

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

<p>IN THE MATTER OF:</p> <p>TROY M. BUDE</p>	<p>ADMINISTRATIVE ORDER</p> <p>NO. 2018-UT-03 AMENDMENT 1</p>
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To: Troy M. Budde
10651 Key West Dr.
Dubuque, IA 52033

Re: 10619 Key West Drive, Dubuque, Iowa; UST registration #
198605331; LUST # 8LTL47.

I. SUMMARY

This administrative order amendment (Amendment) rescinds Administrative Order No. 2018-UT-03 (Previous Order) which was issued to the above-referenced party and signed by the Director of the Iowa Department of Natural Resources (DNR) on July 11, 2018. Since the issuance of the Previous Order, the responsible party has met reporting and monitoring requirements as directed by the DNR. As such, the parties have agreed to rescind the Previous Order and, concurrently, withdraw the appeal of the Previous Order so the matter can be considered closed. There are ongoing obligations under DNR regulations applicable to the site, so any future non-compliance will result in the issuance of a new administrative order and penalty.

Any questions regarding this Order should be directed to:

Relating to technical requirements:

Ruth Hummel, ESS
Iowa Department of Natural Resources
Wallace State Office Building
502 E. 9th Street
Des Moines, IA 50319
Phone: 515-725-8328

Relating to legal requirements:

David Scott, Attorney
Iowa Department of Natural Resources
Legal Services Bureau
DNR Field Office 6
Washington, Iowa 52353
Phone: 319-321-8504

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II. JURISDICTION

This Order is issued pursuant to Iowa Code § 455B.476 which authorizes the Director of the DNR to issue orders directing a party to cease violation of Iowa Code chapter 455B, Division IV, Part 8 (underground storage tanks) and the rules and regulations adopted pursuant to that part and to require the party to take corrective action as necessary to ensure violations will not continue; and, Iowa Code § 455B.109 and 567 Iowa Administrative Code (IAC) 10, which authorize the Director to assess administrative penalties.

III. STATEMENT OF FACTS

All facts enumerated in the Previous Order are incorporated herein by reference.

IV. CONCLUSIONS OF LAW

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

V. ORDER

All outstanding requirements of the Previous Order are rescinded.

VI. PENALTY

For the reasons explained above, the civil penalty included in the Previous Order has been rescinded.

VII. APPEAL RIGHTS

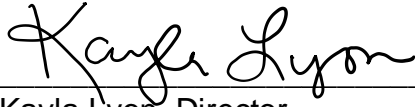
This Order may be appealed by Mr. Budde within 60 days of issuance. If he wishes to appeal this rescission, he should contact DNR's Legal Services Bureau Attorney on the first page of this Order.

VIII. NONCOMPLIANCE WITH THIS ORDER

The Previous Order is considered rescinded as of the date the Amendment is signed by the Director. However, the DNR reserves the right to

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issue a separate order with a penalty in the event of future non-compliance with Iowa regulations.



Kayla Lyon, Director
Iowa Department of Natural Resources

Dated this 2nd day of
October, 2020.

CC: Ruth Hummell; Elaine Douskey; V.F