Guidance Information
Solid Waste Planning Area Autonomy
Iowa Code 455B.306 and IAC 567-104

Note: This document is provided for the purpose of assisting parties interested in meeting requirement outlined in Iowa Code 455B.306 and IAC 567-104. It is merely a guide.

In 2026, Iowa Code Chapter 455B and Administrative Code Chapter 567-104, Solid Waste **Comprehensive Planning Requirements** were updated to allow a solid waste planning area to remain an autonomous planning area even when all permitted landfills in the planning area closed. In this situation, the law and rule changes state, waste may be consolidated and transported from a transfer station to a permitted facility elsewhere. It is no longer mandatory that the planning area of waste origin join the planning area of final disposal.

Here are the specific steps in basic terms:

- Planning area determines that all landfills within the planning area boundary will close
- Planning area decides whether or not to build a central location to consolidate waste (typically a waste transfer station)
- The final destination of waste is determined - legal counsel may be required. Question - is a bid process necessary?
- Documentation is completed per Iowa Code and Rule, DNR reviews paperwork
- If documents are in order, planning area of waste origin is not required to join another planning area of final disposal of waste
- Waste is consolidated and transferred outside the solid waste planning area for final disposal of waste at a landfill in another planning area or state
- Planning area of waste origination continues to carry out all integrated solid waste requirements per Iowa Code and Rule

See: https://www.iowadnr.gov/environmental-protection/land-quality/waste-planning-programs/solid-waste/comprehensive-planning

Administrative Code and Code Chapters linked at the top of this web page contain information about the duties of Cities and Counties, who often group together into 28E organizations in order to provide integrated solid waste management services and opportunities.

Specific Chapter References:
From Iowa Code Chapter 455B.306

Iowa Code 455B.306.1. Solid waste comprehensive plan types. A city, county, or private agency operating or planning to operate a municipal solid waste sanitary disposal project shall file with the director one of two types of comprehensive plans detailing the method by which the city, county, or private agency will comply with solid waste comprehensive planning requirements. The first type is a comprehensive plan in which solid waste is disposed of in a sanitary landfill within the planning area. **The second type is a comprehensive plan in which all solid waste is consolidated at, and transported from, a permitted transfer station for disposal at a sanitary landfill in another comprehensive planning area or state.**

455B.306.2. A planning area that closes all of the municipal solid waste sanitary landfills located in the planning area and chooses instead to use a municipal solid waste sanitary landfill in another planning area may choose to retain its autonomy as long as the sanitary landfill in the other planning area complies with all the requirements of this chapter, and all solid waste generated within the planning area closing its landfills is consolidated at, and transported from, a permitted transfer station. For purposes of this subsection, a planning area closing its own landfills that chooses to retain its autonomy shall not be required to join the planning area that contains the landfill it is using for final disposal of its solid waste.

455B.306.2(a). If a planning area chooses to retain autonomy pursuant to this subsection, the planning area receiving solid waste from the planning area sending it shall not be required to include the sending planning area in its comprehensive plan provided that no services other than the acceptance of solid waste for disposal are shared between the two planning areas. A planning area receiving solid waste shall only be responsible for the permitting, planning, and waste reduction and diversion programs within that planning area.

455B.306.2(b). If the department determines that solid waste cannot reasonably be consolidated and transported from a particular transfer station (e.g., asbestos or bulky construction and demolition waste), the department may establish permit conditions to address the transport and disposal of the solid waste. **A planning area sending solid waste for disposal in another planning area may retain autonomy pursuant under this subsection only if both comprehensive planning areas enter into an agreement pursuant to Iowa Code chapter 28E that includes both of the following:**

1. A detailed methodology of the manner in which solid waste will be tracked and reported between the two planning areas.
2. A detailed methodology of the manner in which the receiving sanitary landfill will collect, remit, and report tonnage fees, pursuant to Iowa Code section 455B.310, paid by the planning area that is transporting the solid waste. The methodology shall include both the remittances of tonnage fees to the state and the retained tonnage fees.

(See Iowa Code 455B.306 for the whole chapter)

Other Notes:

- The planning area wishing to be autonomous and the final waste destination planning area should contact DNR regarding details noted under 455B.306.3in the Permit.
- The 28E agreement must be between **both planning areas**, not sub-units of those, for example the waste facility boards. DNR has information about how this may be accomplished.
- DNR has example documents available

If you have questions about this guidance, contact:

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