

CHAPTER 105  
HAZARDOUS CONDITIONS

DIVISION I  
NOTIFICATION REQUIREMENTS

**567—105.1(455B) Purpose.** The purpose of this division is to implement Iowa Code sections 455B.383 and 455B.386 by providing detail for the notification requirements for reporting a hazardous condition.

**567—105.2(455B) Applicability.** The requirements of this division apply to all persons manufacturing, storing, handling, transporting, or disposing of a hazardous substance, or discovering contamination from a previously unknown hazardous condition, and to the sheriff or police chief who has been notified of a hazardous condition.

**567—105.3(455B) Definitions.** For the purposes of this division, the definitions set out in Iowa Code section 455B.381 apply.

**567—105.4(455B) Exemptions to reporting requirements.** Spills of hazardous substances are exempt from rule 567–105.5(455B) if all the following criteria are met:

- a. The spill hazardous substance is one or more of the following:
  - (1) Less than 25 gallons of petroleum products.
  - (2) Less than 100 pounds of anhydrous ammonia.
  - (3) Less than 10 gallons of non-polychlorinated biphenyls (PCBs) containing transformer oils.
- b. The spilled hazardous substance will not pose an actual or potential threat to waters of the state, groundwater, water wells, stormwater, tile lines, or ambient air quality, if cleaned up within 24 hours.
- c. The spilled hazardous substance is cleaned up within 24 hours of the spill.
- d. The spilled hazardous substance is not an ongoing or repeated spill by the same responsible party, in the same area, within the last 90 days.

**567—105.5(455B) Report of hazardous conditions.**

**105.5(1) Initial report.** Any person manufacturing, storing, handling, transporting, or disposing of a hazardous substance, or discovering contamination from a previously unknown hazardous condition, shall report a hazardous condition to the department and either the local police department or the office of the sheriff of the county where the hazardous condition occurred. The initial report shall be made as soon as possible but not later than six hours after the onset or discovery of the hazardous condition. The initial report shall provide information on as many items listed in subrule 105.5(2) as available data will allow.

**105.5(2) Follow-up report.** The responsible party shall submit a follow-up report of a hazardous condition to the department within 30 days of the initial report. The follow-up report may be submitted electronically or via hard copy. The follow-up report shall 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, volume of each material involved in the hazardous condition, and any contaminants within the material, if, 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 phone number of the person responsible for the hazardous condition.
- f. The time and date of the initial 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, email address, and phone number of the person reporting the hazardous condition.

*i.* The name and phone number 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 proper evaluation by the department.

**105.5(3)** *Reporting of subsequent findings.* All subsequent findings and laboratory results shall be reported and submitted electronically or in writing to the department as soon as available.

These rules are intended to implement Iowa Code sections 455B.383 and 455B.386.

**567—105.8 to 105.99** Reserved.