams per Liter (mg/L) to 4.36 mg/L. Based on the statistical analysis conducted on the data, trending data was not identified, indicating the benzene concentrations at the Site are steady. The samples collected from wells TM-1, RR-1, and RR-10 indicated concentrations of various constituents below laboratory detection limits or below the SWS for non-protected groundwater source.

On August 15, 2023, the IDNR issued a letter accepting the April 14, 2023, Groundwater Monitoring Report recommending the cessation of groundwater monitoring, abandonment of groundwater monitoring wells, and the implementation of an environmental covenant on to document the known impacts to groundwater in pursuit of a No Further Action status. This letter also approved the July 19, 2023, Blackstone Soil Excavation Workplan.

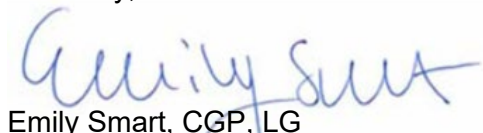
Per the approved plan, 756.55 tons (approximately 550 cubic yards) of lead-contaminated soil was hauled to and disposed of at the Dubuque Metropolitan Area Solid Waste Agency as documented in the October 3, 2023 Blackstone Cleanup Report for Soil Excavation. Clean fill material was brought to the Site to replace the excavated material. The fill material was graded to match existing surfaces and to restore overland flow to pre-excavation conditions.

On April 9, 2024, the IDNR notified Flexsteel that the public notice period for the Flexsteel site cleanup had ended with no comments received. On April 23, 2024, Impact7G abandoned groundwater monitoring wells TM-1, RR-1, RR-10, and LS-1, and a fifth, unidentified groundwater monitoring well was discovered and also abandoned. Well plugging records are included as Attachment A.

Flexsteel, in conjunction with IDNR staff, prepared an Environmental Covenant (EC) which stipulates activity and land use limitations (AULs) on the Site. The EC was approved by the IDNR and was recorded in Dubuque County on May 14, 2024. The EC describes the location of residual soil and groundwater contamination, prohibits the use of groundwater, prohibits use of the site for residential purposes, and requires that future structures incorporate vapor barriers. Finally, disturbance of soil deeper than two feet below the ground surface requires the implementation of an IDNR-approved soil management plan. The recorded EC is included as Attachment B.

Please call (319.331.1577) or email (esmart@impact7g.com) with any questions regarding this request for site closure of this Site.

Sincerely, _____



Emily Smart, CGP, LG
Senior Project Manager
Impact7G, Inc.

Attachments: _____

A - Well Plugging Records

B - Recorded Environmental Covenant



8951 Windsor Parkway
Johnston, IA 50131
515.473.6256 • info@impact7g.com
www.impact7g.com

Attachment A - Well Plugging Records

IOWA DEPARTMENT OF NATURAL RESOURCES

Abandoned Water Well Plugging Record

1. Owner:

Name: Flexsteel Industries Phone: (866) 275-7680

Address: 5 Bell St

City: Dubuque State: IA Zip: 52001

If this was a Public Water Supply Well, please provide:

PWSID Name: _____ PWSID Number: _____

2. Location of Well (Cistern):

_____ ¼ of, _____ ¼ of, _____ ¼ of, Section _____, T _____ N, R _____ ☐ East ☐ West

County: _____ Describe well location on property: _____

GPS Well Location: Latitude: _____ Longitude: _____

3. Well Description:

Well depth: 20'1 ft

Depth to water 3'5 ft.

Casing depth: 20'1 ft. Casing Material: ☐ Steel ☒ Plastic ☐ Concrete ☐ Clay ☐ Brick ☐ Stone

Casing diameter: 2 in.

Year or decade constructed: _____ Type of Construction: ☒ Drilled ☐ Driven ☐ Bored ☐ Augured ☐ Dug

Is this a Monitoring Well? ☒ Yes ☐ No Well ID: LS-1

Check if Cistern ☐ Depth: _____ ft. Diameter: _____ ft.

I certify this well has been plugged as required by rule 567-39.8 of the Iowa Administrative Code (IAC). I agree to provide any additional information the county or department may need concerning this well.

Signature of Owner _____ **Date Plugged:** _____

If plugged by certified well contractor, complete this box:

I have plugged this well as required by rule 567-39.8 of the Iowa Administrative Code (IAC).

Signature of Contractor:  Cert No: 13768

OR, If plugged by well owner, complete this box:

The property owner has plugged this well following requirements in rule 567-39.8 of the Iowa Administrative Code (IAC) with the oversight and assistance of the designated county agent.

Signature of County Agent: _____ Date Approved: _____

Eligible for Grants-to-Counties cost share: ☐ Yes ☐ No (Determined by County Agent)

Complete one form for each well plugged and submit within 30 days to the local county agent:

OR, only if no county agent is available, to:

Water Supply Section
Iowa Department of Natural Resources
502 E 9th St
Des Moines IA 50319-0034



IOWA DEPARTMENT OF NATURAL RESOURCES
**Abandoned Water Well
Plugging Record**

1. Owner:

Name: Flexsteel Industries Phone: (866) 275-7680
Address: 5 Bell St
City: Dubuque State: IA Zip: 52001

If this was a Public Water Supply Well, please provide:

PWSID Name: _____ PWSID Number: _____

2. Location of Well (Cistern):

_____ ¼ of, _____ ¼ of, _____ ¼ of, Section _____, T _____ N, R _____ ☐ East ☐ West
County: _____ Describe well location on property: _____
GPS Well Location: Latitude: _____ Longitude: _____

3. Well Description:

Well depth: 19'9 ft.
Depth to water: 6'1 ft.
Casing depth: 19'9 ft. Casing Material: ☐ Steel ☒ Plastic ☐ Concrete ☐ Clay ☐ Brick ☐ Stone
Casing diameter: 2 in.
Year or decade constructed: _____ Type of Construction: ☒ Drilled ☐ Driven ☐ Bored ☐ Augured ☐ Dug
Is this a Monitoring Well? ☒ Yes ☐ No Well ID: RB-1
Check if Cistern ☐ Depth: _____ ft. Diameter: _____ ft.

I certify this well has been plugged as required by rule 567-39.8 of the Iowa Administrative Code (IAC). I agree to provide any additional information the county or department may need concerning this well.

Signature of Owner _____ Date Plugged: _____

If plugged by certified well contractor, complete this box:

I have plugged this well as required by rule 567-39.8 of the Iowa Administrative Code (IAC).

Signature of Contractor:  _____ Cert No: 13768

OR, If plugged by well owner, complete this box:

The property owner has plugged this well following requirements in rule 567-39.8 of the Iowa Administrative Code (IAC) with the oversight and assistance of the designated county agent.

Signature of County Agent: _____ Date Approved: _____

Eligible for Grants-to-Counties cost share: ☐ Yes ☐ No (Determined by County Agent)

Complete one form for each well plugged and submit within 30 days to the local county agent:

OR, only if no county agent is available, to:

	Water Supply Section Iowa Department of Natural Resources 502 E 9th St Des Moines IA 50319-0034
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IOWA DEPARTMENT OF NATURAL RESOURCES
**Abandoned Water Well
Plugging Record**

1. Owner:

Name: Flexsteel Industries Phone: (866) 275-7680
Address: 5 Bell St
City: Dubuque State: IA Zip: 52001

If this was a Public Water Supply Well, please provide:

PWSID Name: _____ PWSID Number: _____

2. Location of Well (Cistern):

_____ ¼ of, _____ ¼ of, _____ ¼ of, Section _____, T _____ N, R _____ ☐ East ☐ West
County: _____ Describe well location on property: _____
GPS Well Location: Latitude: _____ Longitude: _____

3. Well Description:

Well depth: 20'2 ft.
Depth to water: 12,2 ft.
Casing depth: 20'2 ft. Casing Material: ☐ Steel ☒ Plastic ☐ Concrete ☐ Clay ☐ Brick ☐ Stone
Casing diameter: 2 in.
Year or decade constructed: _____ Type of Construction: ☒ Drilled ☐ Driven ☐ Bored ☐ Augured ☐ Dug
Is this a Monitoring Well? ☒ Yes ☐ No Well ID: RR-10
Check if Cistern ☐ Depth: _____ ft. Diameter: _____ ft.

I certify this well has been plugged as required by rule 567-39.8 of the Iowa Administrative Code (IAC). I agree to provide any additional information the county or department may need concerning this well.

Signature of Owner _____ Date Plugged: _____

If plugged by certified well contractor, complete this box:

I have plugged this well as required by rule 567-39.8 of the Iowa Administrative Code (IAC).

Signature of Contractor:  Cert No: 13768

OR, If plugged by well owner, complete this box:

The property owner has plugged this well following requirements in rule 567-39.8 of the Iowa Administrative Code (IAC) with the oversight and assistance of the designated county agent.

Signature of County Agent: _____ Date Approved: _____

Eligible for Grants-to-Counties cost share: ☐ Yes ☐ No (Determined by County Agent)

Complete one form for each well plugged and submit within 30 days to the local county agent:

OR, only if no county agent is available, to:

	Water Supply Section Iowa Department of Natural Resources 502 E 9 th St Des Moines IA 50319-0034
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IOWA DEPARTMENT OF NATURAL RESOURCES
**Abandoned Water Well
Plugging Record**

1. Owner:

Name: Flexsteel Industries Phone: (866) 275-7680
Address: 5 Bell St
City: Dubuque State: IA Zip: 52001

If this was a Public Water Supply Well, please provide:

PWSID Name: _____ PWSID Number: _____

2. Location of Well (Cistern):

_____ ¼ of, _____ ¼ of, _____ ¼ of, Section _____, T _____ N, R _____ ☐ East ☐ West
County: _____ Describe well location on property: _____
GPS Well Location: Latitude: _____ Longitude: _____

3. Well Description:

Well depth: 23'9 ft.
Depth to water: 11'3 ft.
Casing depth: 23'9 ft. Casing Material: ☐ Steel ☒ Plastic ☐ Concrete ☐ Clay ☐ Brick ☐ Stone
Casing diameter: 2 in.
Year or decade constructed: _____ Type of Construction: ☒ Drilled ☐ Driven ☐ Bored ☐ Augured ☐ Dug
Is this a Monitoring Well? ☒ Yes ☐ No Well ID: _____
Check if Cistern ☐ Depth: _____ ft. Diameter: _____ ft.

I certify this well has been plugged as required by rule 567-39.8 of the Iowa Administrative Code (IAC). I agree to provide any additional information the county or department may need concerning this well.

Signature of Owner _____ Date Plugged: _____

If plugged by certified well contractor, complete this box:

I have plugged this well as required by rule 567-39.8 of the Iowa Administrative Code (IAC).

Signature of Contractor:  _____ Cert No: 13768

OR, If plugged by well owner, complete this box:

The property owner has plugged this well following requirements in rule 567-39.8 of the Iowa Administrative Code (IAC) with the oversight and assistance of the designated county agent.

Signature of County Agent: _____ Date Approved: _____

Eligible for Grants-to-Counties cost share: ☐ Yes ☐ No (Determined by County Agent)

Complete one form for each well plugged and submit within 30 days to the local county agent:

OR, only if no county agent is available, to:

	Water Supply Section Iowa Department of Natural Resources 502 E 9th St Des Moines IA 50319-0034
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IOWA DEPARTMENT OF NATURAL RESOURCES
**Abandoned Water Well
Plugging Record**

1. Owner:

Name: Flexsteel Industries Phone: (866) 275-7680
Address: 5 Bell St
City: Dubuque State: IA Zip: 52001

If this was a Public Water Supply Well, please provide:

PWSID Name: _____ PWSID Number: _____

2. Location of Well (Cistern):

_____ ¼ of, _____ ¼ of, _____ ¼ of, Section _____, T _____ N, R _____ ☐ East ☐ West
County: _____ Describe well location on property: _____
GPS Well Location: Latitude: _____ Longitude: _____

3. Well Description:

Well depth: 19'8 ft.
Depth to water: 5'7 ft.
Casing depth: 19'8 ft. Casing Material: ☐ Steel ☒ Plastic ☐ Concrete ☐ Clay ☐ Brick ☐ Stone
Casing diameter: 2 in.
Year or decade constructed: _____ Type of Construction: ☒ Drilled ☐ Driven ☐ Bored ☐ Augured ☐ Dug
Is this a Monitoring Well? ☒ Yes ☐ No Well ID: TM-1
Check if Cistern ☐ Depth: _____ ft. Diameter: _____ ft.

I certify this well has been plugged as required by rule 567-39.8 of the Iowa Administrative Code (IAC). I agree to provide any additional information the county or department may need concerning this well.

Signature of Owner _____ Date Plugged: _____

If plugged by certified well contractor, complete this box:

I have plugged this well as required by rule 567-39.8 of the Iowa Administrative Code (IAC).

Signature of Contractor: _____ Cert No: 13768

OR, If plugged by well owner, complete this box:

The property owner has plugged this well following requirements in rule 567-39.8 of the Iowa Administrative Code (IAC) with the oversight and assistance of the designated county agent.

Signature of County Agent: _____ Date Approved: _____

Eligible for Grants-to-Counties cost share: ☐ Yes ☐ No (Determined by County Agent)

Complete one form for each well plugged and submit within 30 days to the local county agent:

OR, only if no county agent is available, to:

	Water Supply Section Iowa Department of Natural Resources 502 E 9 th St Des Moines IA 50319-0034
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Attachment B - Recorded Environmental Covenant

Number: 202400004138
Recorded: 5/14/2024 at 12:46:41.0 PM
County Recording Fee: \$47.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$50.00
Revenue Tax:
Karol Kennedy, RECORDER
Dubuque County, Iowa

IOWA LAND RECYCLING PROGRAM ENVIRONMENTAL COVENANT

Recorder's Cover Sheet

Preparer Information: David L. Ginger
Belin McCormick, P.C.
666 Walnut Street, Suite 2000
Des Moines, Iowa 50309-3989
(515) 283-4668

Taxpayer Information: N/A

Return Document To: Preparer

Grantor: Flexsteel Industries, Inc.

Grantee: Iowa Department of Natural Resources

Legal Description: See Page 2

Document or instrument number of previously recorded documents: N/A

NOTE: this cover page is prepared in compliance with Iowa Code section 331.606b. This cover page is provided for information purposes only.

IOWA LAND RECYCLING PROGRAM ENVIRONMENTAL COVENANT

This environmental covenant is established pursuant to Iowa Code (IC) 455I entitled Uniform Environmental Covenants Act.

Flexsteel Industries, Inc., hereafter "grantor(s)," hereafter "holder(s)," and the Iowa Department of Natural Resources (Department) in its capacity as an agency of the State of Iowa, enter into this environmental covenant for the purpose of subjecting the property described below to certain activity and use limitations in accordance with the terms and conditions as specified herein pursuant to the authority granted the Department in IC §§ 455B.103(7) and 455H.206 and Department rules in chapter 567 Iowa Administrative Code (IAC) 137.

1. **Affected Property.** The grantor identified below is the fee title owner of the property located at 3400 Jackson Street, Dubuque, Iowa. The property is visually depicted in Exhibit A and legally described as:

Lot 1 of Great Western Subdivision No. 2

AND

Lot 2 of Great Western Subdivision No. 3 in the City of Dubuque, Iowa,
according to the recorded Plats thereof

AND

Lot 2 of Great Western Subdivision No. 2

AND

Lot 1 of Great Western Subdivision No. 4, all in the City of Dubuque, Iowa,
according to the respective recorded Plats thereof

AND

Lot 2 of Great Western Subdivision No. 1, in the City of Dubuque, Iowa,
according to the recorded Plat thereof.

Hereinafter, the affected property will be referred to as "the property."

2. **Land Recycling Program Risk Management.** The property subject to this covenant is enrolled in the Department's Land Recycling Program (LRP) established in IC chapter 455H and administered under Department rules in chapter 567 IAC 137.

Under the LRP, the environmental response project as defined in IC § 455I.2(5) has consisted of a soil and groundwater investigation and risk assessment of an affected area which includes this property. This response action has been undertaken by Blackstone Environmental, Inc. Soil and/or groundwater contamination has been identified on the property. The Department has

approved a response action plan which includes the use of this environmental covenant as one method for managing the risk of future exposure to this contamination.

Relevant assessment and corrective action documentation and agency final approvals are located on LRP Contaminated Sites database by searching for site identification number 1698.

3. **Institutional Controls.** IC § 455H.206 and Department rules in chapter 567 IAC 137 authorize the use of an environmental covenant as an institutional control. The purpose of this environmental covenant is to manage the risk of future exposure to existing contaminant conditions by limiting specified land use activities at this property, establishing affirmative obligations and enforcing the terms of this covenant.

4. **Reopening.** The signatories to this covenant acknowledge that failure of the activity and use limitations enumerated in section eight (8) to serve their intended purpose of preventing the risk of exposure to contaminant conditions could result in the Department reopening review and regulation of the property as provided under the terms of this environmental covenant, IC chapters 455H and 455I, and applicable Department administrative rules.

5. **Identity of Grantor(s) and Holder(s):**

GRANTOR(S): Flexsteel Industries, Inc.

HOLDER(S): Flexsteel Industries, Inc.

AGENCY: Iowa Department of Natural Resources

6. **Representations and Warranties.** The grantor warrants to the other signatories to this covenant the following:

- a. that the grantor is the sole fee title owner of the property;
- b. that the grantor holds sufficient fee title to the property to grant the rights and interests described in this covenant free of any conflicting legal and equitable claims.

7. **Running with the Land.** This environmental covenant is perpetual and runs with the land as provided in IC § 455I.9 until modified or terminated. The terms of this environmental covenant are binding on the grantors and all successors in interest, assigns and all transferees acquiring or owning any right, title, lien or interest in the property and their heirs, successors, assigns, grantees, executors, administrators and devisees. The term "transferee," as used in this environmental covenant, shall mean any future owner of any interest in the property or any portion thereof, including, but not limited to, owners of an interest in fee simple, contract buyers, mortgagees, easement holders and/or lessees.

8. **Activity and Use Limitations and Terms.** The property is subject to the following use limitations and terms: Groundwater well installation and use is prohibited. Residential use is prohibited. If soil disturbance below a depth of two feet from the ground surface is necessary, a

soil management plan must be submitted to and approved by the Department and subsequently implemented. Future structures must incorporate vapor barriers.

9. **Notice of Non-Compliance.** Any property owner or subsequent transferee of an interest in the property shall notify the Department as soon as possible of conditions which would constitute a breach of the activity and use limitations in paragraph eight (8) if they have actual knowledge of these conditions or would reasonably be deemed to have knowledge within the normal course of administration of their property interest.

10. **Notice to Lessees.** Grantor(s), any holder(s) with a property interest sufficient to grant a lease of the property, and any subsequent transferee shall incorporate the activity and use limitations of this covenant either in full or by reference to this instrument in any lease, license, or other instrument granting a right to possession of the property.

11. **Access to Property.** Reasonable access to the property is granted the Department or any authorized representative of the Department, public or private, for the purpose of implementation, monitoring and enforcement of the terms of this environmental covenant. The Department, its authorized representatives, or other persons entitled to access shall provide the current owner of the property with reasonable notice, an explanation of the reasons for entry and the scope of onsite activities prior to access. Right of access includes, but is not limited to, the following activities:

- a. repair and maintenance of remedial action equipment, soil caps, groundwater monitoring wells and associated aboveground or subsurface structures
- b. fencing and other technological controls
- c. groundwater sampling and monitoring
- d. additional drilling
- e. construction of soil boring and/or groundwater monitoring wells
- f. other activities authorized or otherwise directed by the Department.

12. **Groundwater Hazard Statement Notice.** IC § 558.69 requires submission of a groundwater hazard statement and disclosure if “hazardous waste” exists on the property as defined in IC § 455B.411(3) or if the Department determines that solid waste exists on the property that is potentially hazardous. If hazardous waste is present, the groundwater hazard statement must state that the condition is being managed in accordance with Department rules. The signatories and all subsequent transferees required to submit a groundwater hazard statement under IC § 558.69 shall make reference to this environmental covenant in substantially the following form:

THE INTEREST CONVEYED IS SUBJECT TO
AN ENVIRONMENTAL COVENANT, DATED [date
month, day, year] RECORDED IN THE DEED OR
OFFICIAL RECORDS OF THE [name of county]
COUNTY RECORDER ON [date month, day, year] IN
[document, book and page, or parcel number].

THE ENVIRONMENTAL COVENANT CONTAINS THE FOLLOWING ACTIVITY AND USE LIMITATIONS:

Groundwater well installation and use is prohibited. Residential use is prohibited. If soil disturbance below a depth of two feet from the ground surface is necessary, a soil management plan must be submitted to and approved by the Department and subsequently implemented. Future structures must incorporate vapor barriers.

13. **Modification and Termination.** Modification or termination of the terms of this covenant shall comply with the standards in IC chapter 455H.206 and applicable Department administrative rules. The terms of this environmental covenant may be modified or terminated by written consent of the Director of the Department, the then current fee simple title owner and all original signatories (unless exempted under the provisions of IC § 455I.10(1)“c” in accordance with and subject to the provisions of IC § 455I.10). The termination or modification is not effective until the document evidencing consent of all necessary persons is properly recorded. If not by consent, any modification or termination of this environmental covenant shall be in accordance with IC § 455I.9 and such additional terms as specified in this covenant.

14. **Enforcement.** The terms of this environmental covenant may be enforced in a civil action for injunctive or other equitable relief by the signatories and those persons authorized by and in accordance with IC § 455I.11.

15. **Severability.** If any provision of this environmental covenant is found to be unenforceable in any respect, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

16. **Governing Law.** This environmental covenant shall be governed by and interpreted in accordance with the laws of the State of Iowa.

17. **Recordation.** Within thirty (30) days after Department approval of this environmental covenant, the grantor shall record the environmental covenant in the same manner as a deed to the property with the Dubuque County Recorder’s Office.

18. **Effective Date.** The effective date of this environmental covenant shall be the date upon which the fully executed environmental covenant has been properly recorded with the Dubuque County Recorder’s Office.

19. **Notice.** Unless otherwise notified in writing by the Department, any document or communication required by this environmental covenant shall be submitted to:

Iowa Department of Natural Resources
Land Recycling Program
Wallace State Office Building
502 E 9th Street
Des Moines, IA 50319

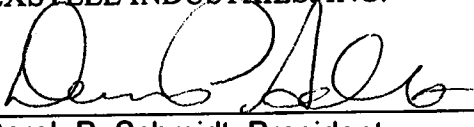
20. **Subordination and Consent.** By signing this environmental covenant, the signatories knowingly and intelligently acknowledge their consent to the terms of this agreement and agree to subordinate their interest in the property. The following persons have expressly consented and subordinated interests:

ACKNOWLEDGMENTS

GRANTOR

FLEXSTEEL INDUSTRIES, INC.

Signed this 13 day of MAY, 2024.

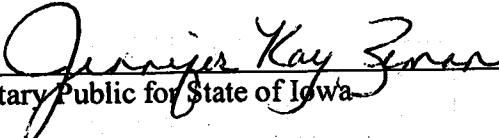
By 

Derek P. Schmidt, President

State of Iowa)

County of Dubuque) ss.

On this 13 day of May, 2024 before me personally appeared Derek P. Schmidt, known to me to be the President of Flexsteel Industries, Inc. or the lawful designee of Flexsteel Industries, Inc. who executed the foregoing instrument, and acknowledge that this person executed the same as his/her/their voluntary act and deed.

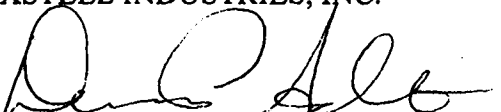

Notary Public for State of Iowa



HOLDER:


FLEXSTEEL INDUSTRIES, INC.

Signed this 13 day of MAY, 2024.

By 
Derek P. Schmidt, President

State of Iowa)
County of Dubuque) ss.

On this 13 day of May, 2024, before me personally appeared Derek P. Schmidt, known to me to be the President of Flexsteel Industries, Inc. or the lawful designee of Flexsteel Industries, Inc. who executed the foregoing instrument, and acknowledge that this person executed the same as his/her/their voluntary act and deed.


Notary Public for State of Iowa



AGENCY:

Kayla Lyon
Kayla Lyon, Director
Iowa Department of Natural Resources

Signed this 11th day of April, 2024.

State of Iowa)
County of Polk) ss.

On this 11th day of April, 2024, before me personally appeared Kayla Lyon, known to me to be the Director of the Iowa Department of Natural Resources or the lawful designee of the Director who executed the foregoing instrument, and acknowledge that this person executed the same as his/her/their voluntary act and deed.

Jennifer Miller
Notary Public for State of Iowa

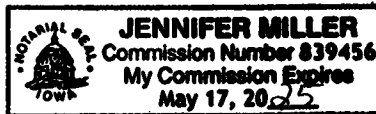


Exhibit A
Visual Depiction

