



JULY 13, 2022

CERTIFIED MAIL

Thomas Petho
XPO Logistics
2211 Old Earhart Road, Suite 100
Ann Arbor, Michigan 48105

Subject: **NOTICE OF VIOLATION – OVERDUE COMPLIANCE INSPECTION**
Site: XPO Logistics Freight, 651 50th Avenue Dr SW, Cedar Rapids
Registration Number: 200500039

Dear Mr. Petho:

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 4/29/2020.

You were notified by email on 6/16/2022 that the compliance inspection was overdue. As of today, the inspection has not been completed or reported to the Department. Additionally, on 6/16/2022 I reminded you via email that we needed change of ownership forms filled out for three sites in Iowa as Jeff Sexten is no longer with XPO Logistics. The department has not received those forms as of today.

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 September 13, 2022. Failure to have a compliance inspection completed in accordance with rules by close of business on September 13, 2022 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this event, red-tags will be affixed to the USTs and fuel deliveries will be halted until the delivery prohibition is rescinded and red-tags are properly removed.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 on our webpage at www.iowadnr.gov/ust under the Licensed UST Professionals tab on the left.

Please contact me at 515-725-8324 or cody.mccoy@dnr.iowa.gov if you have any questions.

Sincerely,

Cody McCoy
Environmental Specialist
Underground Storage Tank Section
P 515 725 8324 | cody.mccoy@dnr.iowa.gov

CC Field Office 1 (via email)
Amie Davidson, Land Quality Bureau Chief (via email)
Cory Rushford, XPO Logistics, 651 50th Avenue Dr SW, Cedar Rapids, IA 52404