

October 7, 2024

CAPTAIN CHRIS WING
CITY OF NEWTON POLICE DEPARTMENT
101 WEST 4TH STREET NORTH
NEWTON IA 50208

**Re: Iowa Registry Site "Newton Dump Site" (403 West 4th Street, Newton, Iowa 50208)
Proposed Re-use and Site Modifications
DNR Contaminated Site 699**

Dear Mr. Wing:

The City of Newton (represented by Captain Chris Wing, Newton Police Department) contacted the Iowa Department of Natural Resources (DNR) on September 26, 2024 regarding a property owned by the City of Newton, and recorded on the Iowa Registry of Hazardous Waste Sites. The city would like to use the property for placement of a dog kennel for police and animal control use.

The Iowa Registry of Hazardous Waste Sites is a legacy list of sites known to have been contaminated with hazardous waste in the past. These sites were placed on the registry in the 1980s in order to ensure that the DNR would be informed whenever a property on the list was sold or modified in a substantial manner in an effort to prevent risk to human health and/or the environment.

The Newton Dump Site was used for disposal of potentially hazardous wastes by the Maytag Corporation in the 1950s and 1960s, before being sold in 1967. The City of Newton acquired the property in the 1970s, and has had no substantial changes since that time. A soil cap was placed on top of the known wastes, and has been largely effective at preventing contact with the waste and preventing significant erosion that would lead to exposure of waste.

Iowa 455B.430 notes that "A person shall not substantially change the manner in which a hazardous waste or hazardous substance disposal site on the registry pursuant to section 455B.426 is used without the written approval of the (DNR) director" The Iowa DNR Contaminated Sites Section has discussed the proposed use of the site with representatives of the City of Newton, as well as Iowa DNR legal representation, and believes that the changes do not rise to the level of "substantial" provided that the following criteria are met:

1. There can be no "substantial" changes to the site (Iowa Code 455B.430). In our opinion, substantial changes would include residential use, commercial properties where people work, placement of wells, or excavation for things like basements or foundations. If there will be no excavation related to laying the pad for the kennel, we would not consider the changes "substantial".

2. The pad for the kennel must include an impermeable vapor barrier so that any potential vapors created by buried waste cannot permeate or accumulate in the kennel. An as-built diagram or blueprint/plan must be submitted to DNR as proof of meeting this criterium.
3. The proposed water line run from the city main to the kennel must be constructed of materials impermeable to chemicals. An as-built diagram or blueprint/plan must be submitted to DNR as proof of meeting this criterium
4. Soil from the water line trench that appears to be contaminated needs to be dealt with in a legal manner, and DNR needs to be informed. DNR must be informed of any soil excavations beyond the water line trench.

The required as-builts must be submitted to DNR Contaminated Sites within 30 days of completion of the project so that they can be filed with the pubic record for the site, which is located on the [DNR Contaminated Sites Database as site #699](#).

If you have any questions or if we may be of further assistance, please contact me at matthew.graesch@dnr.iowa.gov or by phone at [\(515\) 725-8331](tel:5157258331).

Thank you for your cooperation with this site

Sincerely,

Matthew Graesch, P.G.
Environmental Specialist Senior
Land Quality Bureau

cc: Michael Sullivan
Iowa DNR Land Quality
6200 Park Ave
Des Moines, IA 50321

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