



Department of Natural Resources

Five-Year Rule Review Worksheet

Phase 2 - Part C

BASIC INFORMATION

Date Part C Review Concluded: December 1, 2014

Reviewer Name(s): Chad Stobbe, Susan Johnson, Theresa Stiner, Amie Davidson

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Chapter¹ Number: Chapter 121

Chapter Name: Land Application of Wastes

1. DOES THIS CHAPTER² DO THE JOB IT SETS OUT TO DO?

1a. Is this chapter effective at protecting the health, welfare, and safety of lowans and our natural resources?

Yes

No

(check or circle)

1b. Explain how the chapter protects the health, welfare, and safety of lowans and our natural resources.

The intent of this administrative chapter was to establish guidelines for where wastes can be land applied and the allowable levels of heavy metals the wastes may contain in order to be protective of human health and the environment.

2. IS THERE LEGAL AUTHORITY FOR THIS CHAPTER?

¹ If the Phase 1 Worksheet addresses a portion of a chapter, rather than a whole chapter, then this follow-up worksheet should address the same portion of the chapter (e.g. rule or rules, paragraph, etc.).

² Throughout this worksheet, the word "chapter" is meant to apply to the chapter or portion of a chapter to which the worksheet applies.

2a. Is the chapter intended to implement any **state statutes**?

Yes No (check or circle)

If this chapter is intended to implement any state statutes, then answer questions 2b and 2c. If not, then proceed to question 2d.

2b. Provide citations for the specific provisions of the Iowa Code implemented by this chapter.

At the conclusion of this administrative chapter there is a chapter implementation sentence that states, "These rules are intended to implement Iowa Code sections 455B.173 and 455B.304."

[Iowa Code section 455B.173](#) – 455B.173(1)

[Iowa Code section 455B.304](#) - 455B.304(1)

2c. Provide a narrative summary of how the state statutes are implemented by this chapter.

The DNR has jurisdiction over the treatment and disposition of solid waste, including the land application of those wastes. This administrative chapter contains rules and regulations specifying the types of waste which can be land applied, the circumstances under which no permit is required for land application, and the permit requirements for those activities not exempted.

While Iowa Code section 455B.304(2) provides specific authority to adopt rules for the use of wet and dry sludge from publicly owned treatment works for land application, that is actually carried out by the rules adopted by the DNR's Wastewater section. The DNR's Wastewater section implements the federal 503C program for sewage sludge management. As such, it's not clear whether this administrative chapter has any specific statutory authority except for the broad authority granted in Iowa Code section 455B.304(1) to adopt rules for the proper administration of Division IV "Solid Waste Disposal," Part 1 "Solid Waste."

This administrative chapter implements the provisions of Iowa Code section 455B.173(1) by outlining the proper land application procedures to minimize the possibility of water pollution resulting from this solid waste management approach.

2d. Does the chapter implement any **federal statutes or regulations**?

Yes No (check or circle)

If this chapter is intended to implement any federal statutes or regulations, then answer questions 2e and 2f. If not, then proceed to question 3.

2e. Provide citations for the specific provisions of federal statutes and regulations implemented by this chapter.

Not Applicable

2f. Provide a summary of how federal statutes and regulations are implemented by this chapter.

Not Applicable

3. DOES THE CHAPTER GO BEYOND FEDERAL LEGAL REQUIREMENTS?

3a. Is this chapter more stringent than federal statutory or regulatory requirements?

Yes No Not Applicable (check or circle)

If the answer is "yes," then answer question 3b. If not, then proceed to question 4.

3b. Provide a narrative statement regarding how this chapter is more stringent than required by federal statutes and regulations, and a short justification of why it is more stringent.

Not Applicable

4. DOES THIS CHAPTER HAVE UNINTENDED CONSEQUENCES?

4a. Does the chapter result in the equitable treatment of those required to comply with it?

Yes No (check or circle)

4b. Provide a narrative summary of your response.

For any public or private entity wishing to land apply a solid waste or industrial sludge, the provisions of this administrative chapter are applied equally to all. However, inconsistencies in the application of this administrative chapter for industrial waste by-products have prompted the DNR to review and clarify the criteria used to characterize a waste for inclusion under 567 IAC 121 (See Land Application of Industrial Waste factsheet).

To be land applied under 567 IAC 121, the material must first be a waste and secondly be either a solid waste or an industrial sludge. For a material to be an industrial sludge it must be generated by 1) a commercial or industrial wastewater treatment plant, 2) a potable water supply treatment plant, or 3) an air pollution control device. If the material is generated by one of the above, it may be land applied according to the provisions in 567 IAC 121 as an industrial sludge. If the material is intended to be land applied to replace or offset the use of more traditional fertilizers, soil conditioners or liming agents, it may need to be registered and regulated by the Iowa Department of Agriculture and Land Stewardship (IDALS) pursuant to 21 IAC 43 and 44, and Iowa Code chapters 200 and 201A. If the material is not registered as a fertilizer, soil conditioner or liming agent and does not meet the criteria to be an industrial

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sludge or a solid waste, it is by definition wastewater that must be regulated pursuant to the DNR's Wastewater Section and National Pollution Discharge Elimination System (NPDES) sections.

4c. Does the chapter result in the inequitable treatment of anyone affected by the chapter but not required to comply with it?

Yes No (check or circle)

4d. Provide a narrative summary of your response.

Entities who comply with IDALS secondary containment requirements in 21 IAC 44 are negatively impacted when competitors receive a solid waste land application permit that does not require secondary containment. The same can be said with regard to fees paid to IDALS, but not to DNR for permit issuance. This creates a competitive advantage for competing land application companies. The inequity occurs when a material is touted as a fertilizer, soil conditioner or liming agent, but land applied as a solid waste instead.

4e. Are there known negative unintended consequences of this chapter?

Yes No (check or circle)

If the answer is "yes," then answer question 4f. If not, then proceed to question 5.

4f. Specifically state the nature of any negative unintended consequences.

As stated in response to 4b above, the provisions of 567 IAC 121 and its misinterpretation have resulted in alternate regulatory paths for materials that should be managed by IDALS as a fertilizer, soil conditioner or liming agent; or by the DNR's Wastewater Engineering Section as a wastewater.

Using the term solid waste and sludge interchangeably, as well as sludge being defined as any solid, semisolid or liquid waste, has led to confusion and the subsequent issuance of land application permits for many materials that are actually wastewaters. "Solid waste" is defined as garbage, refuse, rubbish, and other similar discarded solid or semisolid materials, whereas a sludge can be a liquid. To be land applied under 576 IAC 121, the material must first be a waste and secondly be either a solid waste or an industrial sludge. For a material to be an industrial sludge it must be generated by 1) a commercial or industrial wastewater treatment plant, 2) a potable water supply treatment plant, or 3) an air pollution control device. If the material is generated by one of the above, it may be land applied according to the provisions in 567 IAC 121 as an industrial sludge (which may include wastes that fail the paint filter test (EPA Method 9095B)).

Given the allowable constituent levels in 567 IAC 121.6(1)"b" (chart), some wastes could potentially exceed the maximum toxicity levels allowed for disposal in a sanitary landfill in Iowa. The definition of "solid waste" in 567 IAC 121 does not specifically exclude hazardous wastes, as does the definition of "solid waste" in Iowa Code section 455B.301.

While 567 IAC 121.6 is titled “Permit exemptions,” the provisions of this rule are actually a permit-by-rule approach to regulatory oversight, and do not exempt entities from complying with this administrative chapter. In addition, these permit-by-rule provisions do not significantly streamline the permitting process compared to those applicable to entities receiving an individual facility permit.

Additionally, the total metals chart in 567 IAC 121.6(1) implies that as long as the heavy metals are below the amount listed, the material may be land applied. When in fact, levels below the listed amounts could fail the TCLP test, in which case the waste would need to be managed as a hazardous waste.

5. CAN THE GOALS OF THE CHAPTER BE ACHIEVED IN A MORE EFFICIENT OR STREAMLINED MANNER?

5a. Is the chapter broader than necessary to accomplish its purpose or objective?

Yes No (check or circle)

5b. Provide a narrative summary of your response.

Other than the broad authority granted to the DNR in Iowa Code section 455B.304(1), there are no specific authorities granted to the DNR regarding the adoption of this administrative chapter. As such, this administrative chapter cannot be deemed broader than necessary, as there aren't limits in the enabling statutory authority.

5c. Is the purpose of this chapter achieved in the least restrictive manner?

Yes No (check or circle)

5d. Provide a narrative summary of your response.

The regulations in 567 IAC 121 are less restrictive than those for similar by-products regulated pursuant to DNR's wastewater regulations or IDALS' fertilizer, soil conditioner and liming agent regulations. This has at times resulted in the request and issuance of land application permits for materials that should have been managed pursuant to IDALS or DNR Wastewater. For example, IDALS requires secondary containment for fertilizers and soil conditioners (21 IAC 44), while 567 IAC 121 does not require any secondary containment. If businesses can land apply under this administrative chapter, the costs associated with secondary containment are avoided, and businesses then realize a competitive advantage over those who register a fertilizer or soil conditioner pursuant to IDALS' regulations. In addition, materials land applied as solid wastes pursuant to this administrative chapter, and that provide agronomic or soil conditioning benefit, avoid the associated licensing and registration fees (e.g. groundwater protection fee, inspection fee, agricultural lime sample fee, provisional product registration fee) that IDALS levies upon fertilizers, soil conditioners and liming agents.

This same scenario applies to DNR's Wastewater regulations. For example, the DNR's

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wastewater program requires groundwater monitoring wells at the perimeter of application sites to determine if there is a detrimental impact to groundwater from land applying wastewater. This administrative chapter does not require the installation of groundwater monitoring wells at solid waste land application sites.

As stated above, while 567 IAC 121.6 is titled “Permit exemptions,” the provisions of this rule are actually a permit-by-rule approach to regulatory oversight, and do not exempt entities from complying with this administrative chapter. These permit-by-rule provisions do not significantly streamline the permitting process compared to those applicable to entities receiving an individual facility permit. Further clarification is needed to determine which materials and/or activities should be exempt from this administrative chapter, and which materials and/or activities can be regulated more through a permit-by-rule approach.

5e. What, if any, reasonable and practical alternatives to this chapter are available by the agency?

- One option would be to only include the permit-by-rule requirements in 567 IAC 121.6 and remove the individual facility permit application requirements in 567 IAC 121.7. If a waste generator wanted to vary from the requirements of 567 IAC 121.6, the generator could apply for an individual permit instead, seeking special conditions specific to the waste material in question or the fields where the waste material is being land applied.
- Another option would be to rescind the administrative chapter. As stated in 567 IAC 121.5, “The department has jurisdiction over the disposal of solid waste including the land application of those wastes.” This permitting program has shown over time that very wastes are ever land applied just as a means of disposal, without any noted benefit to the recipient. Most of the wastes have some claimed agronomic value as a fertilizer or physical benefit as a soil conditioner, which would fall under IDALS’s jurisdiction as noted above. Some materials that were permitted under the DNR’s solid waste program as sludge, did not meet the criteria of sludge, and should have been regulated as a wastewater. The land application of wastewater is governed by 567 IAC 64.

As permits come up for renewal, the DNR is reviewing the waste material to determine if it’s a solid waste or a sludge, and therefore eligible to be permitted pursuant to 567 IAC 121. If this administrative chapter was rescinded, wastes that do not fall under the DNR’s wastewater program or IDALS’s fertilizer, soil conditioner or liming agent programs, could potentially be regulated pursuant to 567 IAC 108; which establishes rules for determining when a solid by-product can be used in a beneficial manner as a resource and not a solid waste.

5f. How do the economic and social costs of various alternatives to this chapter, if known, appear to compare to the known economic costs of this chapter?

The first option in 5e above would result in a cost savings to both the DNR and the permit applicant. The second option in 5e above may result in a cost savings for those who seek a beneficial use determination pursuant to 567 IAC 108. It could increase costs for those who

must comply with applicable wastewater, fertilizer, soil conditioner or liming agent regulations. However, even without a change to this administrative chapter, those materials deemed a wastewater, fertilizer, soil conditioner or liming agent should comply with their appropriate regulatory chapters and administering authority.

5g. Do the known economic costs of the chapter outweigh the known economic and social benefits?

This administrative chapter provides an alternative to landfill disposal. It allows the waste generator to make their own determination of whether the cost of compliance with the regulatory provisions of this administrative chapter outweighs the cost of disposing of the material in a sanitary landfill. So long as the land application of solid waste and sludge does not adversely affect human health and the environment, the DNR should continue to encourage the utilization of such materials, rather than unnecessarily depleting landfill disposal capacity.

6. DOES THE CHAPTER AFFECT BUSINESS OR INDUSTRY?

6a. Does the chapter affect businesses operating in Iowa?

Yes No (check or circle)

If the answer is "yes," then answer questions 6b through 6i as applicable. If not, then proceed to question 6f.

6b. What kinds of businesses are affected by this chapter?

Industries that have a solid by-product that is biodegradable or at a minimum, does not adversely impact soil and groundwater quality; commercial or industrial wastewater treatment plants and water supply treatment plants; companies that contract with the previously mentioned businesses and the landowners whose ground is used for the application of such materials.

6c. Does this chapter create a burden for businesses?

Yes No (check or circle)

6d. Explain your response to question 6c.

While some burden is always placed upon an applicant to obtain the proper authorization due to costs related to preparing documents for permit applications and ongoing regulatory compliance monitoring documentation, this program provides an economical means for businesses to manage certain types of waste materials. If the burden is deemed excessive, a generator could choose a different method of management, such as disposal in a sanitary landfill.

If the answer to question 6c is "yes," then answer question 6e. If not, then proceed to questions 6f through 6i.

6e. If this rule does create a burden for businesses, what options are available to address those burdens?

Not Applicable

6f. Do industry standards affect the subject matter of this chapter?

Yes No (check or circle)

If the answer is "yes," answer questions 6g through 6i as applicable. If not, proceed to question 7.

6g. Have industry standards changed since the adoption of this chapter?

Yes No (check or circle)

If the answer is "yes," answer questions 6h and 6i. If not, proceed to question 7.

6h. What industry standards have changed since the adoption of this chapter?

Not Applicable

6i. Would revision of the chapter be useful in implementing the purposes of the chapter in light of any industry standard revisions? (Cite the portions of the chapter that could be revised.)

Not Applicable

7. DOES THIS CHAPTER AFFECT JOB CREATION?

7a. Does the chapter affect job creation?

Yes No (check or circle)

If the answer is "yes," then answer questions 7b and 7c. If not, then proceed to question 8.

7b. If this chapter affects job creation, in what manner does that occur?

Not Applicable

7c. If this chapter is required by state or federal statutes, or federal regulations, how has the department minimized negative job impacts?

Not Applicable

8. IS THERE ANY DOCUMENTATION OR PAPERWORK REQUIRED BY THIS CHAPTER?

8a. Is there any documentation or paperwork required by this chapter?

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Yes No (check or circle)

If documentation or paperwork is required, then answer questions 8b through 8e. If not, then proceed to question 9.

8b. What is the purpose of the documentation or paperwork?

The rules within this administrative chapter that require the submittal of paperwork pertain to minimum permit application requirements and subsequent permitting actions (e.g. quarterly reporting). This required documentation ensures solid wastes are being land applied at the correct rates, at the approved fields, and in a manner that is protective of human health and the environment.

8c. Who reviews the paperwork required by the chapter?

DNR central office program staff and field office staff review permit applications, quarterly reports and site inspection reports to ensure compliance with regulations and to ensure such activities are protective of human health and the environment. The minimum permit application and management plans required in this administrative chapter serve as the basis for permit issuance, documentation of compliance with operating requirements and application rates.

8d. How is the documentation or paperwork required by this chapter informative or useful for the public?

Because all paperwork is made public, it provides transparency and a level playing field for all required to comply with this administrative chapter. The minimum permit application and management plans required in this administrative chapter serve as the basis of information to include in a facility's permit. This provides the DNR and the public with information on who, what and how solid waste materials are being managed at the site. These permit application requirements are vital to the permitting process to ensure solid waste management activities are adequately protective of human health and the environment.

8e. How, if possible, can the documentation or paperwork requirements be reduced?

Opportunities exist to restructure and simplify the application form and required plans that must accompany each permit renewal, and opportunities to reduce paperwork through streamlining/standardizing reporting requirements (e.g. online application and reporting, financial assurance). While not a reduction in paperwork, the permit application submittal needs to include a map delineating the land application area and show application field slopes, nearby wells and residences, as well as a table showing locations and landowner information to expedite DNR review and permit issuance.

As stated prior, further discussion with industry is needed regarding the basis for an individual permit and what activities should be covered under a permit-by-rule approach; both of which provide further opportunities to streamline the permitting process and reduce paperwork.

**9. DO OTHER STATE AGENCIES REGULATE
THE ISSUES ADDRESSED BY THIS CHAPTER?**

9a. Do any other state agencies regulate any issue(s) addressed by this chapter?

Yes No (check or circle)

If the answer is "yes," then answer questions 9b to 9e. If not, then proceed to question 10.

9b. If other state agencies regulate any issue(s) addressed by this chapter, provide the name of each agency, a description of how each agency is involved, and specify the subject matter regulated by each agency.)

Most of the waste materials regulated under this administrative chapter provide some level of agronomic or physical benefit to the soil, which would make them eligible for regulation under IDALS's fertilizer, soil conditioner or liming agent programs. If the material is not registered as a fertilizer, soil conditioner or liming agent, and doesn't meet the criteria to be an industrial sludge or a solid waste, it's by definition wastewater that must be regulated pursuant to the DNR's Wastewater Engineering and NPDES sections.

9c. Is there a need for more than one set of rules?

Yes No (check or circle)

If the answer is "yes," then proceed to question 9d. If not, then proceed to question 9e.

9d. If any other state agencies regulate any issue(s) addressed by this chapter and one or more of the other sets of rules are necessary, explain why.

Not Applicable

9e. If this chapter or a portion thereof is duplicative, explain how and why.

IDALS regulates nutrient content, application, and storage of fertilizers, soil conditioners and agricultural liming materials pursuant to Iowa Code chapters 200 and 201A, and 21 IAC 43 and 44. The DNR's Wastewater section regulates the land application of wastewaters pursuant to 567 IAC 64. The DNR's Solid Waste section also includes requirements for nutrient content, application and storage of materials that are spread on land pursuant to 567 IAC 121; however this administrative chapter does not require such materials to have a specified agronomic or improve soil characteristic, nor any secondary containment.

As most wastes have some claimed agronomic value as a fertilizer or physical benefit as a soil conditioner, the land application of these materials under 567 IAC 121 can be viewed as duplicative, which results in confusion and varying levels of regulatory oversight. If this administrative chapter was rescinded, wastes that do not fall under the DNR's wastewater program or IDALS's fertilizer, soil conditioner or liming agent programs, could potentially be regulated pursuant to 567 IAC 108; which establishes rules for determining when a solid by-product can be used in a beneficial manner as a resource and not a solid waste.

10. IS THE CHAPTER USER FRIENDLY?

10a. Is the chapter written and organized in a clear and concise manner so that those to whom it applies can readily understand it?

Yes No (check or circle)

If the answer is "no," then answer question 10b. If not, then proceed to question 11.

10b. If not, explain what changes can be made to improve readability, eliminate ambiguity, or increase understanding. Be specific, to the extent possible.

There are several opportunities to consider in addressing the ambiguity within this administrative chapter. They include:

- The first sentence in 567 IAC 121.1 states that the DNR "has jurisdiction over the disposal of solid waste, including the land application of those wastes." However, land application activities are more likely a form of reuse and not disposal. Determining whether the land application of waste is considered final disposition, or a form of reuse, impacts whether other sanitary disposal project (SDP) permitting requirements (e.g. flow control and financial assurance) are applicable. Furthermore, if land application is considered final disposal, then the applicability of 567 IAC 108 to the management of such by-products may not be appropriate as the beneficial use program sets a process of determining when a solid by-product is a resource and not a solid waste.
- The terms "solid waste" and "sludge" have very different definitions yet they are used interchangeably in parts of this administrative chapter (e.g. 567 IAC 121.7(1)). As such, it's not clear if some regulations apply only to one or the other, or if they apply to both. Rewording needs to take place throughout this administrative chapter to clarify this issue.
- It's unclear if 567 IAC 121.5 is an exemption for water supply sludges or if it's intended to regulate what can be land applied on food crops for human consumption.
- 567 IAC 121.7(2) allows for the land application of waste pesticides, which may be better suited under IDALS's pesticide program, pursuant to Iowa Code chapter 206. Further discussion with IDALS's pesticide bureau may be warranted to ensure that existing and any proposed regulations are not duplicative or conflicting.
- The level of arsenic allowed in 567 IAC 121.6(1)"b" is 41 mg/kg, while the Iowa statewide standard for soil is 17 mg/kg. The statewide standard is set where unrestricted exposure at that level is not expected to have a negative human health impact. The concern is whether having a standard in the land application chapter that is

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more than twice the statewide standard for soil is appropriate.

- 567 IAC 121.6 is referred to as permit exemptions, however, this rule contains permit-by-rule conditions that include operating requirements.
- 567 IAC 121.7(1)“c”(11) refers to “the filled area.” Land application is done evenly across the field; it is not used for fill.
- The additional operating requirements for land application found in 567 IAC 121.7(1)“d” (e.g. telephone, shelter, potable water, washing facilities) have not been necessary and can be considered for rescission.
- The definitions in 567 IAC 121.5(1) should be moved to the definitions portion of this administrative chapter (i.e. 567 IAC 121.2), or consolidated in a single chapter of definitions for all of the solid waste related administrative chapters.
- The subrules in 567 IAC 121.6 should be rearranged so that they’re grouped by waste characteristics, site requirements and application requirements. This same approach could also be applied to the subrules of 567 IAC 121.7 for consistency.

11. ARE THE CITATIONS IN THE CHAPTER ACCURATE?

11a. If this chapter contains Iowa Code citations, are those citations proper and current?

Yes No Not Applicable **(check or circle one option)**

If the answer is “no,” then answer question 11b. If not, then proceed to question 11c.

11b. If not, list and explain the corrections that need to be made to the Iowa Code citations.

The chapter implementation sentence at the end of 567 IAC 121 states, “These rules are intended to implement Iowa Code section 455B.173 and 455B.304.” However, Iowa Code section 455B.173 pertains to water supply systems and does not specifically reference the land application of water supply sludges. While 567 IAC 121.5 does authorize, or creates an exemption for land application of water supply sludge to food crops, it’s questionable whether this is a result of authorities granted in Iowa Code section 455B.173.

11c. If this chapter contains federal statutory citations, are those citations proper and current?

Yes No Not Applicable **(check or circle one option)**

If the answer is “no,” then answer question 11d. If not, then proceed to question 11e.

11d. If not, list and explain the corrections that need to be made to the federal statutory citations.

Not Applicable

11e. If this chapter contains federal regulatory citations, are those citations proper and current?

Yes No Not Applicable **(check or circle one option)**

If the answer is "no," then answer question 11f. If not, then proceed to question 11g.

11f. If not, list and explain the corrections that need to be made to the federal regulatory citations.

Not Applicable

11g. If this chapter contains internal cross-reference citations, are those citations correct and current?

Yes No Not Applicable **(check or circle one option)**

If the answer is "no," then answer question 11h. If not, then proceed to question 11i.

11h. If not, list and explain the corrections that need to be made to the internal cross-references.

Not Applicable

11i. If the chapter contains cross-reference citations to other chapters, are those citations correct and current?

Yes No Not Applicable **(check or circle one option)**

If the answer is "no," then answer question 11j. If not, then proceed to question 11k.

11j. If not, list and explain the corrections that need to be made to the cross-references to other chapters or outside sources.

567 IAC 121.6(1)"l"(1) refers to 567 IAC 101.3(2). However, 567 IAC 101.3 is the waste management hierarchy and does not have a second subrule. It's not clear what this provision was intended to reference.

11k. If this chapter contains website references, are those website references necessary, correct and current?

Yes No Not Applicable **(check or circle one option)**

If the answer is "no," then answer question 11l. If not, then proceed to question 11m.

11l. List and explain any necessary corrections to the website references.

Not Applicable

11m. If the chapter contains addresses and phone numbers, are the addresses and phone numbers necessary, correct and current?

Yes No Not Applicable **(check or circle one option)**

If the answer is “no,” then answer question 11n. If not, then proceed to question 11o.

11n. List and explain any corrections that need to be made to the addresses and phone numbers contained in the chapter.

In 567 IAC 121.3(1), the proper mailing address should be:

Land Quality Bureau
Environmental Protection Division
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, IA 50319

11o. If the chapter contains adoptions by reference, are those adoptions by reference correct and current?

Yes No Not Applicable **(check or circle one option)**

If the answer is “no,” then answer question 11p. If not, then proceed to question 11q.

11p. List and explain any corrections that need to be made to update adoptions by reference.

The third unnumbered paragraph of 567 IAC 121.7(1)“a”(12) references the 1974 edition of “Methods for Chemical Analysis of Water and Waste,” which was last updated in 1983. It also references the 17th edition of “Standard Methods for the Examination of Water and Wastewater.” This is now in its 22nd edition.

567 IAC 121.8(4)“f”(5) refers to Government Accounting Standards Board (GASB) Statement 18. GASB 18 pertains only to accounting standards for municipal solid waste landfill closure and postclosure care costs; not any activity this administrative chapter regulates.

11q. If the chapter contains DNR-created documents adopted by references, are those document references necessary, correct and current?

Yes No Not Applicable **(check or circle one option)**

If the answer is “no,” then answer question 11r. If not, then proceed to question 12.

11r. List and explain any corrections that need to be made to update the DNR-created document references.

567 IAC 121.3(2) refers to Form 43 “Application for a Sanitary Disposal Project Permit,” however; the form is titled Form 43 “Land Application Permit.”

12. WHAT PUBLIC GROUPS ARE AFFECTED BY THE CHAPTER?

12a. List any stakeholder groups, workgroups, public groups or other public participants

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impacted by the issues in the chapter.

Potential interested parties: Industries that want to land apply their by-products, land application contractors, landowners that allow materials to be land applied, DNR water supply and wastewater sections, Iowa Department of Agriculture and Land Stewardship (IDALS), Farm Bureau, Iowa Environmental Council (IEC), Iowa Recycling Association (IRA), Sierra Club – Iowa Chapter, Association of Business and Industry (ABI), Iowa Association of Municipal Utilities (IAMU), Iowa Society of Solid Waste Operations (ISOSWO), Iowa League of Cities, Iowa State Association of Counties (ISAC), County Environmental Health Sanitarians, Iowa Solid Waste Comprehensive Planning Areas.

12b. If any stakeholders have already been included in a review process for this chapter during the past five years, state the names of those stakeholder groups, workgroups, public groups, or other public participants, and explain the nature of their involvement.

External stakeholder feedback has not been sought in the past five years regarding revisions to this administrative chapter.