

October 8, 2025

**SENT VIA ELECTRONIC MAIL
RETURN RECEIPT REQUESTED**

BRIAN DELANEY
FIDELITY BANK & TRUST
PO BOX 384
102 BIERMAN RD
EPWORTH, IA 52405

Subject: **NOTICE OF VIOLATION – OVERDUE COMPLIANCE INSPECTION**
Site: Delaneys Auto and Ag, 107 1st Ave NE, Farley
Registration Number: 198609560

Dear Mr. Delaney:

The Iowa Department of Natural Resources (Department) records show the biennial compliance inspection of the underground storage tank (UST) system for the above referenced facility is more than 60 days past due. Pursuant IAC 567-135.20 an UST owner or operator must have the UST system inspected and an inspection report submitted to the department by a UST compliance inspector certified by the department under 567—Chapter 134 within 24 months of the prior inspection. The last compliance inspection was on 6/12/2023.

In accordance with Iowa Administrative Code 567 – Chapter 135.3(8), this Notice of Violation (NOV) is to initiate the delivery prohibition process. IAC 567- 135.3(8)"b"(8) provides delivery prohibition will begin if the "owner or operator has failed to complete a compliance inspection required by rule 567—135.20(455B) within 60 days after a written notice of the violation (NOV) by the department".

A compliance inspection must be completed within 60 days of the date of this letter ,i.e. by December 8, 2025. Failure to have a compliance inspection completed in accordance with rules by close of business on December 8, 2025 will result in the site being placed on a delivery prohibition status. In this event, red-tags will be affixed to the USTs and fuel deliveries will be halted until the delivery prohibition is rescinded and red-tags are properly removed. Additional notices will not be provided.

A list of certified compliance inspectors can be found at <https://programs.iowadnr.gov/ustcert/Home/Search> and type "Compliance Inspector" in the Cert Number & Type box.

Please contact me at 515-805-4521 or cody.mccoy@dnr.iowa.gov if you have any questions.

Sincerely,

Cody McCoy
Environmental Specialist Senior
Underground Storage Tank Section
P 515 805 4521 | cody.mccoy@dnr.iowa.gov

CC Field Office 1 (via email)
 Keith Wilken, UST Section Supervisor (via email)
 Jason Delaney, JABC Properties LLC, 734 Walnut Street, Peosta, IA 52068