

**IOWA DEPARTMENT OF NATURAL RESOURCES  
ADMINISTRATIVE ORDER**

IN THE MATTER OF:

**DANIEL MUHLBAUER**  
Facility #66277

Crawford County, Iowa

CONSENT AMENDMENT TO  
ADMINISTRATIVE ORDER  
NO. 2015-AFO-30

TO: Daniel Muhlbauer  
3316 370<sup>th</sup> Street  
Manilla, Iowa 51454

Eldon McAfee  
Brick Gentry, P.C.  
6701 Westown Parkway, Suite 100  
West Des Moines, Iowa 50266

Administrative Order No. 2015-AFO-30 was issued to Daniel Muhlbauer on September 29, 2015, and was not appealed. The Administrative Order is amended as follows to address the payment of the administrative penalty.

1. Section V. ORDER, Paragraph 2 is rescinded and replaced with the following:

Mr. Muhlbauer shall pay an administrative penalty in the amount of \$7,000.00. In lieu of payment of the penalty, Mr. Muhlbauer shall:

Conduct a Supplemental Environmental Project (SEP). The SEP shall consist of a payment to the Crawford County Conservation Board. Mr. Muhlbauer shall make a payment of \$7,000.00 to the Crawford County Conservation Board within 30 days of the date the Director signs this administrative consent amendment. Once the payment is made, Mr. Muhlbauer shall submit a receipt of payment to Kelli Book, attorney for the DNR.

2. Section VII. APPEAL RIGHTS is replaced with the following:

This Consent Amendment to Administrative Order No. 2015-AFO-30 is entered into knowingly and with the consent of Daniel Muhlbauer. For this reason, Daniel Muhlbauer waives its right to appeal this Consent Amendment to Administrative Order No. 2015-AFO-30.

3. In all other respects, Administrative Order No. 2015-AFO-30 remains in full force and effect.

Any questions regarding this Consent Amendment should be directed to:

Kelli Book  
Iowa Department of Natural Resources  
Legal Services Bureau  
7900 Hickman Road, Suite 1  
Windsor Heights, Iowa 50324  
515-725-9572

Chuck Gipp  
Chuck Gipp, DIRECTOR  
Iowa Department of Natural Resources

Dated this 8<sup>th</sup> day of  
June, 2016

Daniel Muhlbaier  
Daniel Muhlbaier

Dated this 31<sup>st</sup> day of  
May, 2016

Facility #66277; Kelli Book; DNR Field Office 4; VIII.D.1.B and VIII.D.3.a