



## **Update: DNR Solid Waste Rules 1/15/2025**

The Land Quality Bureau's Solid Waste & Contaminated Sites Section and Financial & Business Assistance Section of the Iowa Department of Natural Resources (DNR) continue to make great progress on the Executive Order 10 (EO10) administrative rule process, and we wanted to provide you with an update.

## **Chapter and Division Highlights**

Below are highlights for selected chapters/divisions.

### **Pre-Formal**

The pre-formal stage of rulemaking does not have a prescribed set of steps which allows for flexibility to work with stakeholders in a way that is appropriate for the level of complexity of the chapter and extent of anticipated changes. During this phase the DNR will work with stakeholders and the public to complete a proposed rulemaking.

### **In-Process Drafts**

The following are currently going through internal (DNR) review prior to being posted.

- 567 IAC 102 Division II, Land Application of Wastes. This is a proposed replacement for the current 567 IAC 121. The rules are being revised for clarity and to remove unneeded requirements without making significant changes to the program.
- 567 IAC 102, Division VII, Discarded Appliance Demanufacturing. This is a proposed replacement for current 567 IAC 118. An internal meeting was held to discuss possible options for this program, and the consensus was to maintain the program but that the rule could be trimmed down.
- 567 IAC 102, Division VIII, Cathode Ray Tubes (CRT). This is a proposed replacement for current 567 IAC 122. This chapter was significantly revised as part of the five year rule review process several years ago. Therefore, significant changes are not expected, so internal review has been deferred while more pressing reviews are conducted.
- 567 IAC 105, Division I, Notification Requirements. This is a proposed replacement for current 567 IAC 131.
- 567 IAC 105, Division II, Rules for Determining Cleanup Actions and Responsible Parties. This is a proposed replacement for current 567 IAC 133.
- 567 IAC 105, Division III, Land Recycling Program and Response Action Standards. This is a proposed replacement for current 567 IAC 137.

### **Workgroup Drafts**

The following is the status of drafts going through the workgroup process prior to being made available for public comment.

- The Landfill Workgroup has held several meetings and discussed drafts of Divisions I through IV of 567 IAC Chapter 101. The workgroup is performing a final review of the divisions prior to the DNR finalizing and posting for public review.
- Rewriting of 567 IAC Chapter 102, division IV, Beneficial Use. This is a proposed replacement for current 567 IAC Chapter 108. The DNR has selected individuals to serve on the Beneficial Use Workgroup and started meeting in October 2024. Feedback obtained from the workgroup will guide decision-making regarding this program and

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proposed revisions. The goal will be to post on our website for public review and comment by the end of January 2025.

### Drafts for Public Review

The following are drafts that have been posted to the [Iowa DNR Solid Waste](#) webpage for public review.

- 567 IAC 102 Division I, Organic Materials Composting Facilities. This is a proposed replacement for current 567 IAC 105.

### Formal

The steps in the formal rulemaking process are prescribed in the Administrative Procedures Act, found in Iowa code chapter 17A. This process includes review and approval by the Environmental Protection Commission and the Administrative Rules Review Committee; publication in the Administrative Bulletin, as well as public hearings and a public comment period. The newly revised rule becomes effective at the end of the formal rulemaking process.

### In-Process

The following are posted to the [Iowa DNR Solid Waste](#) webpage and are pending the formal rulemaking process.

- [567 IAC Chapter 100](#), Scope of Title, Definitions, Rules of Practice. This is a proposed replacement for current 567 IAC Chapters 100 and 102. Proposed revisions were drafted and posted on our website for external review and comment through August 30, 2024. No comments were received by the DNR.
- [567 IAC Chapter 101, division V](#), Solid Waste Transfer Stations. This is a proposed replacement for current 567 IAC Chapter 106. Proposed revisions were drafted and posted on our website for external review and comment through October 31, 2024. No comments were received by the DNR.
- [567 IAC Chapter 101, division VI](#), Solid Waste Incinerator Operator Certification. This is a proposed replacement for the solid waste incinerator operator certification requirements within current rule 567—102.15(455B). Proposed revisions were drafted and posted on our website for external review and comment through August 30, 2024. No comments were received by the DNR.
- [567 IAC Chapter 101, Division VIII](#), Financial Assurance. This is a proposed replacement for the financial assurance requirements within the current sanitary landfill chapters (567 IAC Chapters 103, 113, 114 and 115) and the current solid waste transfer station chapter (567 IAC Chapter 106). Proposed revisions were drafted and posted on our website for external review and comment through October 31, 2024. Only one comment was received by the DNR.
- [567 IAC Chapter 102, division V](#), Waste Tire Management. This is a proposed replacement for 567 IAC Chapters 116 and 117. This draft rulemaking was posted for external review and comment on May 15, 2024 with comments due by June 21, 2024. No comments were received by the DNR.
- [567 IAC Chapter 103](#), Financial and Operating License Requirements for Regional Collection Centers and Satellite Facilities is the proposed replacement chapter for 567 IAC Chapters 123/211 - Regional Collection Centers and Mobile Unit Collection and Consolidation Centers/Financial Assistance for the Collection of Household Hazardous Materials and Hazardous Waste from Conditionally Exempt Small Quantity Generators. The draft rulemaking was posted for external review and comment through June 2024. No comments were received by the DNR.
- [567 IAC Chapter 104](#), Solid Waste Comprehensive Planning and Environmental Management System Requirements. This is the proposed replacement for 567 IAC Chapters 101/111 - Solid Waste Comprehensive Planning/Annual Reports for Solid Waste Environmental Management Systems. The draft rulemaking was posted for external review and comment through June 2024. No comments were received by the DNR.

### Proceeding

The following are posted to the [Iowa DNR Solid Waste](#) webpage and are proceeding through the formal rulemaking process.

- Revisions for [561 IAC 17](#) - Oil, Gas, and Metallic Minerals have been drafted to address both EO10 items and the legislative change that was made to 458A in Senate File 2421. The [Notice Of Intended Action](#) was published in the Iowa Administrative Bulletin on January 8. Any interested person may submit comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 31, 2025. Comments should be directed to: [matthew.graesch@dnr.iowa.gov](mailto:matthew.graesch@dnr.iowa.gov). Public hearings will be held by video

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conference call on January 30, 2025 at 1:00 p.m. and January 31, 2025 at 9:00 a.m. To participate, contact [matthew.graesch@dnr.iowa.gov](mailto:matthew.graesch@dnr.iowa.gov) for the video conference link. A [Regulatory Analysis](#), was published In the Iowa Administrative Bulletin (IAB) on September 4, 2024.

### **Effective**

The following are posted to the [Iowa DNR Solid Waste](#) webpage and have completed the formal rulemaking process and are effective.

- [567 IAC 11](#) - Tax Certification of Pollution Control or Recycling Property and rescission of [567 IAC 14](#) - Environmental Covenants, became effective on June 19, 2024.

### **Webpage**

The [Iowa DNR Solid Waste](#) webpage is updated frequently. All links from this email update are also links available on the webpage, so we recommend you bookmark it and visit it for regular updates.

It should be noted that the Recommended Revisions and Proposed Structure document was updated and posted in October.

### **Feedback**

Additional workgroups may be proposed in the future to cover other administrative rules. Besides workgroups, other opportunities for stakeholder input and feedback will be available along the EO10 process. At any time, comments and questions may be directed to [eo10\\_solidwaste@dnr.iowa.gov](mailto:eo10_solidwaste@dnr.iowa.gov). Also, visit the [Iowa DNR Solid Waste](#) webpage for more information and regular updates.

### **Your EO 10 Solid Waste Team,**

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