

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER AMENDMENT**

| | |
|--|---|
| <p>IN THE MATTER OF:</p> <p>ALCHEMIST USA, LLC</p> <p>UST No. 198601149 13870 North Avenue, Bouton, Iowa</p> | <p>ADMINISTRATIVE ORDER</p> <p>NO. 2011-UT-01 Amendment 1</p> |
|--|---|

To: Alchemist USA, LLC
PO Box 8373
Gurnee, IL 60031

I. SUMMARY

This administrative order (Order) amends Administrative Consent Order No. 2011-UT-01 (Previous Order) issued to the above-referenced entity and signed by the Director of the Department of Natural Resources (DNR) on January 14, 2011. Following efforts to collect the outstanding penalty, DNR has determined that the remaining penalty is uncollectable because the entity is defunct and the debtor cannot be located. As such, the DNR is revising the administrative penalty to the amount already paid, and considers this matter to be closed.

II. JURISDICTION

All references to jurisdiction in the Previous Order are incorporated herein by reference.

III. STATEMENT OF FACTS

All statements of fact enumerated in the Previous Order are incorporated herein by reference. In addition:

18. Records show that penalty payments were received from Bouton Fuel Stop, Inc., on December 30, 2010, January 27, 2011, February 24, 2011, March 22, 2011, and April 30, 2011. These payments totaled \$1,000.

19. Efforts to contact the entity in 2015 and 2016 to seek payment of the remainder of the penalty due were unsuccessful. Research shows the entity no longer is an active corporation in the state of Iowa.

IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER AMENDMENT
ISSUED TO: ALCHEMIST USA, LLC

IV. CONCLUSIONS OF LAW

All conclusions of law enumerated in the Previous Order are incorporated herein by reference.

V. ORDER

All requirements of the Previous Order are considered satisfied. Additionally, the terms of the Previous Order are amended as follows:

3. Alchemist shall pay an administrative penalty of \$1,000.00. This penalty amount has been paid.
4. There are no outstanding stipulated penalties.

VI. CIVIL PENALTY

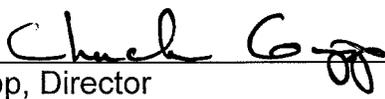
The basis for the Civil Penalty enumerated in the Previous Order is incorporated herein by reference, except that the total penalty due is \$1,000.00.

VII. APPEAL RIGHTS

A written Notice of Appeal may be filed with the Director within 30 days of your receipt of this Order. A contested case hearing will then be commenced pursuant to Iowa Code § 17A and 561 IAC 7. Please note that failure to file a timely appeal within 30 days will result in you forfeiting the right to appeal this Order.

VIII. COMPLIANCE WITH THIS ORDER

Compliance with Section V (Order) of this Order constitutes full satisfaction of all requirements pertaining to the specific violations described in Section IV (Conclusions of Law) of the Previous Order.



Chuck Gipp, Director
Iowa Department of Natural Resources

Dated this 6th day of
October, 2016

CC: Elaine Douskey, David Scott.