# Iowa Land Recycling Program – Guidance Document #1

**September 2026**

## Instructions for enrollment in the Land Recycling Program

Before enrolling in the Land Recycling Program (**LRP**), please become familiar with Chapter 567 Iowa Administrative Code 105.200 which contains the rules for this program.

Prior to enrollment, sufficient preliminary site investigation and project planning should be conducted to determine:

1. a site is eligible for enrollment and
2. the participant(s) is ready and capable of initiating and completing a response action in accordance with IAC Chapter 105.200.

Completion of the attached application form is required for enrollment in the **LRP**. Please follow these instructions carefully. You will be asked to attach several documents. These attachments should be clearly labeled at the top of each page with the corresponding section and subsection number, as well as the section and subsection headings indicated on the enrollment application.

If there are unresolved issues regarding eligibility, enrollment of multiple properties, access problems on properties, or other areas of potentially problematic conflict, then it is suggested that you may wish to discuss these matters with the DNR prior to enrollment.

Participants in the **LRP** will be responsible for reimbursing the cost of department oversight, up to a maximum of $25,000.

A non-refundable **$750 application fee** must be submitted with the application. The fee should be made payable to "**The Department of Natural Resources**".

Submit the application and application fee to:

Iowa Department of Natural Resources
Land Recycling Program
6200 Park Ave, Suite 200
Des Moines, IA 50321

**PART A:** Participant information

**Part A** of this enrollment application concerns information regarding the actual participants seeking enrollment in the program, that is to say those parties who are assuming responsibility for the activities associated with the program. The actual property owner may or may not be a participant. Participants might include organizations or persons such as: prospective buyers or sellers of property, developers, municipalities, lessees, businesses, etc. The name of this participating individual or organization should be entered in the box titled "**Organization**", along with an indication of the nature of the organization, e.g. limited partnership. The "**Contact Name**" should be a person who represents the participant whose name appears in the "Organization " box, they may be the same. This is the person to whom correspondence will be addressed and to whom the information in the rest of the box pertains.

**Attachment A1 - Nature of Participation**: Relative to the identified participant, please describe the reasons for participating in the **LRP**, including such information as: interest in and legal relationship to the property being enrolled; and the expected role and scope of any participation.

**Attachment A2 - Additional Participants**: Identify additional parties seeking to be identified as participants. This might involve additional parties at the same property and/or it might involve parties associated with neighboring properties which have been impacted by the problem being addressed in the LRP. Attach information only if they are actual participants. Include the same information for each additional participant which is contained in the box labeled **Part A** and **Attachment A1 - Nature of Participation**, but identify the information as **Attachment A2 - Additional Participants**.

**Attachment A3 - Interested Parties**: This attachment provides an opportunity to identify parties, other than participants, who have an interest in the project, e.g., local development agencies, planning agencies, community groups, financial sources, etc. Include the same type of information for each party as for participants, i.e. **Part A** and **Attachment A1**, but identify the information as **Attachment A3 - Interested Parties**.

**PART B:** Property/Affected Area and Access Information

**Part B** relates to the property or properties being enrolled in the **LRP** on which the "affected area" is situated. ("Affected area" is defined in code and rule to include "any real property affected, suspected of being affected, or modeled to be likely affected by a release occurring at an enrolled site".) "**Property Name**", and the subsequent boxes, relate to this property containing the affected area. In the box labeled "**Address/Location**" enter the street address or other description of the location of the property being enrolled. Enter a mailing address in the this box only if the mailing address is the same as the address of the property containing the affected area.

The box segment at the bottom of **Part B**, with bold print and requesting a signature, relates

to property access or control for the purposes of carrying out the activities associated with the **LRP**, including access to the property by the DNR. If access has not been secured at the time of application some explanation is warranted as **Attachment B1 - Property Access** and the applicant is encouraged to consider carefully whether the site should be enrolled prior to securing the necessary access/control agreement from the owner.

If, at the time of enrollment, other properties are known to be included in the affected area and need to be enrolled, they may be identified as **Attachment B2 - Additional Property to be Enrolled,** include a description of their relationship to the property being enrolled with this application. Otherwise, the remainder of the affected area will have to be enrolled when it is defined in the process of working through the **LRP**.

**PART C:** Hazardous Substance Reports

**Part C** relates to existing information concerning known contamination on the property being enrolled. The emphasis is on sampling and analytical information characterizing contamination while the historical aspects of that contamination are reserved to subsequent portions of the Enrollment Application.

Specific information concerning the contamination for which the site is being enrolled should be entered as **Attachment C1 - Condition to be Addressed**. Evidence is required which establishes that contamination is present which exceeds, or is likely to exceed, a statewide standard. Furthermore the analytical technology used to derive the submitted values must involve an EPA approved method under SW-846, "Test Methods for Evaluation of Solid Waste, Physical-Chemical Methods". At some point in the near future this latter requirement will be superseded by a requirement to use a certified lab.

Reports or assessments relating to contamination at the site, other than that which is the subject of the enrollment, must be included as **Attachment C2 - Other Known Contamination**. This requirement includes any contamination which exceeds a statewide standard or which is reportable under 567--Chapter 105.1 of the department's rules. If it is to be claimed that any of this information constitutes a privileged environmental audit, as provided for in 1998 Iowa Acts, House File 681 (Iowa Code chapter 455J, proposed as 567--Chapter 12 of the department's rules), then the issue of privilege must be resolved with the department prior to submission. In essence the department will not accept such privileged information in fulfillment of this section, however, this does not relieve the applicant of any requirements concerning reportability under 567--Chapter 105.1.

**PART D:** Historical Information

**Part D**, consisting only of **Attachment D - Historical Information**, provides for the submission of historical information regarding the property to be enrolled (as identified in **Part B**). This is to include a description of the current and historical uses of the property based on

a reasonable and diligent inquiry. Necessary details include: known sources and probable locations of hazardous substances, a general description of the historical uses of the property and probable hazardous substances which could reasonably be associated with past land use.

**PART E:** Project Objectives

**Part E** provides an opportunity to describe current conditions at the site and likely future conditions or uses of the site. Together with a discussion of the likely response actions to be implemented at the site, this information may be important in determining the appropriate scope of activity throughout the **LRP** process. It is realized that some of this information may be unknown or speculative at the time of enrollment, if so, that should be indicated.

**Attachment E1 - Current Setting -** relates to the current conditions at the property to be enrolled as well as the surrounding area. In addition to the land use and zoning aspects, there should be a general physical description of the site concerning both man-made and natural features.

**Attachment E2 - Future Setting -** is intended to reflect future land use or development patterns anticipated at the site or its vicinity. Particularly critical is the identification of any major change in use that is anticipated, for instance a change from commercial/industrial use to residential use. The time frame for items covered in **E2** should be included as **Attachment E3 - TimeTable**.

**Attachment E4 - Estimate of Project Magnitude -** is intended to be a preliminary estimate of the nature and scope of the environmental problem to be addressed. The specific environmental media involved and probable exposure concerns should be identified. If known, the anticipated remedy for the problem should be briefly discussed. The intent of this section is to get a preliminary indication of the magnitude of the effort which is anticipated. Subsequent phases of the **LRP** may be tailored to fit this, particularly when fairly simple, straightforward, and permanent remedies are involved. The department accepts the fact that, in some cases, much of this material may be unknown at this point in the process.

**Attachment E5 - Anticipated Obstacles to Completion -** serves to alert the department and the participant to possible barriers which might be encountered in attempting to complete the **LRP** process. If these possibilities are substantial, then the participant may wish to address them before a sizable investment in the program has been made by the participant or the department.

**PART F:** Other attachments

**Part F** is included to identify other environmental activities involving the site. Particular attention should be given to those of an enforcement nature. A major purpose of this is to prevent conflict between regulatory programs or regulatory authorities. The department may

deny admission to the program if it is felt that the threat of conflict is excessive or if the problem for which enrollment is sought cannot be sufficiently separated from other regulated activity. These issues should be resolved prior to application, if possible.

**Attachment F1 - General Environmental Regulatory Actions and Permits** - should include a list of all known permits and regulatory actions and directives associated with an environmental condition at the site.

**Attachment F2 - Federal Environmental Regulatory Action** - this attachment is to identify any parcel of the proposed enrolled site which is subject to any federal regulatory corrective action directives, administrative orders or judicial actions. An explanation must be included in each instance.

**Attachment F3 - Proof of Federal Notification** - provides an opportunity to attach some proof that the appropriate federal regulatory agency, identified in **F1** or **F2**, has been notified regarding the intent to enroll the site in the **LRP**.

Finally, don't forget to attach the $750 application fee and sign the form.