

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER**

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| IN THE MATTER OF: KEVIN C. FLYNN | CONSENT AMENDMENT TO ADMINISTRATIVE ORDER NO. 2023-AQ-02-S1 NO. 2023-SW-01-S1 |
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TO: Kevin C. Flynn
1724 Ginkgo Avenue
Wellman, Iowa 52356

Administrative Order No. 2023-AQ-02/2023-SW-01 was issued to Kevin C. Flynn on January 13, 2023 and was timely appealed. Following discussions between the parties, and in the interest of settling the appeal, the order is amended as follows:

1. Section V ORDER is replaced with the following:
 1. Properly remove and disposal of the remaining material to a landfill as asbestos containing material within one year of the date the Director signs this Consent Amendment to Administrative Order No. 2023-AQ-02/2023-SW-01 and submit the landfill receipts to DNR within 15 days of completing the cleanup and
 2. Pay an administrative penalty in the amount of \$4,500.00 within 30 days of the date the Director signs this Consent Amendment to Administrative Order No. 2023-AQ-02/2023-SW-01.
2. The Paragraph 2, Section VI PENALTY is replaced with the following:

For purposes of settlement of the appeal of Administrative Order No. 2023-AQ-02/2023-SW-01, the parties have agreed that Kevin C. Flynn shall pay a penalty in the amount of \$4,500.00 within 30 days of the date the Director signs this Consent Amendment to Administrative Order No. 2023-AQ-02/2023-SW-01.
3. Section VII APPEAL RIGHTS is replaced with the following:

This Consent Amendment to Administrative Order No. 2023-AQ-02/2023-SW-01 is entered into knowingly and with the consent of Kevin


C. Flynn. The Consent Amendment to Administrative Order No. 2023-AQ-02/2023-SW-01 resolves the appeal. Kevin C. Flynn waives his right to appeal this Consent Amendment to Administrative Order No. 2023-AQ-02/2023-SW-01.

4. In all other respects, Administrative Order No. 2023-AQ-02/2023-SW-01 remains in full force and effect.

Any questions regarding this order should be directed to:

Kelli Book
Iowa Department of Natural Resources
6200 Park Avenue, Suite 200
Des Moines, Iowa 50321

KAYLA LYON, DIRECTOR
Iowa Department of Natural Resources


Kevin C. Flynn

Dated this 4 day of
Sept., 2024.