Fields of Opportunities

STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
RICHARD A. LEOPOLD, DIRECTOR

April 22, 2010

Five Star Cooperative
c/o Paul Larson, Location Manager
205 N 1st St
Klemme IA 50449

Five Star Cooperative
Wayne Steven, Area Manager
16682-A 245th St
Mason City IA 50401

Subject: Fugitive Dust Complaint Investigation

Mr. Larson:

On 04/13/10 this office received a complaint concerning trucks leaving town with their trailers un-tarped after dumping grain at Five-Star Coop, causing dust to blow everywhere. The complaint was filed by Clyde Holecek, who resides at 402 N 4th St. Mr. Holecek previously filed complaints with this office on 05/06/08, 08/08/08, and 11/10/09. One on-site investigation was conducted as a result of those complaints.

I investigated the current complaint on 04/19/10. I stopped at Mr. Holecek's residence and he was not home. I did not observe any dust on Mr. Holecek's property. I stopped at Five Star Cooperative and spoke with Paul Larson, Location Manager, concerning the complaint. He showed me the building where corn is dumped. There is a large sign outside the office in the building stating the requirement to tarp loads. Mr. Larson said corn is dumped on Tuesdays, Wednesdays, and Thursdays from 7:30 a.m. to 4:30 p.m. Corn was not being dumped on the date of my investigation.

Paragraph 567 Iowa Administrative Code (IAC) 23.3(2)"c" states "a person shall take reasonable precautions to prevent particulate matter from becoming airborne in quantities sufficient to become a nuisance...when the person allows, causes or permits any materials to be handled, transported, or stored in a building..." Under the regulation, reasonable precautions include "Covering, at all times when in motion, open-bodied vehicles transporting materials likely to give rise to airborne dusts." I provided Mr. Larson with a copy of the rules and explained the necessity to ensure all loads are tarped as a reasonable precaution to control fugitive dust. He said he would discuss the regulations with facility staff.

I discussed my investigation with Mr. Holecek on 04/22/10. I explained that in order to fully address the matter, I would need to know specific names of the independent trucking companies so I could contact them directly. Also, I asked him to record the dates of the problem and document with photographs in order to help establish the presence of a violation. He was agreeable to these requests.

If you have any questions please contact me directly.

Sincerely,

FIELD SERVICES AND COMPLIANCE BUREAU

Michelle E Johnson

Michelle E. Johnson
Environmental Specialist

MEJ
Enclosure

cc: Air Quality
Mr. Clyde Holecek, 402 N 4th St, Klemme IA 50449 (with enclosure)