IN THE IOWA DISTRICT COURT FOR WOODBURY COUNTY

STATE OF IOWA, ex rel., BRENNA BIRD, ATTORNEY GENERAL OF IOWA (99AG23112), Plaintiff, vs. RP CONSTRUCTORS, LLC, Defendant.	CASE NO. EQCV227477 **CONSENT ORDER, JUDGMENT AND DECREE**

The Court is presented with the Plaintiff's Petition in Equity seeking civil penalties and injunctive relief pursuant to Iowa Code sections 480.6 and 480.7. The Court having read the Petition in Equity and being otherwise advised by the parties FINDS:

1. The Court has jurisdiction of the parties and the subject matter of this action and the parties' consent to entry of this Consent Order, Judgment and Decree.

2. Defendant RP Constructors, LLC ("RP Constructors"), having reviewed the Petition in Equity, admits each and every allegation contained in the Petition in Equity. Defendant RP Constructors does not have any prior violations of Iowa Code chapter 480, remains committed to full compliance with Iowa Code chapter 480 in connection with the excavation work it performs, and, at all material and relevant times, attempted in good faith to comply with Iowa Code chapter 480 in connection with the excavation work at issue in this matter.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

3. Defendant RP Constructors is assessed a civil penalty of Five Thousand and no/100 Dollars ($5,000.00) for the violations admitted herein. Defendant shall pay the penalty immediately upon entry of this Consent Decree. The Defendant shall also pay interest pursuant to Iowa Code section 535.3(1) on any amounts not paid when due. Payment of the civil penalty and any interest shall be made payable to the "State of Iowa" and sent to Plaintiff's attorney, Jacob Larson, Attorney General's Office, Environmental Law Division, Hoover Building 2nd Floor, 1305 E. Walnut St., Des Moines, Iowa 50319.

4. Defendant RP Constructors and its employees are permanently enjoined from commencing any non-emergency excavation in the State of Iowa, without first contacting the statewide notification center at its toll-free number (1-800-292-8989 or 811), without providing notice of the planned excavation occurring after a forty-eight-hour period, as required by Iowa Code sections 480.1A and 480.4(1)(a), and providing the information required by Iowa Code sections 480.4(1)(b)(1)-(8) and 480.4(1)(c)(1)-(8), and the defendants are further enjoined from commencing any excavation except under the schedule and pursuant to the terms of each such notification.

5. Defendant RP Constructors and its employees are permanently enjoined from conducting excavations within 25 feet of an underground pipeline operating at one hundred fifty pounds per square inch or greater and that is equal to or greater than two inches in diameter without having a representative of the pipeline operator present, unless otherwise agreed to by the operator and excavator, as required by Iowa Code section 480.4(3)(a)(3).

6. Willful failure to comply with the terms of this Consent Order, Judgment and Decree may subject Defendant RP Constructors to punishment for contempt of court, as well as

other penalties and sanctions provided by law. The Court, therefore, retains jurisdiction of this matter to ensure compliance with the terms of this Order.

7. The costs of this action are taxed to Defendant.

8. After five (5) years from the date this Consent Decree is entered, and assuming RP Constructors has complied with the requirements of this Consent Decree, the Decree shall be subject to termination upon motion by any party. At such time, if RP Constructors believes it is in compliance with the requirements of this decree, then RP Constructors shall so certify in writing to the Iowa Attorney General's Office, and unless the Office objects in writing with specific reasons within thirty (30) days after receipt of the certification, the Court shall order that this Consent Order be terminated. If the Office objects to RP Constructor's certification, then the matter shall be submitted to the Court for resolution. In such a case, RP Constructors shall bear the burden of proving that it has satisfied all requirements of this Consent Order.

SO ORDERED.

Clerk to notify the parties.

State of Iowa Courts

Case Number	**Case Title**
EQCV227477	STATE OF IOWA V. RP CONSTRUCTORS LLC
Type:	OTHER DECREE

So Ordered

Robert D. Tiefenthaler, District Court Judge
Third Judicial District of Iowa

Electronically signed on 2026-01-28 15:52:27