



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

December 9, 2013

Headwaters Resources Inc.
Attn: Dave Fleming
8602 172nd Street
Muscatine, IA 52761

RE: Midwest Fly Ash Closed Industrial Landfill Follow Up Visit; FOCD #81350
SDP Permit No.90-SDP-03-81C; Kirkville, Wapello County, Iowa

Dear Mr. Fleming:

On December 3, 2013, I met you, Mike Alowitz of MWH, and contractor Charlie Hough at the Midwest Fly Ash Closed Landfill near Kirkville, Iowa. The purpose of my visit was to observe the remediation activities that have taken place over the past few months. Issues of erosion and exposed waste were observed at the time of my initial site inspection earlier this year.

Based on my observations, the erosion and exposed waste issues have been addressed. Silt fence and rip rap checks have been implemented and soil has been added where needed. All disturbed areas or bare soil areas have been seeded and some seed has germinated. No ponding over areas of waste was observed either. The site will need to continue to be monitored to ensure any erosion issues are effectively addressed in a timely manner.

Regarding the Storm Water General Permit #2 (GP2) for the site, be advised that weekly inspections are required throughout the winter season. Inspections must be documented at least once every seven days until all construction activity is complete and the vegetative cover reaches a density of 70% or other equivalent stabilization measures have been implemented. In addition, be aware that Part IV.D.2.A.(1) of the GP2 states, "Except as precluded by snow cover, stabilization measures shall be initiated on all disturbed areas as soon as practical but in no case where construction activity will not occur for a period of 21 or more calendar days later than the 14th day after no construction activity has occurred on such area. Where the initiation of stabilization measures by the 14th day after no construction activity occurs is precluded by snow cover, then stabilization measures shall be initiated as soon as practicable thereafter". Straw mulch is recommended to be applied to the bare areas at this time.

I will plan to conduct a follow up visit in the spring of 2014 to assess the site. Per Mr. Alowitz, a final report is still planned to be submitted to this office in the near future. If you have any questions or would like further explanation of any part of this letter, please contact me at this office at 319-653-2135 or at brian.lee@dnr.iowa.gov.

Sincerely,
FIELD SERVICES & COMPLIANCE BUREAU

Brian Lee
Environmental Specialist

J:FO6\SHARED\BLEE\SW\MW Fly Ash letter 120613
Pictures:J:\SHARED\PICTURES\MW Fly Ash visit 120313 (1-8)

cc: Becky Jolly, IDNR Solid Waste Section, via email
Helen Jenkins, Headwaters Resources, PO Box 615, Sergeant Bluff, Iowa 51054
Michael Alowitz, MWH via email
MW Fly Ash SW File