



## Iowa Administrative Code Chapter 131 Notification of Hazardous Conditions

24 hour number for release reporting  
515/725-8694

### Summary of Key Points and Definitions

#### Definitions

*“Hazardous Condition”* means any situation involving the actual, imminent or probable spillage, leakage, or release of a hazardous substance onto the land, into a water of the state or into the atmosphere which, because of quantity, strength and toxicity of the hazardous substance, its mobility in the environment and its persistence, creates an immediate or potential danger to the public health or safety or to the environment.

*“Hazardous Substance”* means any substance or mixture of substance that presents a danger to the public health or safety and includes, but is not limited to, a substance that is toxic, corrosive, or flammable, or that is an irritant or that, in confinement, generates pressure through decomposition, heat, or other means. The following are examples of substances which, in sufficient quantity, may be hazardous: acids; alkalis; explosives; fertilizers; heavy metals such as chromium, arsenic, mercury, lead, and cadmium; industrial chemicals; paint thinners; paints; pesticides; petroleum products; poisons; radioactive materials; sludges; and organic solvents. “Hazardous substances” may include any hazardous waste identified or listed by the administrator of the United States Environmental Protection Agency under the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976, or any toxic pollutant listed under Section 307 of the federal Water Pollution Control Act as amended to January 1, 1977, or any hazardous substance designated under Section 311 of the federal Water Pollution Control Act as amended to January 1, 1977, or any hazardous material designated by the secretary of transportation under the Hazardous Materials Transportation Act (49 CFR 172.101)

#### Key Points

**Who is Required to Report Hazardous Conditions.** Any person manufacturing, storing, handling, transporting, or disposing of a hazardous substance shall notify the department at (515) 725-8694 and the local police department or the office of the sheriff of the affected county of the occurrence of a hazardous condition as soon as possible but not later than six hours after the onset of the hazardous condition or the discovery of the hazardous condition. A sheriff or police chief who has been notified of a hazardous condition shall immediately notify the department. Reports made pursuant to this rule shall be confirmed in writing as provided in 131.2(2).

**Reporting Subsequent Findings.** All subsequent finding and laboratory results should be reported and submitted in writing to the department as soon as they become available.

Reminder ~ VERBAL REPORTS ARE REQUIRED WITHIN 6 HOURS OF  
INCIDENCE OCCURRENCE OR DISCOVERY.

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## Guidelines for Reporting Hazardous Conditions Verbal Reporting

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Report the Condition if:

- The hazardous substance has the potential to leave the property by run-off, sewers, tile lines, culverts, drains, utility lines, or some other conduit, or,
- The hazardous substance has the potential to reach a water of the state – either surface water or groundwater or,
- The hazardous substance can be detected in the air at the boundaries of the facility property by the senses (sight and smell) or by monitoring equipment or,
- There is a potential threat to the public health and safety or,
- Local officials (Fire department, law enforcement, Hazmat, public health, and emergency management) respond to the incident or,
- The release exceeds a Federal Reportable Quantity (RQ).

**~ If in Doubt, Report It ~**

IDNR REQUIRES VERBAL REPORTS WITHIN 6 HOURS OF  
INCIDENCE OCCURRENCE OR DISCOVERY

- It is recommended that all spills be cleaned up although a particular spill may not be reportable. A series of small spills over time can result in one big cleanup.
- Department rules stress the immediate or potential danger that a spill may cause.
- A written report of the Hazardous Condition is required within 30 days of the verbal notification.

*In general, Iowa reporting requirements are more stringent than Federal reporting requirements. However, the **time limit** for reporting at the Federal level is more immediate.*



## Guidelines for Reporting Hazardous Conditions Written Report Requirements

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The Iowa Department of Natural Resources  
Requires a written report of any Hazardous Condition.  
(VERBAL REPORT REQUIRED WITHIN 6 HOURS)

**Written Report.** The written report of such a hazardous condition shall be submitted to the department within 30 days and contain the following information:

- a. The exact location of the hazardous condition.
- b. The time and date of onset or discovery of the hazardous condition.
- c. The name of the material, the manufacturer’s name, and the volume of each material involved in the hazardous condition in addition to contaminants within the material if they by themselves could cause a hazardous condition.
- d. The medium (land, water, or air) in which the hazardous condition occurred or exists.
- e. The name, address, and telephone number of the party responsible for the hazardous condition.
- f. The time and date of the verbal report to the department of the hazardous condition.
- g. The weather conditions at the time of the hazardous condition onset or discovery.
- h. The name, mailing address, and telephone number of the person reporting the hazardous condition.
- i. The name and telephone of the person closest to the scene of the hazardous condition who can be contacted for further information and action.
- j. Any other information, such as the circumstances leading to the hazardous condition, visible effects, and containment measures taken that may assist in the proper evaluation by the department.

The written report should include the IDNR Spill Number (assigned at the time of the verbal report) and be addressed to the duty officer responding to the spill. Reports can be sent via mail, fax, or electronic mail to the addresses listed below.

Mail	Fax	E-Mail
Iowa DNR Field Services Emergency Response 502 E. 9th Street Des Moines, IA 50319-0034	515/281-7229	<a href="mailto:Emergency_Response@dnr.iowa.gov">Emergency_Response@dnr.iowa.gov</a>