Any questions regarding this Order should be directed to:

I. SUMMARY

**ADMINISTRATIVE CONSENT ORDER**

IOWA DEPARTMENT OF NATURAL RESOURCES

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Jiva Foodmart Inc.

IN THE MATTER OF:

ADMINISTRATIVE CONSENT ORDER
III. STATEMENT OF FACTS

II. JURISDICTION

JAY FOODMARKET INC.
ADMINISTRATIVE CONSENT ORDER
IOWA DEPARTMENT OF NATURAL RESOURCES
IV. CONCLUSIONS OF LAW

The total cost of the cleanup was $45,600 as reported by the DNR. On or about November 18, 2019, the DNR issued an order to cease and desist. The operation was completed on May 13 and 14, 2019.

On May 24, 2019, the DNR issued a Notice of Violation for the following violations observed:

1. Presence of oil in the STP
2. Removal of oil from the STP
3. Failure to keep records

During this conversation, Mr. Jones informed the company that the operations were terminated.

Mr. Jones also informed the company that the operation was completed on May 13, 2019.

The Iowa DOT was notified of the violation.

Mr. Jones requested an agreement to cease and desist.

Mr. Jones informed the company that the operation was completed on May 13, 2019.

The operation was completed on May 13, 2019.

The Iowa DOT was notified of the violation.

The operation was completed on May 13, 2019.

The operation was completed on May 13, 2019.

The operation was completed on May 13, 2019.

The operation was completed on May 13, 2019.

The operation was completed on May 13, 2019.
DNR is assessing a penalty of $4,000.00 for the
commission has adopted this schedule with procedures and criteria for assessment of
offenses of civil penalties up to $10,000.00 that may be assessed administratively. The
schedule of civil penalties up to $10,000.00 that may be assessed administratively.

2. Iowa Code §55B.19 authorizes the commission to establish by rule a

$5,000 per day per violation for the violations involved in this matter.

1. Iowa Code §55B.19 authorizes the assessment of civil penalties of up to

VI. PENALTY

If the DNR has not received a payment within ten (10) days of a deadline dalam or the
payment schedule the DNR will notify the violator of the amount of the penalty to be
paid. If the violator does not pay within thirty (30), days of the notice, the DNR will

The following payment plan:

1. Cody Water shall pay an administrative penalty of $4,000.00 pursuant to

2. 970 IAC 131.2 requires that hazardous conditions, including a discharge

Therefore, DNR orders and Cody Water agree to the following:

1. Those employees shall follow all laws and regulations related

2. To the discharge of pollutants to waters of the state

A. ORDER

A violation of this section

Cody Water did not report the discharge to the DNR within six hours. These facts indicate

section.

The water and the storage odor of the water. These facts indicate a violation of this

Paragraph 617.3(2) shall be enforced by the Iowa Administrative Code or other state or federal regulations relating to waste discharge

JIVA FOODMARKET INC.

ADMINISTRATIVE CONSENT ORDER

IOWA DEPARTMENT OF NATURAL RESOURCES

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Waiver of Appeal Rights

Therefore, $500.00 is assessed for this factor.

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III. NONCOMPLIANCE

IIIV. FOODMART INC.
ADMINISTRATIVE CONSENT ORDER
IOWA DEPARTMENT OF NATURAL RESOURCES

Civil penalties pursuant to Iowa Code 455B.191.
and administrative order or refusal to the Attorney General to obtain injunctive relief and
this Order may result in the imposition of administrative penalties pursuant to an
permanent remedy of the conditions which caused the violations. Failure to comply with
requirements pertaining to the violations described in this Order, and compliance a
Compliance with Section V of this Order constitutes full satisfaction of all