

# Agenda

## Environmental Protection Commission

Tuesday, May 16, 2023

Teleconference: 631-618-4607 PIN: 484 733 354#

Video Conference: <https://meet.google.com/rzo-uidn-tvg>

The Shores at Five Island

14 N Lawler Street, Emmetsburg, Iowa 50536

EMU Conf Room

### Monday, May 15, 2023

12:30pm- EPC Tour

Iowa Lakes Regional Water, Osgood Water Treatment Plant  
Tour of Lost Island Lake Immediately Following

### Tuesday, May 16, 2023

9:00 AM – EPC Business Meeting

If you are unable to attend the business meeting, comments may be submitted for public record to Angie Clark at [Angie.Clark@dnr.iowa.gov](mailto:Angie.Clark@dnr.iowa.gov) or 502 East 9th St, Des Moines IA 50319 up to 24 hours prior to the business meeting.

- |    |   |                               |
|----|---|-------------------------------|
| 1  | Approval of Agenda  |                               |
| 2  | Oath of Office for New Commissioner   |                               |
| 3  | Election of Officers  |                               |
| 4  | Approval of the Minutes (Packet Page 3)   |                               |
| 5  | Monthly Reports (Packet Page 9)   | Ed Tormey<br>(Information)    |
| 6  | Director's Remarks  | Kayla Lyon<br>(Information)   |
| 7  | Contract with the State Hygienic Laboratory-Ambient Stream Monitoring, Collection, and Analysis (Packet Page 13)          | Ken Krier<br>(Decision)       |
| 8  | Contract with the State Hygienic Laboratory-Ambient Stream Biological Monitoring and Laboratory Services (Packet Page 17) | Ken Krier<br>(Decision)       |
| 9  | Contract with the State Hygienic Laboratory-Laboratory Certification (Packet Page 22)                                     | Kathleen Lee<br>(Decision)    |
| 10 | Contract with The University of Texas at Dallas- E-Plan System Access and Support (Packet Page 24)                        | Christina Iiams<br>(Decision) |
| 11 | Derelict Building Grant Program-Grant Recommendations (Packet Page 28)  | Reid Bermel<br>(Decision)     |
| 12 | Contract with the State Hygienic Laboratory-Land Quality Regulatory Programs Support (Packet Page 32)                     | Shelly Nellesen<br>(Decision) |
| 13 | General Discussion  |                               |
| 14 | Upcoming Meetings   |                               |
|    | • Tuesday, June 20, 2023, Wallace Building  |                               |
|    | • Tuesday, July 18, 2023, Wallace Building  |                               |

For details on the EPC meeting schedule, visit <http://www.iowadnr.gov/About-DNR/Boards-Commissions>

**MINUTES OF THE  
ENVIRONMENTAL PROTECTION COMMISSION  
MEETING**

**April 18, 2023**

**Video Teleconference  
and  
Wallace State Office Building**

**Approved by the Commission **TBD****

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## Table of Contents

Call To Order .....	2
Commissioners Present .....	2
Commissioners Absent.....	2
Approval of Agenda .....	2
Agenda Approved as Presented .....	2
Approval of Minutes .....	2
Approved as Amended .....	2
Monthly Reports .....	2
Information.....	2
Contract with the State Hygienic Laboratory (SHL)-Laboratory Analytical Services for the Shallow Lakes Restoration Program .....	2
Approved as Presented .....	3
Contract with the State Hygienic Laboratory (SHL)-Bacteria Analytical Services for the Iowa Beach Monitoring Program..	3
Approved as Presented .....	3
Contract with the State Hygienic Laboratory (SHL)-Biological and Habitat Sample Collection for the National Rivers and Streams Assessment (NRSA) Project .....	3
Approved as Presented .....	3
Contract with Iowa Department of Agriculture and Land Stewardship (IDALS)-Palo Alto Shallow Lakes Watershed Project-Year 2.....	3
Approved as Presented .....	3
Contract with the U.S. Department of the Interior, Geological Survey (USGS)-Processing and Analysis of Environmental Samples .....	4
Approved as Presented .....	4
Adopted and Filed-567 IAC Chapter 135-Technical Standards and Corrective Action Requirements for Owners and Operation of Underground Storage Tanks (UST) .....	4
Approved as Presented .....	4
Contract Amendment with Houston Engineering, Inc.-High Hazard Dam Risk Review.....	4
Approved as Presented .....	4
Contract with Maquoketa River Watershed Management Authority for Maquoketa River Watershed Stream Sign Project .....	4
Approved as Presented .....	5
Referral to the Attorney General-Che Hanson of Hanson & Sons Tire, LLC .....	5
Approved as Presented .....	5
Referral to the Attorney General-Chamness Technology, Inc. ....	5
Approved as Presented .....	5
General Discussion.....	5
Adjourn .....	5
Adjourned.....	5

### Meeting Minutes

#### CALL TO ORDER

The meeting of the Environmental Protection Commission (Commission or EPC) was called to order by Chairperson Harold Hommes at 10:03am on April 18, 2023 via a combination of in-person and video/teleconference attendees.

#### COMMISSIONERS PRESENT

- Rebecca Dostal
- Brad Bleam-virtual
- Stephanie Dykshorn
- Mark Stutsman
- Ralph Lents
- Lisa Gochenour-virtual
- Harold Hommes
- Patricia Foley
- Amy Echard

#### COMMISSIONERS ABSENT

#### APPROVAL OF AGENDA

<i>Motion was made by Amy Echard to approve the agenda as presented. Seconded by Patricia Foley.</i>
<i>The Chairperson asked for the Commissioners to approve the motion by saying aye. There were no nay votes. Motion passes.</i>

<b>AGENDA APPROVED AS PRESENTED</b>
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#### APPROVAL OF MINUTES

Chairperson Hommes noticed a name typo under General Discussion on the March EPC Meetings and recommended an update with the correct Commissioner name.

<i>Motion was made by Rebecca Dostal to approve the March 22, 2023 EPC minutes as amended. Seconded by Mark Stutsman.</i>
<i>The Chairperson asked for the Commissioners to approve the motion by saying aye. There were no nay votes. Motion passes.</i>

<b>APPROVED AS AMENDED</b>
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#### MONTHLY REPORTS

- Division Administrator Ed Tormey congratulated and thanked Stephanie Dykshorn and Ralph Lents for their service as Environmental Protection Commissioners. Both Commissioners will end their term at the end of April, 2023. Mr. Tormey presented a framed certificate to each Commissioner.
- Mr. Tormey introduced Katie Greenstein to present an overview of the water quality monitoring work done by the Department. Mrs. Greenstein presented details to Commissioners regarding water quality monitoring programs, parameters monitored, data collected, types of systems and water bodies monitored, and contract types and timelines.

<b>INFORMATION</b>
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#### CONTRACT WITH THE STATE HYGIENIC LABORATORY (SHL)-LABORATORY ANALYTICAL SERVICES FOR THE SHALLOW LAKES RESTORATION PROGRAM

Jacklyn Gautsch requested Commission approval for a contract with SHL for laboratory analytical services for the Shallow Lakes Program. She responded to questions on the contract price difference for the 2019 contract, indicating that the increased costs in 2019 was due to a lab transition as well as additional monitoring efforts.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Ralph Lents to approve the item as presented. Seconded by Amy Echard.*

*Rebecca Dostal-aye, Stephanie Dykshorn-aye, Mark Stutsman-aye, Patricia Foley-aye, Brad Bleam-aye, Lisa Gochenour-aye, Amy Echard-aye, Ralph Lents-aye, Harold Hommes-aye. Motion passes.*

**APPROVED AS PRESENTED**

**CONTRACT WITH THE STATE HYGIENIC LABORATORY (SHL)-BACTERIA ANALYTICAL SERVICES FOR THE IOWA BEACH MONITORING PROGRAM**

Dan Kendall requested Commission approval for a contract with SHL to provide bacteria analytical services for the Iowa Beach Monitoring program. Mr. Kendall responded to trends regarding E.coli at specific water bodies and explained the need to build in potential specific project funding for beach monitoring within the contract.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Stephanie Dykshorn to approve the item as presented. Seconded by Patricia Foley.*

*Rebecca Dostal-aye, Stephanie Dykshorn-aye, Mark Stutsman-aye, Patricia Foley-aye, Brad Bleam-aye, Lisa Gochenour-aye, Amy Echard-aye, Ralph Lents-aye, Harold Hommes-aye. Motion passes.*

**APPROVED AS PRESENTED**

**CONTRACT WITH THE STATE HYGIENIC LABORATORY (SHL)-BIOLOGICAL AND HABITAT SAMPLE COLLECTION FOR THE NATIONAL RIVERS AND STREAMS ASSESSMENT (NRSA) PROJECT**

Ken Krier requested Commission approval for a contract with SHL to collect biological and habitat samples for the NRSA project. Mr. Krier responded to questions regarding the randomization of the sample collection efforts and availability of NRSA program results from other states.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Amy Echard to approve the item as presented. Seconded by Ralph Lents.*

*Rebecca Dostal-aye, Stephanie Dykshorn-aye, Mark Stutsman-aye, Patricia Foley-aye, Brad Bleam-aye, Lisa Gochenour-aye, Amy Echard-aye, Ralph Lents-aye, Harold Hommes-aye. Motion passes.*

**APPROVED AS PRESENTED**

**CONTRACT WITH IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP (IDALS)-PALO ALTO SHALLOW LAKES WATERSHED PROJECT-YEAR 2**

Kyle Ament requested Commission approval for a contract with IDALS for the second year of the Palo Alto Shallow Lakes watershed project.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Ralph Lents to approve the item as presented. Seconded by Stephanie Dykshorn.*

*Rebecca Dostal-aye, Stephanie Dykshorn-aye, Mark Stutsman-aye, Patricia Foley-aye, Brad Bleam-aye, Lisa Gochenour-aye, Amy Echard-aye, Ralph Lents-aye, Harold Hommes-aye. Motion passes.*

**APPROVED AS PRESENTED**

**CONTRACT WITH THE U.S. DEPARTMENT OF THE INTERIOR, GEOLOGICAL SURVEY (USGS)-PROCESSING AND ANALYSIS OF ENVIRONMENTAL SAMPLES**

Steve Konrady requested Commission approval for a contract with USGS for processing and analysis of environmental samples. Mr. Konrady indicated that results of the sampling will be posted publicly. He also responded to questions regarding current trends seen in pathogen research and source tracking.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Patricia Foley to approve the item as presented. Seconded by Ralph Lents.*

*Rebecca Dostal-aye, Stephanie Dykshorn-aye, Mark Stutsman-aye, Patricia Foley-aye, Brad Bleam-aye, Lisa Gochenour-aye, Amy Echard-aye, Ralph Lents-aye, Harold Hommes-aye. Motion passes.*

**APPROVED AS PRESENTED**

**ADOPTED AND FILED-567 IAC CHAPTER 135-TECHNICAL STANDARDS AND CORRECTIVE ACTION REQUIREMENTS FOR OWNERS AND OPERATION OF UNDERGROUND STORAGE TANKS (UST)**

Keith Wilken requested Commission approval for the Adopted and Filed rulemaking aligning the UST rules with the 2022 Iowa Acts, House File 2128, which amended Iowa Code 455G. Mr. Wilken indicated that the Department received one public comment, and in response, are in the process of revising forms utilized by UST owners.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Ralph Lents to approve the item as presented. Seconded by Stephanie Dykshorn.*

*Rebecca Dostal-aye, Stephanie Dykshorn-aye, Mark Stutsman-aye, Patricia Foley-aye, Brad Bleam-aye, Lisa Gochenour-aye, Amy Echard-aye, Ralph Lents-aye, Harold Hommes-aye. Motion passes.*

**APPROVED AS PRESENTED**

**CONTRACT AMENDMENT WITH HOUSTON ENGINEERING, INC.-HIGH HAZARD DAM RISK REVIEW**

Jon Garton requested Commission approval for a contract amendment with Houston Engineering, Inc. to increase the funding allocated toward the ongoing high hazard dam risk review project. Mr. Garton responded to questions regarding dam evaluation frequency in Iowa and explained that the additional funding was reallocated to the contract as it was not needed for its original intent.

*Motion was made by Ralph Lents to approve the item as presented. Seconded by Stephanie Dykshorn.*

*Rebecca Dostal-aye, Stephanie Dykshorn-aye, Mark Stutsman-aye, Patricia Foley-aye, Brad Bleam-aye, Lisa Gochenour-aye, Amy Echard-aye, Ralph Lents-aye, Harold Hommes-aye. Motion passes.*

**APPROVED AS PRESENTED**

**CONTRACT WITH MAQUOKETA RIVER WATERSHED MANAGEMENT AUTHORITY FOR MAQUOKETA RIVER WATERSHED STREAM SIGN PROJECT**

Steve Konrady requested approval for a contract with Maquoketa River Watershed Management Authority for Maquoketa River watershed stream signage. Mr. Konrady mentioned that most signs are manufactured by Iowa Prison Industries and sign price is based off of letter count. He also responded to questions regarding partnership support.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Ralph Lents to approve the item as presented. Seconded by Rebecca Dostal.*

*Rebecca Dostal-aye, Stephanie Dykshorn-aye, Mark Stutsman-aye, Patricia Foley-aye, Brad Bleam-aye, Lisa Gochenour-aye, Amy Echard-aye, Ralph Lents-aye, Harold Hommes-aye. Motion passes.*

APPROVED AS PRESENTED

**REFERRAL TO THE ATTORNEY GENERAL-CHE HANSON OF HANSON & SONS TIRE, LLC**

General Counsel Tamara McIntosh requested Commission approval to refer Mr. Che Hanson to the Attorney General’s office for violations of Iowa’s waste tire storage and disposal regulations. Mr. Hanson’s spouse provided rebuttal remarks. Mrs. Hanson and General Counsel Tamara McIntosh responded to Commissioner questions.

**Public Comments – The Clarion City Administrator commented that the city has been working with Mr. Hanson regarding other nuisance waste on the property and wants to ensure that the tire cleanup financial responsibilities do not fall back on the citizens of Clarion.**

**Written Comments – None**

*Motion was made by Ralph Lents to refer Mr. Che Hanson to the Attorney General’s office. Seconded by Amy Echard.*

*Rebecca Dostal-aye, Stephanie Dykshorn-aye, Mark Stutsman-aye, Patricia Foley-aye, Brad Bleam-aye, Lisa Gochenour-aye, Amy Echard-aye, Ralph Lents-aye, Harold Hommes-aye. Motion passes.*

APPROVED AS PRESENTED

**REFERRAL TO THE ATTORNEY GENERAL-CHAMNESS TECHNOLOGY, INC.**

Noah Poppelreiter requested Commission approval to refer Chamness Technology, Inc. to the Attorney General’s office for violations of Iowa’s solid waste and wastewater laws, and for violating multiple administrative orders issued pursuant to those laws. Chamness’ Counsel provided his rebuttal remarks. Noah Poppelreiter and Chamness’ Counsel responded to Commissioner questions. Members of the Chamness family in attendance introduced themselves to the Commission.

**Public Comments – Rhonda Van Zante and Leo Veldhuizen, both residents of Eddyville, spoke of their experience as a neighbor of the facility and former employee of the facility, respectively. Both spoke in support of the referral.**

**Written Comments – None**

*Motion was made by Rebecca Dostal to refer Chamness Technology, Inc. to the Attorney General’s office. Seconded by Ralph Lents.*

*Rebecca Dostal-aye, Stephanie Dykshorn-aye, Mark Stutsman-aye, Patricia Foley-aye, Brad Bleam-aye, Lisa Gochenour-aye, Amy Echard-aye, Ralph Lents-aye, Harold Hommes-aye. Motion passes.*

APPROVED AS PRESENTED

**GENERAL DISCUSSION**

- Alicia Plathe provided details on the May EPC tour and the Commission decided on a 9am start time for the May 16<sup>th</sup> EPC meeting.
- Chairperson Hommes reminded Commissioners of the EPC Officer election to take place in May, including procedural details.
- Commissioners thanked Ralph Lents and Stephanie Dykshorn for their service as Environmental Protection Commissioners and in turn, Commissioner Dykshorn and Commissioner Lents shared a few words regarding their service to the Commission.

**ADJOURN**

*The Chairperson adjourned the Environmental Protection Commission meeting at 1:07pm on April 18, 2023.*

ADJOURNED

**Monthly Waiver Report  
April 2023**

Item #	DNR Reviewer	Facility/City	Program	Subject	Decision	Date	Agency
1	Karen Kuhn	John Deere DTO	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	3.29.23	23aqw065 23aqw066 23aqw067
2	John Curtin	Loess Hills Sanitary Landfill	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement for a thermal oxidizer and a flare that will be used to control landfill gas emissions.	Approved	3.29.23	23aqw066 23aqw067 23aqw067
3	Karen Kuhn	Windsor Windows and Door	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	3.30.23	23aqw067 23aqw067 23aqw067
4	Caroline Davis	Farson Livestock Site 2	Animal Carcass Disposal	Due to a tornado, approximately 500 pigs perished at Farson Livestock Site 2. The owner/producer requests approval to mass bury carcasses. The proposed location is in a low risk burial advisory zone and will meet all separation distance requirements.	Approved	4.3.23	23sdw068
5	Ben Hucka	Des Moines Metropolitan WRF	Wastewater	The Des Moines Metro Wastewater Reclamation Authority (WRA) proposes that monitoring frequencies remain the same as those in the current NPDES permit for BOD5, pH, temperature, TSS, TRC, CBOD5, NH3 and DO.	Approved	4.3.23	23npw069
6	Danjin Zulic	Bayer Iowa Production, LLC - Clarion	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	4.4.23	23aqw070
7	Susan Johnson	Great River Regional Waste Authority	Solid Waste	GRRWA is requesting direct burial of all classes of sewage sludge. Chapter 109.10(2)a prohibits the direct landfilling of Class I or II or III Sewage sludge. Chapter 112 for Biosolid Monofills has been rescinded.	Approved	3.13.23	23cpw071
8	Michael Hermsen	Glen-Gery Corporation	Air Quality Construction Permit	Waiver of Initial Stack Test Requirement.	Approved	4.6.23	23aqw072
9	Nate Tatar	Donaldson Company, Inc.	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	4.10.23	23aqw073
10	Nate Tatar	Pella West Substation	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	4.11.23	23aqw074
11	Nate Tatar	Cambrex Charles City, Inc.	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	4.11.23	23aqw075
12	Rachel Quill	Tyson Fresh Meats, Inc. - Waterloo	Air Quality Construction	Waiver of Initial Stack Test Requirement.	Approved	4.13.23	23aqw076
13	Karen Kuhn	3M	Air Quality Construction	Waiver of Initial Stack Test Requirement.	Approved	4.13.23	23aqw077
14	Nate Tatar	Warren Transport New Corporate HQ	Air Quality Construction	Waiver of Initial Stack Test Requirement.	Approved	4.14.23	23aqw078
15	Jen Christian, Paul Petitti, Kelli Book	Eric & Jessica Oolman LLC	Animal Feeding Operation	Applicant of two proposed swine barns, with deep pit cast in place concrete manure storage structure , wants to use fiberglass rebar, instead of steel rebar, in the pit floor only.	Approved	4.18.23	23cpw079
16	John Curtin	Centerville WWTF	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement for an emergency diesel engine and a flare that is connected to anaerobic digesters.	Approved	4.19.23	23aqw080
17	Michael Hermsen	Iowa Fertilizer Company	Air Quality Construction Permit	Waiver of Initial Stack Test Requirement	Approved	4.20.23	23aqw081
18	Mark Fields	Absolute Energy, LLC	Air Quality Construction Permit	Facility has requested a stack test extension of the wintertime scrubber rates and to construct then operate equipment prior to permit issuance due to issues bringing a pre-condenser on-line.	Approved	4.21.23	23aqw082
19	Chris Roling	Roquette America, Inc.	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	4.21.23	23aqw083



**Iowa Department of Natural Resources  
Environmental Services Division  
First Quarter 2023 Report of Wastewater By-passes**

During the period January 1, 2023 through March 31, 2023, 52 reports of wastewater by-passes were received by the department. A general summary and count by field office is presented below. This does not include by-passes resulting from precipitation events (including flood water infiltration) or bypasses resulting in basement backups.

<b>Quarter</b>	<b>Total</b>	<b>Avg. Length (days)</b>	<b>Avg. Volume (MGD)</b>	<b>Sampling Required</b>	<b>Fish Kill</b>
1 <sup>ST</sup> Quarter '23	52 (37)	9.786	0.981	2	0(0)
2 <sup>ND</sup> Quarter '22	35 (40)	1.380	0.011	3	0(0)
3 <sup>RD</sup> Quarter '22	34 (32)	0.250	0.016	1	0(0)
4 <sup>TH</sup> Quarter '22	45 (25)	0.972	0.095	1	0(0)

(numbers in parentheses are for same period last year)

Total Number of Incidents per Field Office This Quarter:

<b>Field Office</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>Reports</b>	10	5	3	7	10	17



**First Quarter Report of Hazardous Conditions**

During the period January 1, 2023, through March 31, 2023, 102 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

		Substance								Mode													
		Total Incidents		Agrichemical		Petroleum Products		Other Chemicals		Transport		Fixed Facility		Pipeline		Railroad		Fire		Other*		CR-ERNS	
Month	Year	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago
Jan	2023	35	33	1	2	27	18	9	14	15	10	14	19	0	0	1	0	0	0	1	1	4	3
Feb	2023	22	35	1	2	15	22	6	13	6	11	13	14	0	0	1	0	0	0	2	4	0	6
Mar	2023	45	35	1	1	36	27	9	7	13	9	27	19	1	0	0	0	1	0	2	6	1	1
<b>Total</b>		<b>102</b>	<b>103</b>	<b>3</b>	<b>5</b>	<b>78</b>	<b>67</b>	<b>24</b>	<b>34</b>	<b>34</b>	<b>30</b>	<b>54</b>	<b>52</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>11</b>	<b>5</b>	<b>10</b>

\* Other includes dumping, theft, vandalism and unknown

\*\* CR-ERNS incidents are ongoing releases as defined by Federal regulations. These reports are included in "Total Incidents" and "Substance" counts but not in "Mode" counts.

Total Number of Incidents per Field Office This Selected Period	Field Office 1		Field Office 2		Field Office 3		Field Office 4		Field Office 5		Field Office 6	
	Current	Year Ago	Current	Year Ago	Current	Year Ago	Current	Year Ago	Current	Year Ago	Current	Year Ago
<b>Total</b>	12	8	8	13	5	8	23	25	28	16	26	33



**Iowa Department of Natural Resources  
Environmental Services Division  
First Quarter Report of Manure Releases**

During the period January 1, 2023, through March 31, 2023, 0 reports of manure releases were forwarded to the central office. A general summary and count by field office is presented below.

		Total Incidents		Surface Water Impacts		Feedlot		Confinement		Land Application		Transport		Hog		Cattle		Poultry		Other	
Month	Year	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago	Cur	Yr Ago
Jan	2023	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Feb	2023	0	1	0	1	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0
Mar	2023	0	2	0	0	0	0	0	2	0	0	0	0	0	0	2	0	0	0	0	0
<b>Total</b>		<b>0</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Total Number of Incidents per Field Office for the Selected Period	Field Office 1		Field Office 2		Field Office 3		Field Office 4		Field Office 5		Field Office 6	
	Current	Previous	Current	Previous	Current	Previous	Current	Previous	Current	Previous	Current	Previous
<b>Total</b>	0	1	0	0	0	2	0	0	0	0	0	0

Iowa Department of Natural Resources  
Environmental Protection Commission

ITEM 

#7
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DECISION

**Contract with THE UNIVERSITY OF IOWA****Recommendation:**

Commission approval is requested for a service contract with the State Hygienic Laboratory (SHL) at the University of Iowa.

**Contract Terms:**

**Amount:** Not to exceed \$652,380.48

**Dates:** July 1, 2023 to June 30, 2024.

**Funding Source(s):** Environment First Funding (HB8A)

**Statutory Authority:** Iowa Code section 455B.103

**Contract Background:** The Clean Water Act requires states to monitor their waters to determine the status and trends in water quality. The data from this program are used to determine general trends in larger river systems in the state, potential impairments, and to provide information to decision makers regarding the effectiveness of water pollution prevention programs. The DNR has been contracting with SHL for over two decades to collect water samples at streams across the State of Iowa and to test those water samples for general chemistry and other compounds. The results are used for water quality assessments and in support of water quality standard development. The data are placed into a publicly available database and are used by a wide variety of stakeholders including water quality programs, and for scientific research and general education.

**Contract Purpose:** The parties propose to enter into this Contract to retain the Contractor to provide assistance to DNR in sampling and analysis of the State of Iowa's Ambient Stream Monitoring Network.

**Contractor Selection Process:**

DNR is allowed to contract with the University of Iowa pursuant to Iowa Code section 455B.103(3).

**Contract History:**

FY2023 Ambient Contract was \$911,366.64

FY2022 Ambient Contract was \$948,389.04

FY2021 Ambient Contract was \$493,765.20

FY2020 Ambient Contract was \$829,226.16

FY2019 Ambient Contract was \$657,318.02

Ken Krier, Environmental Specialist Senior, Water Quality Monitoring and Assessment Section  
Water Quality Bureau  
Environmental Services Division  
May 16, 2023

Attachment 1: FY24 Ambient Stream Monitoring, Collection, and Analysis Contract (24S-ESD-WQB-Kkrie-0002) Cost Breakdown by Task.

<b>Task:</b>	<b>Total Task Compensation:</b>
Task 1: Monthly Ambient Stream Sample Collection	Not to exceed \$172,800.00 at the sampling fee of \$240.00 per sample.
Task 2: Monthly Ambient Stream Sample Analyses	Not to exceed \$323,376.00.
Task 3: Quarterly Ambient Stream Sample Collection and Analyses	Not to exceed \$103,080.00.
Task 4: Equipment Purchase	Not to exceed \$2,500.00
Task 5: Equipment Repair	Not to exceed \$1,500.00
Task 6: Shipping Samples	Not to exceed \$800.00
Task 7: QA/QC Procedures	N/A
Task 8: Data Transfer	N/A
Sub-total	\$604,056.00
Facilities and Administrative Costs @ 8%	\$48,324.48
Total	\$652,380.48

## Attachment 2: FY24 Ambient Stream Monitoring, Collection, and Analysis Contract (24S-ESD-WQB-Kkrie-0002) Site List.

<b>AQuIA ID</b>	<b>Site Name</b>	<b>County</b>	<b>Latitude</b>
10070001	Beaver Creek near Cedar Falls	Black Hawk	42.5732
10770001	Beaver Creek near Grimes	Polk	41.6883
10070004	Black Hawk Creek at Waterloo	Black Hawk	42.4695
10220003	Bloody Run Creek Site #1 (BR01)	Clayton	43.0405
10400001	Boone River near Stratford	Hamilton	42.3410
10430001	Boyer River near Missouri Valley	Harrison	41.5731
10630002	Cedar Creek near Bussey	Marion	41.2191
10440001	Cedar Creek near Oakland Mills	Henry	40.9254
10570001	Cedar River Downstream of Cedar Rapids (DS1)	Linn	41.9257
10340001	Cedar River near Charles City (DS1)	Floyd	43.0060
10700001	Cedar River near Conesville	Muscatine	41.4094
10090001	Cedar River near Janesville	Bremer	42.6496
10040002	Chariton River at 461st St.	Appanoose	40.8105
10890001	Des Moines River near Keosauqua	Van Buren	40.7282
10550001	East Fork of The Des Moines River nr St. Joseph	Kossuth	42.9514
10360001	East Nishnabotna River near Shenandoah (US1)	Fremont	40.7857
10730002	East Nodaway River near Clarinda	Page	40.7274
10920001	English River at Riverside	Washington	41.4755
10750001	Floyd River near Sioux City	Plymouth	42.5767
10500001	Indian Creek near Colfax	Jasper	41.7462
10640002	Iowa River Downstream of Marshalltown (DS1)	Marshall	42.0508
10420001	Iowa River near Gifford	Hardin	42.3102
10580002	Iowa River near Lone Tree	Louisa	41.4239
10580003	Iowa River near Wapello	Louisa	41.1803
10180001	Little Sioux River near Larrabee	Cherokee	42.8647
10300001	Little Sioux River near Milford	Dickinson	43.3189
10970001	Little Sioux River near Smithland	Woodbury	42.2514
10670003	Little Sioux River near Turin	Monona	41.9651
10670002	Maple River near Mapleton	Monona	42.1714
10490005	Maquoketa River at Spragueville	Jackson	42.1014
10490004	Maquoketa River west of Maquoketa	Jackson	42.0707
10910001	Middle River near Indianola	Warren	41.4247
10360003	Nishnabotna River near Hamburg	Fremont	40.6017
10490001	North Fork Maquoketa River near Hurstville	Jackson	42.0902
10810001	North Raccoon River near Sac City (DS1)	Sac	42.3400
10910002	North River at Hwy 28	Warren	41.4499
10540001	North Skunk River	Keokuk	41.2838
10520001	Old Mans Creek nr Iowa City	Johnson	41.6065
10840001	Rock River near Hawarden	Sioux	43.0839
10120001	Shell Rock River at Shell Rock	Butler	42.7115
10560002	Skunk River near Augusta	Lee	40.7534
10430002	Soldier River near Pisgah	Harrison	41.8306
10250001	South Raccoon River near Redfield	Dallas	41.5797
10910003	South River near Ackworth	Warren	41.3723
10850002	South Skunk River near Cambridge (DS1)	Story	41.9504

<b>AQuIA ID</b>	<b>Site Name</b>	<b>County</b>	<b>Latitude</b>
10620001	South Skunk River near Oskaloosa	Mahaska	41.3553
10270001	Thompson Fork - Grand River at Davis City	Decatur	40.6407
10220001	Turkey River near Garber	Clayton	42.7395
10030001	Upper Iowa River near Dorchester	Allamakee	43.4215
10220002	Volga River near Elkport	Clayton	42.7497
10820001	Wapsipinicon River at De Witt	Scott	41.7665
10100001	Wapsipinicon River near Independence (US1)	Buchanan	42.5122
10070003	West Fork Cedar River at Finchford	Black Hawk	42.6290
10460001	West Fork Des Moines River near Humboldt	Humboldt	42.6744
10970002	West Fork Ditch at Hornick	Woodbury	42.2270
10650001	West Nishnabotna River near Malvern	Mills	40.9873
10730001	West Nodaway River near Shambaugh	Page	40.6593
10630003	Whitebreast Creek near Dallas	Marion	41.2467
10070002	Wolf Creek at La Porte City	Black Hawk	42.3157
10030002	Yellow River near Volney	Allamakee	43.1118

Iowa Department of Natural Resources  
Environmental Protection Commission

ITEM #8

DECISION

**Contract with THE UNIVERSITY OF IOWA**

**Recommendation:**

Commission approval is requested for a service contract with the State Hygienic Laboratory at the University of Iowa.

**Contract Terms:**

**Amount:** Not to exceed \$633,121.38

**Dates:** July 1, 2023 to September 30, 2024

**Funding Source(s):** HB8A Environment First Funding (84%)

EPA 106 Funding (13%)

EPA 319 Funding (3%)

**Statutory Authority:** Iowa Code section 455B.103(3)

**Contract Background:** The Clean Water Act requires states to monitor and report on the condition of the waters of the state. This contract is a continuation of DNR's long-standing partnership with SHL to collect and analyze samples from Iowa's streams and rivers. Since 1994, the DNR has conducted biological assessments of Iowa streams to determine the ecological status and health of these waterbodies. The protocol primarily consists of sampling water quality, fish, benthic macroinvertebrates and physical habitat during the summer low-flow index period (July through October).

**Contract Purpose:** The parties propose to enter into this contract to retain the Contractor to provide sampling and analytical services for the ambient biological monitoring and assessment program.

**Contractor Selection Process:**

The State Hygienic Laboratory at the University of Iowa was chosen for this project because of its ability to provide the necessary services. The authority to enter into this contract is found in Iowa Code section 455B.103(3).

**Contract History:**

The FY23 Ambient Stream Biological Monitoring and Laboratory Services (AMBIO) contract was \$612,908.64.

The FY22 AMBIO contract was \$701,732.16.

The FY21 AMBIO contract was \$714,975.12.

The FY20 AMBIO contract was \$617,896.62.

The FY19 AMBIO contract was \$567,455.22.

Ken Krier, Environmental Specialist Senior, Water Quality Monitoring and Assessment Section  
Water Quality Bureau  
Environmental Services Division  
May 16, 2023



Attachment 1: FY24 Ambient Biological Monitoring and Laboratory Services Contract (24S-ESD-WQB-Kkrie-0001) Cost Breakdown by Task.

<b>Task</b>	<b>Total Task Compensation:</b>
Task 1: Wadeable Stream Reference Site Sample Collection and Biological Analysis	Not to exceed \$115,023 @ \$5,001 per site
Task 2: Coldwater Stream Reference Site Sample Collection and Biological Analysis	Not to exceed \$20,004 @ \$5,001 per site
Task 3: Biological Trend Monitoring and Biological Analysis	Not to exceed \$80,109 @ \$8,901 per site
Task 4: Ambient WQ Site Sample Collection and Biological Analysis	Not to exceed \$36,082.50 @ \$2,405 per site
Task 5: Follow-up Biological Sampling and Biological Analysis	Not to exceed \$80,016 @ \$5,001 per site
Task 6: Aquatic Life Use Attainability Assessment Site Sample Collection and Biological Analysis	Not to exceed \$100,000 @ \$2,500 per site
Task 7: Water Quality Sample Analysis and Data Submission	Not to exceed \$22,672 @ the fee per sample rates listed in Table 1
Task 8: Stream Nutrient Sample Collection and Analysis	Not to exceed \$74,506
Task 9: Watershed Improvement Section (WIS) Site Sample Collection and Analysis	Not to exceed \$16,311 @ \$5,437 per site
Task 10: Site Reconnaissance and Landowner Contacts	Not to exceed \$10,000
Task 11: Professional Services	Not to exceed \$7,500
Task 12: Sampling Equipment replacement as needed	Not to exceed \$15,000
Task 13: Equipment Maintenance and Repair as needed	Not to exceed \$7,500
Task 14: Shipping Samples	Not to exceed \$1,500
Task 15: Data Transfer	\$0
Sub-total	\$586,223.50
Facilities and Administrative Costs @ 8%	\$46,897.88
Total	\$633,121.38

Attachment 2: FY24 Ambient Biological Monitoring and Laboratory Services Contract (24S-ESD-WQB-Kkrie-0001) Site List by Task.

**Task 1 – Calibrated Wadeable Stream Reference Site Sample Collection - List of Sampling Sites:**

BioNet Site #	AQuIA Site #	Stream Name and Landmark/Location	County	Ecoregion
5	12520001	Old Mans Creek / Williamstown	Johnson	47f
8	12610003	North Branch North River / Goeldner Woods	Madison	47f
11	12190003	Wapsipinicon River / Twin Ponds Park	Chickasaw	47c
22	12310004	Lytle Creek / Zwingle	Dubuque	47f
27	12160002	Rock Creek / Tipton	Cedar	47f
32	12370001	Buttrick Creek / Waters County WA - Grand Junction	Greene	47b
33	12370003	West Buttrick Creek / near Spring Lake Park	Greene	47b
36	12860001	Richland Creek / Haven	Tama	47f
53	12120001	Coldwater Creek / Greene	Butler	47c
54	12380001	South Beaver Creek / Parkersburg	Grundy	47c
59	12940002	Prairie Creek / Dolliver State Park- Lehigh	Webster	47b
63	12300002	Little Sioux River / Horseshoe Bend Co Park- Milford	Dickinson	47b
64	12600001	Little Rock River / Little Rock CWA- George	Lyon	47a
66	12940001	Lizard Creek / Clare	Webster	47b
84	12890001	Chequest Creek / Pittsburg	Van Buren	40a
104	12100003	Pine Creek / Quasqueton	Buchanan	47c
108	12330004	Little Turkey River / Gouldsburg Co Park	Fayette	47c
143	12810001	North Raccoon River / Raccoon River Greenbelt- Sac City	Sac	47b
170	12980002	Elk Creek / Elk Creek Marsh SWMA - Kensett	Worth	47b
207	12590002	Wolf Creek / Chariton	Lucas	40a
44	12190002	East Fork Wapsipinicon River / New Hampton	Chickasaw	47c
65	12690001	Pilot Branch / Stennett	Montgomery	47e
128	12240001	Big Creek / Denison	Crawford	47e

**Task 2 – Coldwater Stream Reference Site Sample Collection – List of Sampling Sites:**

BioNet Site #	AQuIA Site #	Stream Name and Landmark / Location	County	Ecoregion
352	15030004	Dousman Creek / Ion	Allamakee	52b
360	16030003	Waterloo Creek / Dorchester	Allamakee	52b
408	14000049	Mossy Glen Creek / Edgewood - Mossy Glen Preserve	Clayton	52b
474	16220006	North Cedar Creek / Clayton	Clayton	52b

**Task 3 – Biological Trend Monitoring Sample Collection – List of Sampling Sites:**

<b>BioNet Site #</b>	<b>AQuIA Site #</b>	<b>Stream Name and Landmark / Location</b>	<b>County</b>	<b>Ecoregion</b>
10	12220002	North Cedar Creek / Public Access Area- Sny Magill	Clayton	52b
31	12980003	Willow Creek / Willow Creek Wildlife Area - Hanlontown	Worth	47b
37	12270001	Long Creek / DeKalb SWA - Van Wert	Decatur	40a
48	12030001	French Creek / French Creek SWMA - Waukon	Allamakee	52b
50	12710004	Little Waterman Creek / Waterman Creek SWMA	Obrien	47a
82	12150001	Indian Creek / Lewis	Cass	47e
105	12490001	Bear Creek / Eden Valley Co Park - Baldwin	Jackson	47f
107	12960001	Canoe Creek / Canoe Creek SWMA - Decorah	Winnesheik	52b
154	12100002	Lime Creek / Lime Creek Park- Brandon	Buchanan	47c

**Task 4 – Ambient WQ Site Biological Sample Collection - List of Sampling Sites:**

<b>BioNet Site #</b>	<b>AQuIA Site</b>	<b>Stream Name and Landmark / Location</b>	<b>County</b>	<b>Ecoregion</b>
285	10340001	Cedar River / Carrville/Charles City	Floyd	47c
910	10770001	Beaver Creek / Grimes	Polk	47b
915	10630002	Cedar Creek / Bussey	Marion	40a
919	10500001	Indian Creek / Colfax	Jasper	47f
921	10640002	Iowa River / Marshalltown - DS1	Marshall	47f
922	10670003	Little Sioux River / Turin	Monona	47d
926	10670002	Maple River / Mapleton	Monona	47m
930	10250001	South Raccoon River / Redfield	Dallas	47f
934	10970002	West Fork Little Sioux River / Hornick	Woodbury	47d
940	10580002	Iowa River / Lone Tree	Louisa	47f
943	10560002	Skunk River / Augusta	Lee	40a
944	10540001	North Skunk River / Sigourney	Keokuk	47f
947	10070001	Beaver Creek / Cedar Falls	Black Hawk	47c
952	10570001	Cedar River / Cedar Rapids - DS1	Linn	47f
1155	10070004	Black Hawk Creek / Ridgeway Ave SW of Waterloo	Black Hawk	47c

**Task 5 – Follow-up Biological Sampling – List of Sampling Sites:**

BioNet Site #	AQuIA Site	Stream Name and Landmark / Location	County	Ecoregion
1339	14000483	Beaver Creek / Dakota City	Humboldt	47b
1337	14000481	Badger Creek / Fort Dodge	Webster	47b
422	16090001	Quarter Section Run / Waverly	Bremer	47c
237	11160003	Sugar Creek / Tipton Hwy 130	Cedar	47f
192	12990003	Otter Creek / Goldfield	Wright	47b
622	16080003	UT to Little Beaver Creek / Bouton	Boone	47b
736	12210004	UT to Elk Creek / Fen Valley WMA	Clay	47b
523	16790003	Little Bear Creek / Brooklyn (REMAP #290)	Poweshiek	47f
NEW	NEW	North Fabias River	Davis	40a
329	16270001	Little River / Leon	Decatur	40a
427	16870001	East Nodaway River / Nodaway	Taylor	47f
513	16890002	Fox River / Mount Sterling	Van Buren	40a
158	12030003	Hecker Creek / Postville	Allamakee	52b
398	16750002	Johns Creek / Kingsley	Plymouth	47a
958	12260004	Soap Creek / Peach Avenue	Davis	40a
582	16450005	Crane Creek / Riceville	Howard	47c

**Task 6 – Stream Nutrient Criteria Development Sample Collection – List of Sampling Sites Selection**

In Progress

Task 7 – All analytical task.

**Task 8 – Stream Nutrient Sample Collection – List of Sampling Sites:**

BioNet Site #	AQuIA Site #	Stream Name and Landmark / Location	County	Ecoregion
Datalogger Sites				
154	12100002	Lime Creek / Lime Creek Park- Brandon	Buchanan	47c
31	12980003	Willow Creek / Willow Creek Wildlife Area - Hanlontown	Worth	47b
Biological Sampling Sites				
1340	12100002	Waterman Creek – Waterman Prairie Complex	O'Brien	47a
TBD	TBD	Waterman Creek – DS Waterman Prairie Complex	O'Brien	47a

**Task 9 – Watershed Improvement Section (WIS) Site Sample Collection – List of Sampling Sites:**

BioNet Site #	AQuIA Site #	Stream Name and Landmark / Location	County	Ecoregion
455	11070007	Dry Run Creek / US of University Ave near UNI campus (DRC4)	Blackhawk	47c
215	12070002	Dry Run Creek / DS of Waterloo RD (DRC1)	Blackhawk	47c
197	12620002	Muchakinock Creek / Eddyville	Mahaska	47f

**Iowa Department of Natural Resources  
Environmental Protection Commission**

ITEM #9

DECISION

**Contract with THE UNIVERSITY OF IOWA****Recommendation:**

Commission approval is requested for a service contract with the State Hygienic Laboratory (SHL) at the University of Iowa.

**Contract Terms:**

**Amount:** Not to exceed \$576,872.32

**Dates:** July 1, 2023 – June 30, 2025

**Funding Source(s):** Laboratory certification fees per 567 Iowa Administrative Code (IAC) section 83.3. The fees paid by laboratories support the cost of the Contract. The Drinking Water SRF State Program may be used as an additional source of funding if required.

**Statutory Authority:** Iowa Code Section 455B.103(3).

**Contract Background:** The parties have entered into this Contract to retain the Contractor to determine the qualification of laboratories requesting environmental laboratory certification for the analysis of compliance samples required by the DNR. This Contract is entered into according to the provisions of Iowa Code Section 455B.103(3), and the provisions of 567 IAC Chapter 83 – Laboratory Certification.

**Contract Purpose:** The DNR is entering into this Contract with SHL to perform the duties specified in 567 IAC Chapter 83. SHL is the state environmental and public health laboratory, and possesses the required expertise to conduct this program. In consultation with DNR, SHL will be responsible for conducting on-site audits, reviewing required documents from laboratories, preparing audit and certification documents, providing technical assistance to laboratories, conducting an annual laboratory symposium, and conducting various training courses.

**Contractor Selection Process:** DNR is allowed to contract with the University of Iowa pursuant to Iowa Code Section 455B.103(3).

**Contract History:**

<b>Contract</b>	<b>Amount</b>
15ESDWQBKLee0001	\$300,000
• Amendment-01	\$0 (Task Change)
• Amendment-02	\$300,000
• Amendment-03	\$264,665
• Amendment-04	\$150,000
<b>Total</b>	<b>\$1,014,665</b>
21ESDWQBKLee-0001	\$363,355.20
23ESDWQBKLee-0002	\$318,979.80
24ESDWQBKLEE-0001	\$576,872.32
<b>Grand Total</b>	<b>\$2,273,872.32</b>

The contract amount was revised in SFY 2021 to reflect the actual cost incurred by SHL of the laboratory certification program. Previously, the compensation was based on a percentage of fees collected, which did not fully fund the program.

The contract for SFY 2024 increased substantially due to the phased retirement of the lead auditor and the hiring of a new fulltime auditor. The phased retirement of the lead auditor will end in June of 2024. In addition, the costs of administrative support from SHL will be reduced to 0.75 FTE in SFY 24 and to 0.50 FTE in SYF 25. The reduction in administrative support is due to efficiencies realized by the implementation of a new web application used to manage the program. This accounts for the variable costs in Task 4 of the Contract. Quarterly payments will be reduced by \$20,604.00 in SFY 25.

<b>Task</b>	<b>Total amount of compensation allotted to Task</b>	<b>Task Milestone Date</b>
<b>Task 1: Certification of the State Hygienic Laboratory</b>	N/C	Every two years based on the Iowa certification date
<b>Task 2: Administrative Functions</b>	\$1,000.00	Final item due 5 business days following the quarterly meeting.
<b>Task 3: Applications</b>	\$1,000.00	Ongoing – Issue new application packets 120 days prior to expiration
<b>Task 4: On-site Audits &amp; Recommendations</b>	Variable – <b>SFY 24</b> \$73,306.52 <b>SFY 25</b> \$54,228.74	Ongoing - Conduct On-site audit within 90 days after receipt of a complete application and payment of fees.
<b>Task 5: Tracking Proficiency Testing Reports</b>	\$1,000.00	Ongoing
<b>Task 6: Annual Laboratory Symposium and Training Courses</b>	N/C	Annually
<b>Task 7: Laboratory Investigations</b>	N/C	Ongoing
<b>Task 8: Communication</b>	N/C	Ongoing

<b>Quarterly Cost Summary</b>	<b>SFY 24 – 2.65 FTE</b>	<b>SFY 25 – 1.9 FTE</b>
<b>Task Number &amp; Description</b>		
2 – Admin Functions	\$1,000.00	\$1,000.00
3 – Applications	\$1,000.00	\$1,000.00
4 – Onsite Audits	\$73,306.52	\$54,228.74
5 – PT Tracking	\$1,000.00	\$1,000.00
Task Totals	\$76,306.52	\$57,228.74
SHL Facilities and Administrative Costs @ 8%	\$6,104.52	\$4,578.30
<b>Total Quarterly Cost</b>	<b>\$82,411.04</b>	<b>\$61,807.04</b>

Kathleen Lee, Environmental Specialist Senior, Water Quality Bureau  
Environmental Services Division  
May 16, 2023

ITEM #10

DECISION

**Contract with THE UNIVERSITY OF TEXAS at DALLAS (UT Dallas)**

**Recommendation:**

Commission approval is requested for a service contract with the University of Texas at Dallas (UT Dallas).

**Contract Terms:**

**Amount:** Not to exceed \$80,000

**Dates:** July 1, 2023, to June 30, 2025

**Funding Source(s):** 100% - Field Services Bureau Management General Fund, cost center 7490

**Statutory Authority:** Iowa Code section 455A.4(6)

**Contract Background:** The Emergency Planning and Community Right-to-Know Act (EPCRA), section 312, requires facilities to submit information about the types and locations of hazardous chemicals over certain quantities. The DNR utilizes the section 312 (Tier II) data for planning and response during disasters, and makes the information available to emergency planners and first responders.

UT Dallas partnered with the U.S. EPA and U.S. Department of Homeland Security to research and develop the E-Plan system. The highly secure E-Plan program for hazmat responders runs on the internet 24/7/365 so that Tier II data will be instantly available when needed by state and local first responders. E-Plan is known nationally and meets the needs for first responders and local emergency planners. E-Plan is available only through UT Dallas. There are currently 11 states and 7 counties that use E-Plan.

**Contract Purpose:** The parties propose to enter into this Contract to retain the Contractor to provide E-Plan access and support to more than 4,200 Tier II facilities in Iowa and 190 emergency planners and first responders.

**Contractor Selection Process:** Intergovernmental contracting is authorized by 11 IAC 118.4. UT Dallas was chosen for this project because E-Plan was originally developed under a federal EPA grant and is available only through UT Dallas.

**Contract History:** DNR has contracted with UT Dallas since 2019 for its E-plan services. The services delivered under the Contract have not changed. Previous contracts with UT Dallas included a trial period cost rate to accommodate preliminary testing and configurations. Entering into this Contract is significantly less than the cost it would take for DNR to develop its own custom software.

Christina Iiams, Management Analyst 3, Field Services & Compliance Bureau  
Environmental Services Division  
May 16, 2023

**5.1 Statement of Work.** Contractor shall perform the following Tasks by the Task Milestone Dates set out in the following table:

Obligation	Task Milestone Date
<p><b>Task 1: E-Plan services</b>  <b>Description:</b> The scope of E-Plan services shall include:</p> <ol style="list-style-type: none"> <li>1. E-Plan shall support facilities in Iowa to file their EPCRA sections 312 (Tier II), 302, and 311 directly into the E-Plan online reporting system (website: <a href="https://tier2.erplan.net">https://tier2.erplan.net</a>).</li> <li>2. E-Plan shall provide an 8:00 AM to 5:00 PM Central Time call line, 24/7 online request tracking system, and online webinars for Tier II filers in January and February of each year.</li> <li>3. E-Plan shall offer service support for the current and new first responders in Iowa who would use E-Plan for planning and response purposes (website: <a href="https://erplan.net">https://erplan.net</a>).</li> <li>4. These services shall be provided for the current Tier II first responders in Iowa, and any additional Tier II facilities and emergency planners and first responders in Iowa.</li> </ol>	<p>July 1, 2023 to June 30, 2025</p>

**7.3 Budget and Submission of Invoices.** The budget for this Contract and the submission of invoices shall be as stated in the table below:

Task Milestone Date	Amount of Compensation Allotted to Task	Invoice Due No Later Than
Task 1: E-Plan Services (July 1, 2023-June 30, 2024)	Not to exceed \$40,000.00	July 1, 2023
Task 1: E-Plan Services (July 1, 2024-June 30, 2025)	Not to exceed \$40,000.00	July 1, 2024
<b>Total</b>	<b>Not to exceed \$80,000.00</b>	



# When Seconds Count—Planning Pays Off

## Iowa's Planners and First Responders Get Vital Information From E-Plan

When disaster hits, emergency managers have seconds to act.

In the past, first responders could arrive at the scene not knowing the chemical hazard they faced. Sometimes they had to get someone out of bed and wait for them to run to the office and retrieve the information.

With [E-Plan](#), HAZMAT (hazardous materials) teams, fire departments, police and emergency managers rush to respond—retrieving chemical inventories on the way. By the time they arrive, they know what products are onsite and where they are stored.

### Overview

E-Plan provides online access to chemical inventories. The instant access protects the response team as they choose the gear and response they need. And, it protects the community.

Most of the time, local response agencies use E-Plan to prepare for events they hope will never happen. Planning ensures communities have the specific resources and training they need. Local emergency planning committees (LEPCs) use annual chemical inventory reports on the storage, use and releases of hazardous substances. Reporting is required under the federal Emergency Planning and Community Right-to-Know Act ([EPCRA](#)).

### Why E-Plan is Essential

- Provides vital information for first responders
- Saves time. Saves lives.
- Always available—in seconds, 24/7
- Replaces thousands of paper records
- Essential for planning
- Ensures availability of proper equipment and training
- Helps determine adjacent vulnerable populations, e.g., schools
- Identifies physical and health hazards
- Efficient and cost-saving for 4,600 companies to report

*First responders use E-Plan, an online system, to figure out how to respond to a hazardous (Tier II) chemical release.*



When a company has hazardous chemicals, the owner or operator must collect [information](#) and submit a Tier II report with specific information about each chemical. Reporting is required for smaller amounts of extremely hazardous chemicals, such as ammonia. There are some exemptions such as food or food additives.

*“The E-Plan system is more convenient and easy to use compared to the previous method of filing.”*

*—Mona Bond, facility submitter*

E-Plan is a fast, accurate and convenient way to organize the annual reports required by state, federal and local governments. Chemical lists are available—at your fingertips—24/7 for first responders. E-Plan replaces piles of paper which previously had to be scanned and saved.

*“The time savings are not insignificant. And, I suspect there are fewer errors...such as mailing them to the wrong county. The savings in paper, ink, envelopes and postage...must be huge as well.”*

*—Penny Vossler, Boone County GIS coordinator*

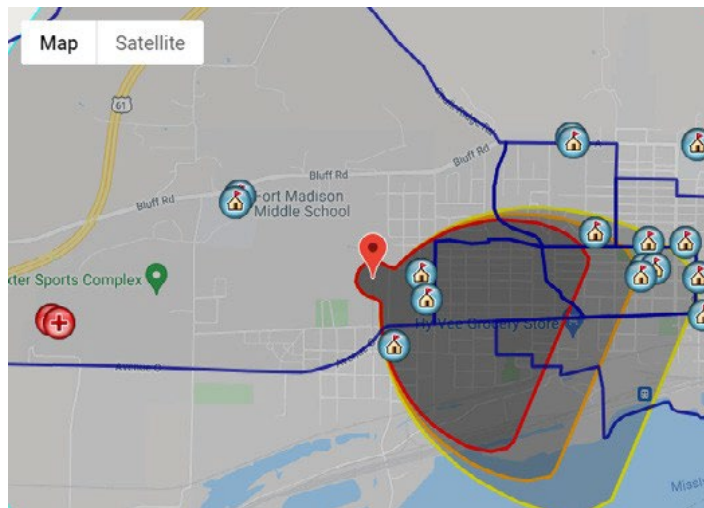
## Emergency Response

In addition to Tier II data, E-Plan instantly makes available other important information, such as:

- Maps of the area surrounding a fixed facility showing schools and hospitals
- Facility Emergency Response Plans including diagrams and floor plans
- Safety Data Sheets for thousands of chemicals
- Emergency Response Guidebook pages
- National Fire Protection Association codes.

*“Another feature I really like is the ability to demonstrate the ‘Plume’ scenarios. This will be the highlight of our first LEPC discussion, and this demonstration and discussion will develop into an actual tabletop exercise.”*

—Brian Hall,  
Emergency Management Coordinator,  
Louisa County



E-Plan creates maps of the spill site, including the locations of hospitals and schools where vulnerable populations may need to be evacuated. The maps incorporate wind speed and direction to show three plumes--from the likely most contaminated area to the least.

## Reporting

Approximately 4,600 Iowa businesses have been using E-Plan since 2019. While there’s a mix of companies including petroleum, chemical and manufacturing facilities, the most hazardous chemicals come from the agricultural, water and wastewater, and telecommunications sectors.

## Companies with Extremely Hazardous Substances

Company Type	Number of Companies	Top Three Extremely Hazardous Substances
Ag Co-ops	919	Ammonia
Drinking water and wastewater treatment plants	153	Chlorine
Manufacturing companies	> 2500	May have sulfuric acid in forklifts
Telecommunications, power companies and windfarms	854	Sulfuric Acid
Petroleum and Chemical	100	Varies

E-Plan has been a welcomed improvement—allowing companies to submit an electronic form to one website instead of mailing paper forms and Tier II HAZMAT sheets to DNR and multiple counties.

After two years, companies found using E-Plan was efficient, saving staff time and effort. One feature they really like is being able to replicate the previous year’s submission and make minor changes at that time.

The DNR is providing E-Plan to these companies free-of-charge. However, DNR absorbs the administrative costs and annual costs of using E-Plan software.

*“This program has also allowed better access to important information needed by Local Emergency Planning Committees and HAZMAT Teams.*

—Doug Bahr, Cargill, EHS Professional

## Resources

For more information, check DNR’s Emergency Planning and Community Right-to-Know Act webpage ([EPCRA](#)). Or, find information about [E-Plan](#).



**Iowa Department of Natural Resources  
Environmental Protection Commission**

**ITEM** #11

**DECISION**

**Derelict Building Grant Program-Grant Recommendations**

The Derelict Building Grant Program is a program established by 2011 Legislation for purposes of providing funding assistance to eligible communities to address abandoned buildings by promoting public and environmental health through asbestos abatement and landfill diversion with deconstruction of building components for reuse and recycling. Funding for this program shall not exceed \$400,000.00 per Iowa Code section 455E.11(2)(a)(1)(d).

Eligible communities include a city with a population of 5,000 or fewer. Eligible costs for program assistance include but are not limited to asbestos and other hazardous material abatement and removal, the recovery of recyclable or reusable material through the selective deconstruction of abandoned buildings, and reimbursement for purchased recycled content materials used in the renovation of buildings.

The Department received eleven applications, requesting \$530,660.75 in financial assistance, for consideration during the February 2023 round of funding. Ten projects were selected for funding with a total recommended award amount not to exceed \$400,000.00 based on all deconstruction achieving maximum landfill diversion. Six of the ten projects award recommendations exceed \$25,000.00 and are presented to the Commission for approval.

The review committee is comprised of five people representing: DNR Land Quality Bureau, Iowa Economic Development Authority, Iowa Society of Solid Waste Operations, Iowa Recycling Association, and Keep Iowa Beautiful.

A description of the recommended projects, and the amount and type of funding assistance is attached.

At this time, the Department is requesting Commission approval to enter into agreements with selected applicants whose recommended awards are in excess of \$25,000.

Reid Bermel, Environmental Specialist Senior, Land Quality Bureau  
Environmental Services Division  
May 16, 2023

**Attachment**

- a) Recommended Project Descriptions

## DERELICT BUILDING GRANT PROGRAM

### PROPOSAL RECOMMENDATIONS

The following provides a description of each project for which Commission approval is requested.

<p>City of Miles</p> <p>Contact: Brenda Tebbe  <a href="mailto:miles@netins.net">miles@netins.net</a>            563-682-7618</p> <p>Description:</p>	<p style="text-align: right;">Award: \$67,000.00            Cash Match: \$29,097.00            Total Project Cost: \$96,097.00</p> <p>The City of Miles has targeted the use of these grant funds toward the following:</p> <ul style="list-style-type: none"> <li>• Deconstruction of the existing structure with concrete and brick separated for reuse and recycling.</li> </ul> <p>The city plans to sell the lot so neighboring businesses can expand.</p>
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<p>City of Odebolt</p> <p>Contact: Christy Hoefling  <a href="mailto:odebolt@netins.net">odebolt@netins.net</a>            712-668-2231</p> <p>Description:</p>	<p style="text-align: right;">Award: \$41,000.00            Cash Match: \$39,068.00            Total Project Cost: \$80,068.00</p> <p>The City of Odebolt has targeted the use of these grant funds toward the following:</p> <ul style="list-style-type: none"> <li>• Abatement and proper disposal of any identified asbestos and other hazardous material.</li> <li>• Renovation of the existing roof structure.</li> </ul> <p>The city plans to redevelop the site for retail business on the main level and housing options on the second story.</p>
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<p>City of Rhodes</p> <p>Contact: Nancy Youker-Raney  <a href="mailto:Cityofrhodes.ia.50234@gmail.com">Cityofrhodes.ia.50234@gmail.com</a>            641-485-3395</p> <p>Description:</p>	<p style="text-align: right;">Award: \$35,000.00            Cash Match: \$47,600.00            Total Project Cost: \$82,600.00</p> <p>The City of Rhodes has targeted the use of Derelict Building grant funds toward the following:</p> <ul style="list-style-type: none"> <li>• Abatement and proper disposal of any identified asbestos and other hazardous material.</li> <li>• Deconstruction of the existing structure with concrete and brick separated for reuse and recycling.</li> </ul> <p>The city plans to sell the lot to allow the next-door restaurant/bar to put in a patio.</p>
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City of Sibley

Award: \$50,500.00

Cash Match: \$36,500.00

Total Project Cost: \$87,000.00

Contact: Susan Sembach

[sibleyclerk@premieronline.net](mailto:sibleyclerk@premieronline.net)

712-754-2541

Description:

The City of Sibley has targeted the use of these grant funds toward the following:

- Abatement and proper disposal of any identified asbestos and other hazardous material.
- Renovation of the existing structure.

The City's plan is to develop the site for either housing or an expansion of the city campground/RV park.

City of Wapello

Award: \$78,000.00

Cash Match: \$76,144.00

Total Project Cost: \$154,144.00

Contact: Mike Deizell

[clerk@wapelloia.gov](mailto:clerk@wapelloia.gov)

319-523-4091

Description:

The City of Wapello has targeted the use of these grant funds toward the following:

- Deconstruction of the existing structure with concrete and brick separated for reuse and recycling.

The city plans to redevelop the site for retail business on the main level and housing options on the second story.

City of Wesley

Award: \$67,250.00

Cash Match: \$113,413.87

Total Project Cost: \$180,663.87

Contact: Stephanie Ricke

[weschall@ncn.net](mailto:weschall@ncn.net)

515-679-4292

Description:

The City of Wesley has targeted the use of these grant funds toward the following:

- Deconstruction of the existing structure with concrete and brick separated for reuse and recycling.

The City's plan is to divide and sell the newly formed lots for housing development.



# DERELICT BUILDING GRANT PROGRAM



## REVITALIZING COMMUNITIES

### THE DERELICT BUILDING GRANT PROGRAM

Many rural Iowa communities struggle with abandoned or vacant (derelict) commercial buildings. These structures pose an environmental and economic detriment to their communities. In Iowa, abandoned structures deteriorate at a rate that can affect the Iowans' health and safety due to lack of maintenance and responsible ownership. Many of these buildings present health hazards like asbestos, compromised structural integrity and hazardous chemicals. They also impair local growth by diminishing property values and increasing maintenance costs for rural communities.

### REDUCING COSTS

The DNR Derelict Building Grant Program emphasizes landfill diversion through the reuse and recycling of building items.

Applicants wishing to remove buildings must keep at least 30 percent of the structure waste, by weight, from the local landfill. Diverting building materials

from the landfill benefits the town by reducing project disposal costs. The program also helps improve street appearance and lessens financial and environmental impacts. This approach has benefited 126 different rural communities across the state by saving them a combined \$3.3 million in landfill disposal fees.

### IMPROVING ENVIRONMENT & REBUILDING COMMUNITIES

Rural communities can remove the environmental, health and safety concerns these buildings pose by remediating hazards, deconstructing, renovating, or a combination of all three activities. Since its inception, the program has awarded more than \$4.5 million to rural communities across Iowa.

After ten grant rounds that brought in 297 applications requesting more than \$11.6 million in funding, the program has selected 174 projects for funding. There is an annual funding round with applications usually due in early spring.

For application information, visit:

[www.iowadnr.gov/Environmental-Protection/Land-Quality/Waste-Planning-Recycling/Derelict-Building-Program](http://www.iowadnr.gov/Environmental-Protection/Land-Quality/Waste-Planning-Recycling/Derelict-Building-Program)

### PARTNERING FOR SUCCESS

The City of Granville took ownership of a former school building in 2014, intending to deconstruct the mostly brick building and replace it with a new fire and emergency services station. The project generated scrap iron, concrete, brick and lumber, with 97 percent of that waste kept out of the landfill. That saved the city more than \$33,000 in landfill disposal costs. With the building deconstructed, the city constructed a new fire and emergency services station that allows the city to house more service vehicles and better serve the town and surrounding communities.



### FOR MORE INFORMATION

Visit our website at [www.iowadnr.gov/faba](http://www.iowadnr.gov/faba)

Click the "Derelict Building Grant Program" link on the left menu

### DNR CONTACT

Reid Bermel

515-217-7230 | [Reid.Bermel@dnr.iowa.gov](mailto:Reid.Bermel@dnr.iowa.gov)

**Iowa Department of Natural Resources  
Environmental Protection Commission**

ITEM #12

DECISION

**Contract with THE UNIVERSITY OF IOWA****Recommendation:**

Commission approval is requested for a service contract with the State Hygienic Laboratory at the University of Iowa.

**Contract Terms:**

**Amount:** Not to exceed \$ 129,600

**Dates:** July 1, 2023, to June 30, 2025

**Funding Source(s):** This Contract will be funded through State Hazardous Waste Fund Fees (33%), State Tonnage Fees (40%) and EPA Federal grant funds (27%).

**Statutory Authority:** This Contract is allowed by the provisions of Iowa Code section 455B.103(3).

**Contract Background:** Under various state and federal programs, the DNR Land Quality Bureau conducts investigations of environmental contamination. This process involves the collection of samples of unknown chemicals or environmental media potentially contaminated by chemicals. In order to positively identify and quantify the concentration of these chemicals, it is necessary to have them analyzed by a qualified laboratory. The overall function of this Contract is to aid DNR in determining the quality of the environment of the State of Iowa by providing field and laboratory services in support of the environmental control programs of the Land Quality Bureau.

**Contract Purpose:** The parties propose to enter into this Contract to retain the Contractor to provide laboratory services in support of the Land Quality Bureau regulatory programs. This support will include analysis of samples from various media (soil, groundwater, vapor, receptors) at sites, and summarizing and reporting of the environmental quality data. Samples may be analyzed for a variety of chemistry parameters.

Obligation	Task Milestone Date
<p><b>Task 1:</b> Land Quality Bureau Laboratory Support</p> <p><b>Description:</b> SHL shall analyze and report environmental media samples collected by DNR staff during site investigations (Waste Management Super Fund-WMSF).</p> <ul style="list-style-type: none"> <li>o SHL shall analyze samples of water, soils, soil-gas, solvents, solid wastes, and other environmental media collected by DNR during site investigations. The samples shall be tested for parameters as specified by the collector in consultation with SHL.</li> <li>o Samples submitted for analysis shall be coded WMSF. All samples submitted to SHL by DNR or SHL staff shall be coded to a specific monitoring activity and shall include a detailed list of the analyses to be performed unless other arrangements have been made before shipment of the sample to SHL. SHL log-in procedures shall adhere to this code. An itemized monthly invoice of all samples analyzed, the analyses performed, and their associated charges will be provided by SHL to DNR in a mutually agreeable format. Any deviation from normal sampling procedures, including but not limited to a change in sampling location or omission of samples for analysis, shall be identified to DNR in writing prior to transmittal of analytical results. Analytical test results determined at "less than" quantitation limit shall be</li> </ul>	<p>Ongoing for the term of the Contract</p> <p>The itemized invoice for samples fully analyzed in the previous month shall be provided by SHL to DNR no later than the 30th day of each month for the previous month.</p>

<p>reported as such and flagged as appropriate. Test results for samples analyzed after recommended “holding time” shall be qualified and explained.</p>	
<p><b>Task 2: Submission of Information and Manuals</b>  <b>Description:</b> SHL shall submit information and manuals to DNR upon request.</p> <ul style="list-style-type: none"> <li>o SHL shall submit information on data quality requirements and assessments (such as detection limit, quantitation limit, estimated accuracy, accuracy protocol, estimated precision, and precision protocol) to DNR for any sample upon request. Information on the analytical reference method, sample preservation and holding time also shall be provided, if requested.</li> <li>o SHL shall provide copies of revised Methods Manuals and Standard Operating Procedure Manuals to DNR upon request. Copies of manuals and procedures shall be available from SHL.</li> </ul>	<p>Ongoing throughout the Contract as required.</p>
<p><b>Task 3: Data Transfer</b>  <b>Description:</b> SHL shall make the data generated pursuant to this Contract available to DNR electronically through the State Hygienic Laboratory OpenELIS database web portal. Data shall be available for download by DNR staff in a mutually agreeable format. The available sample information shall include the STORET station identification number, which will be provided by DNR for all station locations. Data shall be retrievable via the web portal by DNR staff.</p> <p>Analytical reports may be retrieved electronically by DNR staff having the appropriate authorization. SHL shall assist DNR staff in obtaining appropriate authorization when requested.</p> <p>When accessing electronic data, the following information is required:</p> <ul style="list-style-type: none"> <li>• SHL OpenELIS/Telcor Organization ID number: 547</li> <li>• SHL Project Code: WMSF</li> </ul>	<p>SHL shall make completed data and results available to DNR via the SHL OpenELIS web portal not later than 15 calendar days after the end of each month.</p> <p>If SHL determines that extra time for analysis should be allowed in specific cases, then a written notification shall be made to the DNR Project Manager, stating that analytical results from a sample will be delayed and the reasons for the delay. This notification shall occur as soon as possible but not later than 15 days following receipt of the sample.</p>

<b>Task*</b>	Total Amount of compensation allotted to Task** (Variable *** Payment)	Task Milestone Date	Invoice Due No Later Than:
<b>Task 1: Land Quality Bureau Laboratory Support</b>	<p>Not to exceed \$120,000</p> <p>Costs per sample shall be based on the SHL Fee Schedule contained in Exhibit A</p>	<p>Ongoing for the term of the Contract.</p> <p>An itemized monthly invoice of all samples analyzed, the analyses performed, and their associated charges will be provide by SHL to DNR in a mutually agreeable format.</p>	<p>No later than the 30th day of each month for the previous month.</p> <p>No invoice shall request payment for work occurring in more than one fiscal year.</p>



<b>Task 2: Submission of Information and Manuals</b>	N/A	Ongoing for the term of the Contract	N/A
<b>Task 3: Data Transfer</b>	N/A	SHL shall make completed data and results available to DNR via the SHL OpenELIS web portal not later than 15 calendar days after the end of each month.  If SHL determines that extra time for analysis should be allowed in specific cases, then a written notification shall be made to the DNR Project Manager, stating that analytical results from a sample will be delayed and the reasons for the delay. This notification shall occur as soon as possible but not later than 15 days following receipt of the sample.	N/A
Sub-totals	Not to exceed \$120,000		
Facilities and Administrative Costs @ 8%	Not to exceed \$9,600		
Total	Not to exceed \$ 129,600		

**Contractor Selection Process:**

- DNR is allowed to contract with the University of Iowa pursuant to Iowa Code section 455B.103(3).

**Contract History:**

Contract 1: July 1, 2021, to June 30, 2023; Amount \$129,600

Contract 2: July 1, 2019, to June 30, 2021; Amount \$129,600

Contract 3: July 1, 2017, to June 30, 2019; Amount \$129,600

Shelly Nellesen, Environmental Specialist Senior, Land Quality Bureau  
Environmental Services Division  
May 16, 2023