

Agenda

Environmental Protection Commission

Tuesday, November 18, 2025

Teleconference: 661-615-8170 PIN: 219 411 781#

Video Conference: meet.google.com/fdw-vjzq-wcs

6200 Park Ave, Des Moines, IA, 50321

Walnut Woods Conference Rm

Tuesday, November 18, 2025

10:00 AM – EPC Business Meeting

If you are unable to attend the business meeting, comments may be submitted for public record to Alicia Plathe at Alicia.Plathe@dnr.iowa.gov or 6200 Park Ave, Des Moines IA 50321 up to 24 hours prior to the business meeting.

1	Approval of Agenda	
2	Approval of the Minutes	
3	Monthly Reports	Ed Tormey (Information)
4	Director's Remarks	Kayla Lyon (Information)
5	FY 2027 Budget Request	Jennifer Nelson (Information)
6	Contract with Boone Soil and Water Conservation District-Beaver Creek Batch Collaboration Project	Steve Konrady (Decision)
7	Contract with Gresham Smith-Environmental Management System Program Support	Jennifer Wright (Decision)
8	Household Hazardous Materials Program-Agreement Recommendation	Jennifer Wright (Decision)
9	Contract with The University of Iowa-Sampling and Analysis of Iowa's Ambient Stream Monitoring Network	Ken Krier (Decision)
10	Adopted and Filed-Chapter 30-Air Quality Fees	Wendy Walker (Decision)
11	2026 EPC Meeting Recommendations	Ed Tormey (Decision)
12	General Discussion	
13	Upcoming Meetings	
	<ul style="list-style-type: none">• Tuesday, December 9, Des Moines• Tuesday, January 20, Des Moines	

For details on the EPC meeting schedule, visit <http://www.iowadnr.gov/About-DNR/Boards-Commissions>

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¹Comments during the public participation period regarding proposed rules or notices of intended action are not included in the official comments for that rule package unless they are submitted as required in the Notice of Intended Action.

Any person with special requirements such as those related to mobility or hearing impairments who wishes to participate in the public meeting should promptly contact the DNR or ADA Coordinator at 515-725-8200, Relay Iowa TTY Service 800-735-7942, or Webmaster@dnr.iowa.gov to advise of specific needs.

**MINUTES OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING**

September 16, 2025

Video Teleconference

Approved by the Commission **TBD**

DRAFT

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File Name <u>Admin 01-05</u>
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Meeting Minutes

CALL TO ORDER

The meeting of the Environmental Protection Commission (Commission or EPC) was called to order by Chairperson Mark Stutsman at 10:00 AM on September 16, 2025, via video/teleconference attendees.

COMMISSIONERS PRESENT

- Patricia Foley
- Roger Zylstra
- Amy Echard
- Rebecca Dostal
- Kyle Tobiason
- Jason Ballard
- Dawn Refsell
- Jim Christensen
- Mark Stutsman

COMMISSIONERS ABSENT

- Amy Echard

APPROVAL OF AGENDA

<i>Motion was made by Jim Christensen to approve the agenda as presented. Seconded by Rebecca Dostal.</i>
<i>Chairperson Mark Stutsman asked for a voice vote. There were no nay votes. Motion passes.</i>

APPROVED AS PRESENTED

APPROVAL OF MINUTES

<i>Motion was made by Patricia Foley to approve the item as presented. Seconded by Roger Zylstra.</i>
<i>Chairperson Mark Stutsman asked for a voice vote. There were no nay votes. Motion passes.</i>

APPROVED AS PRESENTED

MONTHLY REPORTS

- None

INFORMATION

DIRECTOR’S REMARKS

- Director Lyon reported that Family Night at the Iowa State Fair was a success with over 300 in attendance. Director Lyon thanked DNR staff for all of their hard work during the Iowa State Fair, and highlighted the positive feedback from the State Fair Board and fairgoers on the new Maquoketa Caves and Pilot Knob exhibit. Director Lyon also announced that 2026 will be the 100th anniversary for the aquarium located within the Iowa DNR State Fair building.
- Commissioners held a robust discussion on how to better engage the public and communicate water quality success stories in Iowa. Commissioners discussed a recent article regarding water quality in one of Iowa’s communities and requested a possible response from the Department to the article.

CONTRACT WITH THE UNITED STATES GEOLOGICAL SURVEY (USGS)

Daniel Kendall requested Commission approve for a contract with the United States Geological Survey to retain the USGS to assist the DNR in the collection of real-time surface water flow and water quality concentrations.

Public Comments: None

Written Comments: None

Motion was made by Roger Zylstra to approve the item as presented. Seconded by Patricia Foley.

Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-aye, Amy Echard-aye, Jim Christensen-aye, Jason Ballard-aye, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Mark Stutsman-aye,. Motion passes.

APPROVED AS PRESENTED

CONTRACT WITH THE IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP (IDALS)-IOWA GREAT LAKES TARGETED WATERSHED PROJECT

Ginger Murphy requested Commission approval for a contract with IDALS for the Iowa Great Lakes Targeted Watershed Project. Ms. Murphy explained the reporting requirements and evaluation process for the grant funding. Commissioner Refsell encouraged a review on how to better quantify the impact of the low impact development projects.

Public Comments: None

Written Comments: None

Motion was made by Kyle Tobiason to approve the item as presented. Seconded by Rebecca Dostal.

Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-aye, Amy Echard-aye, Jim Christensen-aye, Jason Ballard-aye, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Mark Stutsman-aye,. Motion passes.

SOLID WASTE ALTERNATIVES PROGRAM (SWAP CONTRACT RECOMMENDATION)

Tom Anderson requested Commission approval for a SWAP contract with Many Hands to increase their ability to divert landfill waste.

Public Comments: None

Written Comments: None

Motion was made by Kyle Tobiason to approve the item as presented. Seconded by Rebecca Dostal.

Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-aye, Roger Zylstra-aye, Amy Echard-aye, Jim Christensen-aye, Jason Ballard-aye, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Mark Stutsman-aye,. Motion passes.

CLEAN WATER AND DRINKING WATER STATE REVOLVING LOAN FUND (SRF)-FY 2026 INTENDED USE PLANS-SECOND QUARTER UPDATE

Theresa Enright requested Commission approval for the second quarter update Intended Use Plans for the Clean Water and Drinking Water SRF.

Public Comments: None

Written Comments: None

Motion was made by Kyle Tobiason to approve the item as presented. Seconded by Patricia Foley.

Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-aye, Roger Zylstra-aye, Amy Echard-aye, Jim Christensen-aye, Jason Ballard-aye, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Mark Stutsman-aye,. Motion passes.

CHAPTER 7 “RULES OF PRACTICE IN CONTESTED CASES”; CHAPTER 8, “CONTRACTS FOR SERVICES AND PUBLIC IMPROVEMENTS”; AND CHAPTER 13, “WAIVERS FROM ADMINISTRATIVE RULES” – NOTICE OF INTENDED ACTION

Tamara McIntosh requested Commission approval for Notice of Intended Action for Chapters 7, 8 and 13.

Public Comments: None

Written Comments: None

Motion was made by Jim Christensen to approve the item as presented. Seconded by Dawn Refsell.

Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-aye, Roger Zylstra-aye, Amy Echard-aye, Jim Christensen-aye, Jason Ballard-aye, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Mark Stutsman-aye,. Motion passes.

GENERAL DISCUSSION

- None

ADJOURN

Chairperson Mark Stutsman adjourned the Environmental Protection Commission meeting at 11:28 am on September 16, 2025.

ADJOURNED

**Monthly Waiver Report
September 2025**

Item #	DNR Reviewer	Facility/City	Program	Subject	Decision	Date	Agency
1	Jasmine Bootman	Waterloo Regional Airport	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	8.28.25	25aqw185
2	Michael Hermsen	Mo. Valley Grain, Inc.	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	8.28.25	25aqw186
3	Jasmine Bootman	Precision, Inc. - Pella	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.5.25	25aqw187
4	John Curtin	Northern Filter Media	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.9.25	25aqw188
5	Julie Ritter	CF Industries Nitrogen	AQ	Request to utilize propane as an alternative fuel source for the North Plant ammonia storage tank flare pilot burners during a multi-week plant shutdown starting in September 2025. This is proposed if natural gas supply becomes unavailable	Approved	9.9.25	25aqw189
6	Anna Seeger	Dubuque Water Work	Water Supply Construction (WC)	Dubuque Water Works petitioned a waiver from waterman and sanitary sewer manhole separation distances. A new watermain was installed at an intersection that is less than 3 feet from an existing sanitary sewer manhole outside the project area.	Approved	9.24.25	25wcw190
7	Michael Hermsen	Van Diest Supply Company	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.22.25	25aqw191
8	Jasmine Bootman	Bituminous Materials & Supply, L.P. - Tama	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.26.25	25aqw192
9	Jasmine Bootman	Modernfold, Inc	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.26.25	25aqw193
10	Michael Hermsen	Van Diest Supply Company	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.26.25	25aqw194

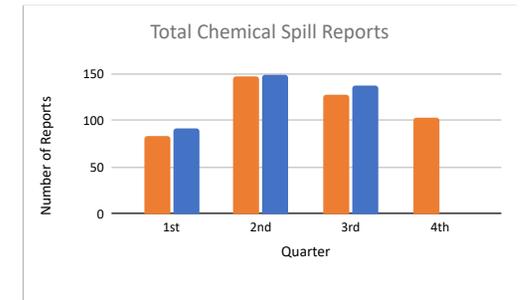
Third Quarter 2025 Chemical Spill, Manure Release and Wastewater By-Pass Report

(Quarterly report to the Environmental Protection Commission)

Chemical Spills

During the period July 1, 2025, through September 30, 2025, 137 hazardous conditions were reported to the department (567 IAC 131.2 (455B.386)). This does not include releases from underground storage tanks, which are reported separately.

		Total Chemical Spills Incidents		Substance						Mode			
				Agricultural		Petroleum		Other Chemicals*		Transportation**		Fixed Facility	
Quarter	Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year
1st	2025	84	91	2	0	58	58	31	36	25	30	59	61
2nd	2025	148	149	26	17	76	76	63	72	51	36	97	113
3rd	2025	127	137	8	3	58	72	66	67	37	33	90	104
4th	2025	103		14		54		45		41		62	
Calendar Year to Date		462	377	50	20	246	206	205	175	154	99	308	278



■ Previous Year
■ Current Year

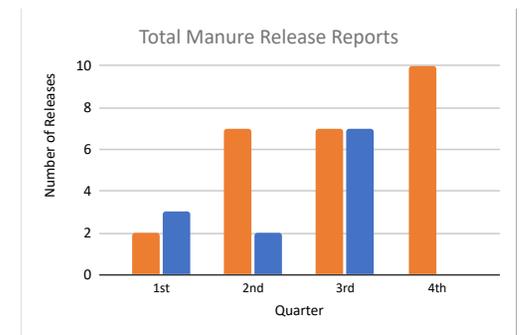
* Other includes: non-agricultural and non-petroleum based chemicals including but not limited to chlorine, acids/bases, inorganic and organic chemicals

** Transportation includes: water transportation, vehicle transportation, rail transportation and pipeline transportation. All other types of incidents are considered fixed facility.

Manure Releases

During the period July 1, 2025, through September 30, 2025, 7 manure releases were reported to the department. 567 IAC 65.2 (455B, 459, 459A, 459B)

		Total Reported Manure Releases		Releases Impacting a Water of the State		At an Animal Feeding Operation (on-site)		Not at an Animal Feeding Operation (off-site)*	
				Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year
Quarter	Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year
1st	2025	2	3	0	1	1	2	1	1
2nd	2025	7	2	2	0	7	1	0	1
3rd	2025	7	7	3	0	5	5	2	2
4th	2025	10		5		8		2	
Calendar Year to Date		26	12	10	1	21	8	5	4



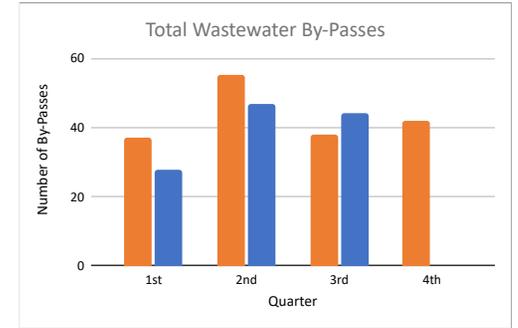
■ Previous Year
■ Current Year

* Off Site includes: transportation and land application related incidents.

Wastewater By-Passes

During the period July 1, 2025 through September 30, 2025, 44 wastewater by-passes were reported to the department (567 IAC 63.6(3) (455B.186)). This does not include by-passes resulting from precipitation events (including flood water infiltration) or bypasses resulting in basement backups.

		Total Wastewater By-passes		Average Length (days)		Average Volume (Million Gallons/Day)		Reported Fish Kills	
Quarter	Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year
1st	2025	37	28	0.317	0.472	0.208	0.034	0	0
2nd	2025	55	47	0.745	0.325	1.095	0.171	0	0
3rd	2025	38	44	0.363	0.906	0.241	0.014	0	0
4th	2025	42		1.282		0.07		0	
Calendar Year to Date		172	119					0	0



■ Previous Year
■ Current Year

**IOWA DEPARTMENT OF NATURAL RESOURCES
LEGAL SERVICES BUREAU**

DATE: October 2025
TO: Environmental Protection Commission
FROM: Tamara McIntosh
SUBJECT: Attorney General Referrals (May 2025 – September 2025)

Name, Location and Region Number	Program	Alleged Violation	DNR Action	Status	Date
City of Sioux City	Wastewater	Inadequate wastewater treatment	Referred to Attorney General	Referred Petition Filed Answer Filed by City Discovery Served Trial set for May 2023 continued; Trial set for April 23, 2024, continued Motion to Compel filed for discovery; resolved 12/14/23 Trial set for April 29, 2025 continued; Trial Scheduled for 4/21/26	6/27/16 1/07/22 2/21/22 4/8/22 3/8/23 3/29/23 11/21/23 3/15/24 5/23/25
Global Fiberglass Solutions, LLC	Solid Waste	Illegal Stockpile	Referred to Attorney General	Referred Petition Filed Answer Filed by 2 Defendants Motion to Dismiss filed by 5 Defendants Hearing scheduled on Motion to Dismiss for 1/7/25 Order on Motion to Dismiss denying in part and granting in part Trial set for April 4, 2026 Application for Interlocutory Appeal on Responsible Corporate Officer Doctrine Order Staying Case Pending Interlocutory Appeal Iowa Supreme Court Granted Application for Interlocutory Appeal Briefing Schedule issued	7/7/21 9/25/24 12/3/24 12/4/24 2/12/25 3/6/25 3/14/25 3/18/25 4/14/25 5/13/25
Quad County Corn Processors Galva	Air Quality	Construction Permits, Violation of AO, Excess Emissions	Referred to Attorney General	Referred Petition Filed EQCV017155 Answer filed Order Scheduling Trial for 1/20/26 Discovery served	12/19/23 01/7/25 2/28/25 5/27/25
NEW Cooperative, Inc.	Wastewater	Illegal discharge	Referred to Attorney General	Referred Petition Filed Consent Decree (\$50,000 civil penalty, \$50,000 SEP-Montgomery County Consv. Brd.; and injunction	5/22/24 7/24/25 7/24/25

				against future violations for 3 years)	
Montipark LLC, and Shadbolt	Water Supply	Inadequate treatment and notice	Referred to Attorney General	Referred Petition Filed EQCV007808 Answer Filed Amended Petition Filed Amended Answer Discovery Served Trial Scheduled for 5/19/2026	10/15/24 1/28/25 5/23/25 7/6/25 7/29/25 8/20/25
Ames Business Group, LLC Burlington (6)	Solid Waste	Stockpiling wood pallets and other solid waste	Referred to Attorney General	Referred	8/19/25

**IOWA DEPARTMENT OF NATURAL RESOURCES
LEGAL SERVICES BUREAU**

DATE: October 2025
TO: Environmental Protection Commission
FROM: Tamara McIntosh
SUBJECT: Contested Cases (May 2025 – September 2025)

Date Received	Name Of Case	Action Appealed	Program	Assigned Attorney	Status
6/10/13	Mike Jahnke	Dam Application	FP	Schoenebaum	<p>Hearing held 7/30/14. ALJ upheld the permit issued by the Department. Mr. Jahnke appealed but on 11/3/14 he asked that his appeal be put on hold until April 2015. For various reasons has asked that the appeal be postponed.</p> <p>Sept. 2017 – Mr. Jahnke called and asked that his appeal be put on hold until Spring 2018. September 2018 Mr. Jahnke called and asked that the matter be postponed to Spring '19.</p> <p>Jan. 2019 no changes, matter was postponed to Spring 2019.</p> <p>April 2019 – no change; matter postponed to Spring 2019.</p> <p>July 2019 – No changes.</p> <p>10/25/19 – Mr Jahnke has called many times to discuss his ongoing medical problems and his families' each time he asks for the matter not to be placed on the agenda and asks for a delay. He again asked for a delay until Spring.</p> <p>1/24/20 – Mr. Jahnke called again and explain ongoing medical problems and that he cannot be present for a winter meeting and asked that the matter continue to be delayed.</p> <p>5/25/20 to the 2/21/23 – no changes</p> <p>3/22.2023 – sent letter asking if he would like to withdraw his appeal or set it to go before the commission. A response was requested no later than April 12, 2023.</p> <p>April 2023 - Mr. Jahnke requested this not be set for argument before the EPC until October 2023 because of on-going health reasons.</p> <p>September 18, 2023, letter sent to Mr. Jahnke asking for a response NLT September 28, 2023 indicating if he</p>

					would like to move forward with appeal or withdraw the appeal. Mr. Jahnke called Ms. Schoenebaum on September 28, 2023, and asked not to place this on the agenda because of serious health issues. 6/21/24 to present – No change
11/9/17	IA Regional Utilities Association	Permit Issuance	WW	Schoenebaum (Poppelreiter)	10/25/18 –Negotiating before setting a hearing date. A final meeting with facility’s new director is expected before the end of 2018. 01/24/19 –Negotiating before setting a hearing date. Meeting with permittee 1/24/19. Permittee must discuss options with Board. Decision from Permittee on whether to withdraw appeal or move forward with hearing is expected in Spring 2019. April 2019 – Waiting on permittee to decide whether to set a hearing or withdraw appeal. 10/25/19 – Permittee and DNR still in negotiations re: engineering proposals at the facility. No change in the appeal status. 1/24/20 – Finalizing the report on the progress they have made and will meet with DNR’s Wastewater staff in February to discuss settlement options. 5/25/20 – No Changes 11/18/2020 - Ongoing negotiations with IRUA. No hearing set as yet. Looking into alternative solutions. 3/25/2021 - Continuing discussions with IRUA. Both parties are interested in non-litigation solutions. No hearing set. 5/27/21 to the present – No Changes
8/27/2025	Noyes v DNR	Approval of a reduction in water levels at Walton Lake	FP	Poppelreiter	8/27/25: Appellant appealed the DNR's approval of the City of Fairfield's request to reduce the water behind Walton Lake, pursuant to 567-73.32. Appellant asked for a stay of the approval. The DNR granted a temporary stay, pending review of the Appellant's motion to stay by an ALJ. Separately, the City filed a motion to intervene and a motion to vacate the stay.

					9/16/26: hearing on the stay held. The ALJ vacated the stay in a ruling from the bench, effective Thursday 9/18/25 at 5:00 p.m.
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**IOWA DEPARTMENT OF NATURAL RESOURCES
LEGAL SERVICES BUREAU**

DATE: October 2025
TO: Environmental Protection Commission
FROM: Tamara McIntosh
SUBJECT: Enforcement Report Update (May 2025 - September 2025)

The following new enforcement actions were taken during this reporting period:

Individual/Entity	Program	Alleged Violation	Type of Order/Action	Penalty Amount Due	Date
Joseph Davidshofer	AFO	Manure Release	Consent	\$1,260.00	5/8/25
Payton Vogel	AFO	Manure Management Plan	Consent	\$3,000.00	5/8/25
Mahaska County Solid Waste Management Commission	SW	Permit Condition	Consent	\$10,000.00	5/12/25
Jayne Quario	AQ	Open Burning and Improper Solid Waste	Consent	Stipulated Penalties	5/14/25
Timber Trails Home Owners Association, Inc.	WW	Permit Violation	Consent	\$500.00	5/14/25
Henningsen Const., Inc. dba Henningsen Construction, Inc.	WW	Prohibited Discharge	Consent	\$3,000.00	5/19/25
2612 Rec LLC	WW	NPDES Permit Violations	Consent	\$4,500.00	5/28/25
Robert and Mary Ihrig	WW	Prohibited Discharge	Consent	\$1,500.00	6/5/25
City of Schaller	WW	NPDES Permit Violations	Consent	\$2,000.00	6/5/25
Paul Alexander	AFO	Manure Management Plan	Consent	\$1,500.00	6/5/25
JWC Futures, LLC	AQ	Permit Conditions and Operating Requirements	Consent	Stipulated Penalties	6/10/25
Knife River Midwest, LLC	AQ	Permit Conditions	Consent	\$10,000.00	6/18/25
Matthew Jacoby	WS	Operator Certification	Consent	0	6/23/25
Mark George	WS	Operator Certification	Consent	0	6/23/25
Justin Nichols	AQ/SW	Open Burning	Unilateral	\$5,000.00	6/27/25

		and Improper Solid Waste Disposal			
Roger and Joan Egeland and Dale and Marcia Monroe	WW	Prohibited Discharge	Consent	\$7,000.00	6/30/25
Chuck Hansen	AFO	Manure Management Plan	Unilateral	\$3,000.00	7/9/25
Kenneth Moellers	AFO	Construction Permit	Consent	\$5,000.00	7/11/25
Blacktop Services Company	AQ	Construction Permit; Permit Conditions; and Maintenance	Consent	\$10,000.00	7/15/25
Iowa County Secondary Roads Department	AQ/SW	Open Burning and Improper Solid Waste Disposal	Consent	\$3,000.00	8/5/25
Jim Tomson	WS	Operator Certification	Consent	0	8/25/25
City of Fort Dodge	WW	NPDES Permit Violations	Consent	\$8,000.00	8/25/25
Farmers Union Cooperative	WW	Prohibited Discharge	Consent	\$6,000.00	8/25/25
City of Dubuque	WW	NPDES Permit Violations	Consent	\$7,000.00	8/29/25
City of Eagle Grove	WW	NPDES Permit Violations	Consent	\$10,000.00	9/8/25
Grand Total				\$101,260.00	

**IOWA DEPARTMENT OF NATURAL RESOURCES
LEGAL SERVICES BUREAU**

DATE: October 2025
TO: Environmental Protection Commission
FROM: Tamara McIntosh
SUBJECT: Summary of Administrative Penalties (May 2025 - September 2025)

The following administrative penalties are being collected by DRF:

NAME	PROGRAM	AMOUNT (remaining)
Jon Knabel	AQ/SW	\$1,037.33
Randy Wise; Wise Construction	AQ/SW	\$2,081.32
Gary Eggers	SW/WW	\$10,000.00
Dennis R. Phillips; Marty's Convenience Mart	UT	\$9,954.53
Frank Robak	UT	\$10,000.00
Randy Cates	AQ/SW	\$10,000.00
Jeff Gray dba Grayz Metal Recycling	AQ/SW	\$918.53
Jayson Schlafke	AFO	\$3,000.00
Strickler Farms, LTD	AFO	\$2,592.78
Steve Seelye	AQ	750.00
Brandon Stewart	AQ/SW	\$2,100.00
North Iowa Custom Finishing	AFO	\$2,250.00
North Iowa Custom Finishing	AFO	\$4,100.00
Jason Larabee	AFO	\$7,500.00
Larrell DeJong	AFO	\$7,623.26
Scott Ellsworth	AFO	\$5,000.00
Jacob Wagoner	AQ	\$4,000.00
James Ziebell	AQ	\$10,000.00
Chanchai Sooksawan	AQ	\$10,000.00
Kunkel Enterprises, LLC and Mike Kunkel	AQ	\$8,000.00
Newt's Café	WS	\$1,500.00
Blue Hyll Dairy LLC	AFO	\$6,500.00
Michael Matthews	AQ	\$4,630.00
Amritdeep Kaur - Pari	UT	\$7,000.00
Amritdeep Kaur - Cissy's	UT	\$7,000.00
Ronald, Dennis, and Nathan Stratton	FP	\$5,000.00
Alexander Buck	AQ/SW	\$1,530.00
Brookstone Specialty Services	WW	\$10,000.00
CJ Construction	WW	\$5,000.00
Mississippi Valley Meat	AFO	\$3,000.00
Nolan Junker	AFO	\$3,000.00
Nolan Junker	AFO	\$7,000.00
Randy Less	FP	\$2,500.00
Randy Reich	AQ	\$3,100.00
Total		\$177,667.75

The following administrative penalties are DUE:

NAME	PROGRAM	AMOUNT (remaining)
Recycling Services	WW/HC/SW	\$7,000.00
Lu-Jen Farms	AFO	\$5,000.00
Jaymaharaj, L.L.C. and Monaj Desai	HC	\$7,000.00
Chad Roche	SW	\$10,000.00
Brian Young	AQ	\$7,000.00
Ames Business Group	AQ	\$2,000.00
Ames Business Group/Wesley Ames	SW	\$10,000.00
William Shadbolt/Montipark LLC	WS	\$10,000.00
Bradley Smith	AFO	\$9,000.00
Waspy's Truck Wash, LLC	WW	\$8,000.00
Colo Country Living LLC	AQ/SW/WW	\$10,000.00
City of Randalia	WW	\$1,000.00
Dean Sweeney	AQ	\$3,500.00
Adam Timmerman	AFO	\$3,000.00
Precision Custom Pumping	AFO	\$2,000.00
Travis Dagele	AFO	\$3,000.00
Troy Sedore	AQ/SW/WW	\$10,000.00
Tanner Oleson	AFO	\$3,000.00
Justin Nichols	AQ/SW	\$5,000.00
Total		\$115,500.00

The following administrative penalties have been COLLECTED:

NAME	PROGRAM	AMOUNT (Collected)
Larrel DeJong (2021 Order)	AFO (Revenue)	\$423.26
Larrel DeJong (2023 Order)	AFO (Revenue)	\$2,276.74
Michael Trowbridge	SW (Revenue)	\$275.00
Nick Ohl	AQ/SW (Revenue)	\$4,484.40
Joseph Davidshofer	AFO	\$1,260.00
Payton Vogel	AFO	\$3,000.00
Darryl Humpal	AFO	\$2,000.00
Darryl Banowetz	AFO (Attorney General)	\$1,250.00
Kevin Kajewski	AFO	\$3,000.00
Energy Mfg. Co., Inc.	AQ	\$5,000.00
Zane Hanson	AFO	\$2,000.00
Curtis Fox	AFO	\$2,500.00
Timber Trails Home Owners Association, Inc.	WW	\$500.00
Henningsen Construction, Inc.	WW	\$3,000.00
Paul Alexander	AFO	\$1,500.00
Lansing Brothers Construction	AQ	\$1,650.00
Boogerd Dairy Inc.	AFO	\$2,000.00
Thomas Gronbach	AQ/SW (Attorney General)	\$1,500.00
City of Schaller	WW	\$2,000.00
2612 REC, LLC	WW	\$1,125.00
Tyler Investment Co., Inc.	WW (Revenue)	\$17,347.77
Douglas Riesberg	AFO (Revenue)	\$3,030.17
Mahaska County Solid Waste	SW	\$10,000.00
Teubel Salvage	SW	\$10,000.00
Kenneth Moellers	AFO	\$5,000.00

Shawn Gohlinghorst	AQ/SW	\$1,250.00
Tyson Means	AQ/SW	\$1,250.00
Darrel Schipansky	AQ/SW	\$1,250.00
Knife River	AQ	\$10,000.00
Agri Star Meat & Poultry LLC	WW (Attorney General)	\$50,000.00
Blacktop Service Co.	AQ	\$10,000.00
Farmers Union Cooperative	WW	\$6,000.00
New Cooperative	WW (Attorney General)	\$54,886.52
Total		\$220,758.86

**Iowa Department of Natural Resources
Environmental Protection Commission**

5. Information Item

FY 2027 Budget Request

The Department is required to submit an annual budget each year. According to guidance from the Department of Management, Executive Branch departments and agencies are instructed to submit a status quo budget request for Fiscal Year 2027.

APPROPRIATION NAME	FY 26 Appropriation	FY 27 Department Request	Increase/ (Decrease)
<u>GENERAL FUND</u>			
Department Operations	\$12,816,738	\$12,816,738	\$0
State Park Operations	\$1,000,000	\$1,000,000	\$0
State Park Maintenance	\$300,000	\$300,000	\$0
Floodplain Management	\$1,510,000	\$1,510,000	\$0
Forestry Health Management	\$525,000	\$525,000	\$0
Total General Fund	\$16,151,738	\$16,151,738	\$0
<u>ENVIRONMENT FIRST</u>			
Resource Enhancement and Protection	\$12,000,000	\$12,000,000	\$0
Ambient Air Quality Monitoring	\$425,000	\$425,000	\$0
Water Quality Monitoring	\$2,955,000	\$2,955,000	\$0
GIS Data for Watershed Managers	\$195,000	\$195,000	\$0
Park Operations and Maintenance	\$6,235,000	\$6,235,000	\$0
Floodplain Management	\$375,000	\$375,000	\$0
Animal Feeding Operations	\$1,320,000	\$1,320,000	\$0
Water Supply Appropriation	\$500,000	\$500,000	\$0
Total Environment First Fund	\$24,005,000	\$24,005,000	\$0
<u>NON-GENERAL FUND</u>			
Fish and Wildlife Operations	\$53,095,606	\$53,095,606	\$0
Groundwater Fund	\$3,455,850	\$3,455,850	\$0
Snowmobile Transfer to Fish and Wildlife	\$100,000	\$100,000	\$0
Total Non-General Funds	\$56,651,456	\$56,651,456	\$0
<u>INFRASTRUCTURE</u>			
Lake Water Quality Improvements	\$9,600,000	\$9,600,000	\$0
Water Trails/Lowhead Dams	\$1,500,000	\$1,500,000	\$0
Park Infrastructure Improvements	\$5,000,000	\$5,000,000	\$0
Total Rebuild Iowa Infrastructure Fund	\$16,100,000	\$16,100,000	\$0
TOTAL DEPARTMENT REQUEST	\$112,908,194	\$112,908,194	\$0

Jennifer Nelson, Chief Financial Officer
October 21, 2025

Iowa Department of Natural Resources
Environmental Protection Commission

#6

Decision Item

Commission approval is requested for a contract with Boone Soil and Water Conservation District (SWCD), of Boone, Iowa.

Contract Terms:

Amount: Not to exceed \$280,000

Dates: October 21, 2025 to June 30, 2027.

Funding Source(s): US Environmental Protection Agency, Gulf of America Division (EPA, GAD) Farmer to Farmer Grant to DNR for the Iowa Farmer and Farm Community Subaward Program

Contract Purpose: To provide the Boone SWCD with funding to support the “Beaver Creek Batch Collaboration” project which aims to develop a “batch and build” style project in alignment with existing Iowa Department of Agriculture and Land Stewardship (IDALS) efforts within the Beaver Creek Water Quality Initiative (WQI) project and bolster collaboration among entities working in central Iowa to scale up conservation practice adoption within targeted watersheds within the Iowa Nutrient Reduction Strategy (NRS) and Nonpoint Source Management Plan (NPSMP).

This project represents a successful applicant from a continued open application window of the Iowa Farmer and Farm Community Subaward Program enabled by the 2022 grant from EPA GAD. Project scope of work aligns very well with grant goals, eligibility requirements, and EPA GAD objectives as well as the objectives of other statewide nonpoint source pollution reduction initiatives like the NRS and NPSMP.

Water quality goals set by the project:

- Target reductions of nitrogen and phosphorus pollution from drainage tile outlets in the Beaver Creek watershed.
- Work within the newly announced ([IDALS July 8, 2025](#)) priority subwatersheds of the WQI project to identify project partners for a Batch and Build method edge-of-field practice (saturated buffers, bioreactors, wetland, oxbow) build out phase that will be funded by IDALS matching state funds (\$330,000 proposed).
- Support the cost share and increased adoption of in-field practices (cover crop, no till) within the targeted subwatersheds of the WQI project utilizing federal funds.
- Facilitate increased collaboration between IDALS, DNR, Boone and neighboring SWCDs, and private partners working to accomplish regional water quality goals that impact important waterbodies in central Iowa (Des Moines River).

Budget Summary:

Practice	Cost
Edge-of-Field Batch and Build (Task 2)	\$122,000
Cover Crops (Task 1a)	\$110,000
One-Off/Miscellaneous Edge of Field (Task 1b)	\$48,000
Total Project Cost	\$280,000

Selection Process Summary: INTERGOVERNMENTAL – This Contract is authorized by 11 Iowa Administrative Code section 118.4, which states that if another governmental entity has resources available to supply a service sought by a state agency, the state agency may enter into an intergovernmental agreement with the other governmental entity and is not required to use competitive selection.

Contract History:

Boone SWCD has hosted the Mentoring for Success in the Beaver Creek Watershed project since 2021 after a successful grant application for a different EPA GAD Farmer to Farmer award. That Contract was routed through the Beaver Creek Watershed Management Authority, but the SWCD acted as employer of the coordinator and fiscal agent for the project. The relevant contract is as follows:

22ESDWQBKAMEN-0001 – Mentoring for Success in the Beaver Creek Watershed

- Timeframe: August 17, 2021 - June 30, 2025
- Amount \$490,425
- Amendment(s): A1 - added Boone County as fiscal agent; A2 - no cost time extension

Steve Konrady, Nonpoint Source Coordinator, Water Quality Bureau
Environmental Services Division
October 21, 2025

Iowa Department of Natural Resources
Environmental Protection Commission

7

Decision Item

Contract 21ESDLQBLRASM-0001 Amendment #4 to the original contract with Gresham Smith

Commission approval is requested for a Contract Amendment with Gresham Smith, Columbus, OH.

Amendment #4 to the original contract Terms:

Amendment Amount: \$77,755.00

Amendment Dates: January 1, 2026 to December 31, 2026

Funding Source: G550 (solid waste account of the Groundwater Protection Fund)

Statutory Authority: Iowa Code Chapter 455J

Amendment Purpose: The purpose of the Contract Amendment is to extend the present contract for professional services to the Environmental Management System (EMS) program and program participants. With the expertise of contracted consultants, DNR developed the program in FY2009. Due to the technical nature of the program system, expertise from consultants with professional experience in EMS is still required. This Contract Amendment will ensure that both the DNR and its EMS participants will continue to receive informed, proven advice, training and consultation.

Original Contract Purpose: Iowa Code Chapter 455J establishes criteria for solid waste planning/service areas to be designated as EMS program participants. Participants require assistance to effectively adopt and implement the program, benefitting the State of Iowa. The original contract secured technical and supportive services to the DNR and its EMS program participants. Gresham Smith has supported DNR's continuous improvement of the EMS program by providing informed, researched advice and assisting with the planning, development and coordination of participant training. In addition, Gresham Smith has provided technical assistance to new, existing and potentially future participants during focused trainings and individual consultations.

Original Selection Process Summary:

A formal, competitive bid process was initiated by posting a Notice on the TSB website and issuing a Request for Proposals. Two proposals were received and evaluated by a committee of five DNR staff members, which resulted in the recommendation of Gresham Smith. The following table summarizes the two proposals that were received.

Name	Location	Average Score	Rank	Bid Amount
Gresham Smith	Columbus, OH	172 of 200	1	\$128,660
Burns & McDonnell	Alpharetta, GA	121 of 200	2	\$205,957

Contract History:

The DNR has had continual contractual agreements with Gresham Smith since October 20, 2009. The current contract amendment with Gresham Smith will expire on December 31, 2025 and is summarized below.

Contract 21ESDLQBLRASM-0001, original:

Amount: \$128,600 for 24 months

Timeframe: January 1, 2021 to December 31, 2022

Extension Options: DNR shall have the option to extend this contract for up to six years from the beginning date of the original contract by executing a signed amendment prior to the expiration of this contract.

Contract 21ESDLQBLRASM-0001, Amendment 1:

Amount: \$70,720 for 12 months

Timeframe: January 1, 2023 to December 31, 2023

Contract 21ESDLQBLRASM-0001, Amendment 2:

Amount: \$71,790 for 12 months

Timeframe: January 1, 2024 to December 31, 2024

Contract 21ESDLQBLRASM-0001, Amendment 3:

Amount: \$77,216 for 12 months

Timeframe: January 1, 2025 to December 31, 2025

Task	Amount of compensation in Original Contract	Amount of compensation Amendment #1	Amount of compensation Amendment #2	Amount of compensation Amendment #3	Amount of compensation Amendment #4	Grand Total
Task 1: DNR Assistance and Participant Assistance	Not to exceed \$113,004.00	Not to exceed \$64,148.00	Not to exceed \$64,630.00	Not to exceed \$70,364.00	Not to exceed \$70,419.00	Not to exceed \$382,565.00
Task 2: Program Management	Not to exceed \$15,656.00	Not to exceed \$6,572.00	Not to exceed \$7,160.00	Not to exceed \$6,852.00	Not to exceed \$7,336.00	Not to exceed \$ 43,576.00
Total	Not to exceed \$128,660.00	Not to exceed \$70,720.00	Not to exceed \$71,790.00	Not to exceed \$77,216.00	Not to exceed \$77,755.00	Not to exceed \$ 426,141.00

Jennifer Wright, Supervisor Financial &
Business Assistance, Land Quality Bureau
Environmental Services Division

November 18, 2025

Attachment #1: Statement of Work for Contract 21ESDLQBRASM-0001 Amendment #4

Deliverable	Task Milestone Date	Amount of compensation allotted to Task	Invoice Due No Later Than
<p>Task 1. DNR and EMS Participant Assistance. Contractor will serve as an advisor for DNR and EMS Participants to provide the services summarized below.</p>	Ongoing throughout Contract Amendment	\$70,419	Contractor shall invoice DNR on a monthly basis.
<p>Task 1.1 Advice, Coordination and Planning. Assist DNR with program planning, coordination, and occasional advice. This task includes the following activities:</p> <ul style="list-style-type: none"> • Develop a calendar of activities to support the EMS Program and its participant agencies. • Develop the concepts and hosting preparations for EMS conferences, workshops and trainings, including identifying speakers and preparing agendas. Note: the material preparation and attendance for these events is covered under the event-specific subtasks. • Periodically provide DNR and EMS participants professional assistance, research and advice upon request. 			
<p>Original Sub-task 1.2 is revised as follows: Task 1.2 EMS Focused Training. Conduct training focused on one or more EMS topics. This task includes the following activities:</p> <ul style="list-style-type: none"> • Consult with DNR to determine areas of focus for trainings. • Develop training materials. • Conduct virtual trainings for up to two half days. 			
<p>Task 1.3 On-going EMS Participant Training. Conduct the following activities to support continual improvement for EMS participants as needed:</p> <ul style="list-style-type: none"> • Provide up to four web-hosted meetings for individual or groups of EMS agencies per year. • Review EMS implementation progress and provide guidance to participant agencies. 			
<p>Original Sub-task 1.4 is revised as follows: Task 1.4 EMS Annual Summer Workshop. Develop materials for and conduct a one-day, on-site EMS workshop during the summer of 2026.</p>			
<p>Original Sub-task 1.5 is revised as follows: Task 1.5 EMS Annual Fall Conference. Develop materials for and conduct a one-day, on-site EMS conference during October or November 2026.</p>			
<p>Original Sub-task 1.6 is revised as follows:</p>			

<p>Task 1.6 Materials to Benefit Participants and Program. Develop and revise promotional or guidance materials for the EMS program as needed.</p>			
<p>Original Sub-task 1.7 is revised as follows: Task 1.7 New Participant Training. Provide initial training and support for up to one Tier 1 EMS participant agencies as needed:</p> <ul style="list-style-type: none"> • Develop materials for and conduct an EMS kickoff meeting for each new participant. • Develop materials for and conduct up to four webinar trainings on initial EMS development for new participants. • Develop materials for and conduct up to two on-site trainings for each new participant. • Conduct up to five conference calls for each new participant to provide feedback and advice during the development of their plans and policies to implement the ten EMS Elements. 			
<p>Task 1.8 EMS Participant Recruitment Assistance. No assistance is included.</p>			
<p>Task 1.9 Additional Assistance. Provide additional assistance for EMS program participants as requested and agreed upon between Contractor and DNR. Potential assistance needs may include feedback and guidance on developing objectives/targets, determining steps for an action plan or revising a written policy.</p>			
<p>Original Task 1 Assumptions are revised as follows: Task 1 Assumptions.</p> <ul style="list-style-type: none"> • DNR may determine that some or all on-site events may instead be held virtually. A means for estimating the exclusion of travel costs and printing costs for virtual events is to be included. • Contractor will provide printing for on-site workshop and conference materials, assuming approximately 40 pages for each event for up to 50 attendees. • Contractor will provide printing for the on-site EMS Focused Training, assuming reprinting of the DNR EMS Audit Guide or similar (25 color copies) as well as handouts (30 pages, 8.5" x 11", for up to 30 attendees). • With the assumption that events are held on-site, Contractor will travel for kickoff meetings for new Tier 1 participants (1 trip), Summer Workshop (1 trip) and annual EMS Fall Conference (1 trip). Up to two Contractor staff will attend the EMS 			

<p>Fall Conference and EMS Summer Workshop.</p> <ul style="list-style-type: none"> Up to one Tier 1 agency may join the EMS program during the Contract period. 			
<p>Task 2. Program Management. Contractor will provide on-going EMS program management as summarized below.</p> <p>Task 2.1. Ongoing Project management, scheduling and documentation as required and including:</p> <ul style="list-style-type: none"> Managing project budget, scope and schedule. Providing monthly billing invoices. Providing a summary of costs broken down by tasks, subtasks and expenses. 	<p>Ongoing throughout Contract Amendment</p>	<p>\$7,336</p>	<p>Contractor shall invoice DNR on a monthly basis.</p>
<p>Total</p>		<p>\$77,755</p>	

**Iowa Department of Natural Resources
Environmental Protection Commission**

ITEM

#8

DECISION

TOPIC: Household Hazardous Materials Program – Agreement Recommendation

The Department requests Commission approval to enter into an agreement with Northwest Iowa Area Solid Waste Agency totaling \$93,403.

The Department received one (1) application requesting \$93,403 in financial assistance for Innovation/Improvement funding. Applicants are required to match 50% of all awards over \$10,000. The proposed project award, which is greater than \$25,000, is presented for Commission approval. This project, if approved, totals \$93,403 in a \$51,701 grant with \$41,702 cash match.

The review committee consisted of 3 persons representing the Land Quality Bureau.

Funding for the Household Hazardous Materials Program comes from a portion of the ground water protection fund and HHM Retailer permit fees.

A description of the recommended project, the project type, and the amount of funding assistance is attached.

At this time, the Department is requesting Commission approval to enter into an agreement with Northwest Iowa Area Solid Waste Agency.

Jennifer Wright, FAB A Section Supervisor
Land Quality Bureau
Environmental Services Division

Attachment

a) Project description

November 18, 2025

**HOUSEHOLD HAZARDOUS MATERIALS PROGRAM
PROJECT RECOMMENDATIONS**

The following provides a description of the project for which Commission approval is requested.

Northwest Iowa Area Solid Waste Agency

4540 360th St
Sheldon, IA 51201

Total Grant Amount: **\$51,701**
Cash Match: **\$41,702**
Total Project Cost: **\$93,403**

Project Title: **Expansion of HHW facility building**

Contact: Brent Kach

Phone: 712-324-4026

Project Type: Improvement to Structure

Applicant: County Agency

Service Area: Lyon, O'Brien, Osceola, Sioux and rural Clay counties

Description: Northwest Iowa Area Solid Waste Agency is a county agency that has been operating an HHW facility for twenty (20) years. They assist both residents and small businesses with proper management of household or business hazardous waste. In the last five years they have collected over 341,325 pounds of hazardous materials a 132% increase since 2011. To address this growth, the project aims to construct a 40' x 30' addition on the east side of the existing RCC building, effectively doubling the size of the facility.

PROJECT MILESTONES

Deliverables	Task Milestone Date
Begin Construction (may be sooner-weather dependent)	May 1, 2026
Project fully operational (may be sooner—weather dependent)	December 1, 2026

PROJECT BUDGET

ITEM	DNR AWARD	COST SHARE	TOTAL COST
NWIASWA will construct a 1,200-square-foot addition on the east side of the existing RCC facility. The construction will include all necessary infrastructure, such as electrical wiring, lighting, and the installation of an air conditioning unit and furnace. NWIASWA will also purchase a 4,500-pound capacity, 48v lithium battery-powered pallet jack with 45" x 27" forks. This equipment will enable staff to transport heavy HHM materials to the hazmat storage building—approximately 55 feet from the main facility.	\$51,701	\$41,702	\$93,403
TOTAL	\$51,701	\$41,702	\$93,403

Attachments
**Iowa Department of Natural Resources
Environmental Protection Commission**

ITEM

#9

DECISION

Contract with THE UNIVERSITY OF IOWA

Recommendation:

Commission approval is requested for a service contract with the State Hygienic Laboratory (SHL) at the University of Iowa.

Contract Terms:

Amount: Not to exceed \$557,292.96

Dates: January 1, 2026 to December 31, 2026 (12 months)

Funding Source(s): Environment First Funding (HB8A)

Statutory Authority: Iowa Code section 455B.103

Contract Background: The Clean Water Act requires states to monitor their waters to determine the status and trends in water quality. The data from this program are used to determine general trends in larger river systems in the state, potential impairments, and to provide information to decision makers regarding the effectiveness of water pollution prevention programs. The DNR has been contracting with SHL for over two decades to collect water samples at streams across the State of Iowa and to test those water samples for general chemistry and other compounds. The results are used for water quality assessments and in support of water quality standard development. The data are placed into a publicly available database and are used by a wide variety of stakeholders including water quality programs, and for scientific research and general education.

Contract Purpose: The parties propose to enter into this Contract to retain the Contractor to assist the DNR in the sampling and analysis of the State of Iowa's Ambient Stream Monitoring Network.

Contractor Selection Process:

DNR is allowed to contract with the University of Iowa pursuant to Iowa Code section 455B.103(3).

Contract History:

FY2026 Ambient Stream Monitoring, Collection, and Analysis (Ambient) Contract was a 6-month contract (July-December 2025) and was \$267,980.40

FY2025 Ambient Contract was \$777,081.60

FY2024 Ambient Contract was \$652,380.48

FY2023 Ambient Contract was \$911,366.64

FY2022 Ambient Contract was \$948,389.04

Ken Krier, Environmental Specialist Senior, Water Quality Monitoring and Assessment Section
Water Quality Bureau
Environmental Services Division
November 18, 2025

Attachments

Table 1: CY26 (12 month) Ambient Stream Monitoring, Collection, and Analysis Contract Cost Breakdown by Task.

Task:	Total Task Compensation:
Task 1: Monthly Ambient Stream Sample Collection	Not to exceed \$184,680.00 at the sampling fee of \$256.50 per sample for the sample locations listed in Table 2.
Task 2: Monthly Ambient Stream Sample Analyses	Not to exceed \$326,532.00 (Table 3)
Task 3: Equipment Purchase/Repair	Not to exceed \$4,000.00
Task 4: Shipping Samples	Not to exceed \$800.00
Task 5: QA/QC Procedures	NA
Task 6: Data Transfer	NA
Sub-total	\$516,012.00
Indirect Costs @ 8%	\$41,280.96
Total	\$557,292.96

Attachments

Table 2: CY26 (12 month) Ambient Stream Monitoring, Collection, and Analysis Contract (26-ESD-WQB-Kkrie-0003) Site List.

AQuIA ID	Site Name	County	Latitude	Longitude
10770001	Beaver Creek at Johnston	Polk	-93.7355	41.6883
10070001	Beaver Creek near Cedar Falls	Black Hawk	-92.5067	42.5735
10070004	Black Hawk Creek at Waterloo	Black Hawk	-92.4136	42.4695
10220003	Bloody Run Creek near Marquette	Clayton	-91.2081	43.0415
10400001	Boone River near Stratford	Hamilton	-93.8925	42.3412
10430001	Boyer River near Missouri Valley	Harrison	-95.8452	41.5731
10630002	Cedar Creek near Bussey	Marion	-92.9079	41.2191
10440001	Cedar Creek near Oakland Mills	Henry	-91.6737	40.9254
10090001	Cedar River at Janesville	Bremer	-92.4666	42.6496
10340001	Cedar River at Midway	Floyd	-92.6024	43.0089
10570001	Cedar River near Cedar Rapids	Linn	-91.5506	41.9257
10700001	Cedar River near Conesville	Muscatine	-91.2902	41.4094
10040002	Chariton River near Rathbun	Appanoose	-92.8829	40.8107
10890001	Des Moines River at Keosauqua	Van Buren	-91.9606	40.7282
10550001	East Fork Des Moines River near St. Joseph	Kossuth	-94.2334	42.9514
10360001	East Nishnabotna River near Shenandoah	Page	-95.3849	40.7857
10730002	East Nodaway River near Clarinda	Page	-94.9797	40.7274
10920001	English River at Riverside	Washington	-91.5804	41.4755
10750001	Floyd River near James	Plymouth	-96.3123	42.5764
10500001	Indian Creek near Mingo	Jasper	-93.2261	41.7462
10580003	Iowa River at Wapello	Louisa	-91.1821	41.1803
10420001	Iowa River near Gifford	Hardin	-93.0757	42.3102
10580002	Iowa River near Lone Tree	Louisa	-91.4791	41.4239
10640002	Iowa River near Marshalltown	Marshall	-92.8466	42.0508
10180001	Little Sioux River near Larrabee	Cherokee	-95.4636	42.8647
10300001	Little Sioux River near Milford	Dickinson	-95.1813	43.3189
10970001	Little Sioux River near Smithland	Woodbury	-95.8939	42.2672
10670003	Little Sioux River near Turin	Monona	-95.9729	41.9651
10670002	Maple River at Mapleton	Monona	-95.7961	42.1714
10490004	Maquoketa River near Maquoketa	Jackson	-90.6954	42.0707
10490005	Maquoketa River near Spragueville	Jackson	-90.5178	42.1014
10910001	Middle River near Indianola	Warren	-93.5873	41.4247
10670001	Monona-Harrison Ditch near Turin	Monona	-95.9922	41.9650
10360003	Nishnabotna River at Hamburg	Fremont	-95.6456	40.6017
10490001	North Fork Maquoketa River near Hurstville	Jackson	-90.6721	42.0902
10810001	North Raccoon River near Lake View	Sac	-94.9857	42.3400
14000359	North River near Norwalk (Hwy 28)	Warren	-93.6842	41.4499
10540001	North Skunk River near Hayesville	Keokuk	-92.2574	41.2838
10520001	Old Mans Creek near Iowa City	Johnson	-91.6156	41.6065
10840001	Rock River near Hawarden	Sioux	-96.4451	43.0839
10120001	Shell Rock River at Shell Rock	Butler	-92.5814	42.7115
10560002	Skunk River at Augusta	Lee	-91.2756	40.7534
10430002	Soldier River at Pisgah	Harrison	-95.9316	41.8306
10250001	South Raccoon River near Redfield	Dallas	-94.1829	41.5797

Attachments

AQuIA ID	Site Name	County	Latitude	Longitude
10910003	South River near Ackworth	Warren	-93.4307	41.3723
10850002	South Skunk River near Cambridge	Story	-93.5510	41.9504
10620001	South Skunk River near Oskaloosa	Mahaska	-92.6571	41.3553
10270001	Thompson Fork - Grand River at Davis City	Decatur	-93.8079	40.6407
10220001	Turkey River at Garber	Clayton	-91.2620	42.7395
10030001	Upper Iowa River near Dorchester	Allamakee	-91.5089	43.4215
10220002	Volga River near Elkport	Clayton	-91.2768	42.7497
10820001	Wapsipinicon River near De Witt	Scott	-90.5349	41.7665
10100001	Wapsipinicon River near Otterville	Buchanan	-91.9740	42.5122
10070003	West Fork Cedar River at Finchford	Black Hawk	-92.5437	42.6290
10460001	West Fork Des Moines River near Humboldt	Humboldt	-94.2073	42.6747
10650001	West Nishnabotna River near Malvern	Mills	-95.5279	40.9873
10730001	West Nodaway River at Shambaugh	Page	-95.0283	40.6593
10630003	Whitebreast Creek near Melcher-Dallas	Marion	-93.2901	41.2467
10070002	Wolf Creek at La Porte City	Black Hawk	-92.1938	42.3157
10030002	Yellow River at Ion	Allamakee	-91.2649	43.1118

Attachments

Table 3. Water quality analysis fee breakdown for Task 2 – Monthly Ambient Parameters.

Parameter	Sampling Frequency	# of Samples	Analysis Fee	Total Analysis Fee
Ammonia Nitrogen as N	Monthly	720	\$18.00	\$12,960.00
BOD, Carbonaceous 5 Day	Monthly	720	\$45.00	\$32,400.00
Chloride	Monthly	720	\$18.00	\$12,960.00
Chlorophyll <i>a</i> , pheophytin free	Monthly	720	\$52.00	\$37,440.00
Dissolved Organic Carbon	Monthly	720	\$45.00	\$32,400.00
Dissolved Organic Carbon Filtering Fee	Monthly	720	\$17.00	\$12,240.00
<i>E. coli</i> in water (55 sites)	Monthly	660	\$22.00	\$14,520.00
Field Dissolved Oxygen	Monthly	720	\$9.00	\$6,480.00
Field pH	Monthly	720	\$9.00	\$6,480.00
Field Stream Flow (1 site)	Monthly	12	\$21.00	\$252.00
Field Temperature	Monthly	720	\$9.00	\$6,480.00
Nitrite + Nitrate as N	Monthly	720	\$18.00	\$12,960.00
Orthophosphate as P	Monthly	720	\$23.00	\$16,560.00
Sulfate	Monthly	720	\$18.00	\$12,960.00
Total Dissolved Solids	Monthly	720	\$18.00	\$12,960.00
Total Hardness as CaCO ₃	Monthly	720	\$18.00	\$12,960.00
Total Kjeldahl Nitrogen	Monthly	720	\$45.00	\$32,400.00
Total Phosphorus as P	Monthly	720	\$18.00	\$12,960.00
Total Suspended Solids	Monthly	720	\$18.00	\$12,960.00
Total Volatile Suspended Solids	Monthly	720	\$18.00	\$12,960.00
Turbidity	Monthly	720	\$17.00	\$12,240.00
Overall Analysis Fee				\$326,532.00

**Iowa Department of Natural Resources
Environmental Protection Commission**

ITEM #10 DECISION

TOPIC **Adopted and Filed - Chapter 30 - Air Quality Fees**

The Commission is requested to approve this Adopted and Filed rulemaking to amend 567 Iowa Administrative Code (IAC) Chapter 30 “Fees” for the air quality program to increase the fee caps and to establish two new fee types, a Title V base fee and a fee for revisions to asbestos notifications.

Purpose of Rule Changes

The increase to the fee caps will provide sustainable funding to cover program expenses, and the new fees will distribute the costs more equitably to those businesses actively using Departmental services. All fees directly support the air quality program, which exists to prevent, abate, and control air pollution in the State of Iowa. The rulemaking does not make any changes to the current air quality fees, nor the total revenue caps on each of the air quality accounts contained in Iowa Code sections 455B.133B and 455B.133C. Any changes to the fees will be discussed first with affected stakeholders and then reviewed and approved by the Commission prior to going into effect in accordance with rule 567 IAC 30.6. The earliest any fee could change as a result of this rulemaking would be July 1, 2026.

Summary of Rulemaking Actions

The Regulatory Analysis was published in the [May 14, 2025 edition](#) of the Iowa Administrative Bulletin (IAB). A public hearing was held on June 3, 2025, and was attended by six people representing both industry and the general public. One comment was received during the comment period in support of the rulemaking. The Commission approved the Notice of Intended Action (NOIA) on August 18, 2025. The NOIA was published in the IAB on [September 17, 2025](#). The Iowa General Assembly’s Administrative Rules Review Committee did not have any questions on the rulemaking at the meeting on October 13, 2025. The public hearing was held on October 20, 2025, and was attended by three people. There were no oral and written comments received at the hearing or during the public comment period. If the Commission approves the final rules, the Adopted and Filed rules will be published on December 10, 2025, and will become effective on January 14, 2026.

Overview of Fees and Changes

Changes are proposed for three areas within the air quality program: Title V, Construction Permitting, and Asbestos. Details on each of the programs and the proposed changes are discussed below.

Title V Operating Permit Fees

Congress established the Title V Operating Permit program as part of the 1990 Clean Air Act (CAA) amendments. A Title V operating permit is required for facilities with potential emissions greater than the major stationary source thresholds.¹ As required by the CAA, major stationary sources are required to obtain a Title V operating permit in addition to any necessary construction permits. Operating permits provide industries with a single document that incorporates all of the state and federal air quality regulations for their facility. Sources subject to Title V include electric utilities, large food and grain processors, large manufacturing operations, and natural gas pipelines.

Title V Application Fee

Title V facilities are required to apply for an initial operating permit within one year of when they become subject to the program, and they are required to renew the resulting issued permit every five years. Instead of a flat fee per

¹ A major stationary source is a facility that has the potential to emit 100 tons per year (tpy) or more of any air pollutant; or the potential to emit 10 tpy or more of any individual hazardous air pollutant; or the potential to emit 25 tpy or more of any combination of hazardous air pollutants.

permit, the 2014 stakeholder workgroup determined fees for this activity should be based on the amount of time a permit writer takes to review and issue each individual permit, billed at an hourly fee. The 2024 workgroup requested to keep the same fee format. The fee for the review and issuance of initial and renewal Title V permit applications is currently capped at \$100/hour. Future fee revenue is projected to be insufficient to cover direct and indirect costs of the program without further cuts to service. This rulemaking will set the fee cap at \$145/hour.

Title V Emissions Fee

Per the CAA, Iowa is required to charge emissions fees to Title V facilities that cover the direct and indirect costs of implementing the program. These costs include reviews of annual compliance certifications and semiannual monitoring reports, annual compliance inspections, and annual emissions inventory collection and review. The current Title V emissions fee of \$70/ton is assessed annually on July 1st based on a facility's emissions from the previous calendar year. The Title V emissions fee cap will increase from \$70/ton to \$98/ton.

Title V Base Fee

To further address declining emissions, the Department will add an annual base fee to supplement the emissions fee. A base fee would ensure that all affected Title V facilities pay for their portion of the Title V program instead of being subsidized by larger-emitting sources. In 2024, 59% of Title V sources did not pay emissions fees adequate to cover the costs of Department services they use. The Title V base fee cap will be set at \$7,800.

Construction Permit Fees

A construction permit is required for any facility that plans to install or modify a source of air emissions to ensure protection of the National Ambient Air Quality Standards (NAAQS). For fee purposes, construction permits are divided into two categories: major sources and minor sources. A major source is a facility that has emissions at or above the Title V program emission thresholds. Minor sources are all facilities that have less emissions than the Title V thresholds and include: small to medium manufacturing operations, metal foundries, asphalt paving plants, and concrete batch plants.

Major Source Application Fee

Much like the Title V application fee, the 2014 stakeholder workgroup determined fees for major source construction permit applications should also be based on the amount of time a permit writer, and potentially dispersion modeler, take to review and issue each permit, billed at an hourly fee. The 2024 workgroup requested to keep the same fee format.

The major source construction permit engineer review fee is currently capped at \$115/hour, and the dispersion modeling fee is capped at \$90/hour. Future fee revenue is projected to be insufficient to cover the costs of the program without further reductions to service. The fee cap will be set at \$165/hour for both. Dispersion modeling requires significant indirect time to develop background information for the computer simulation used for NAAQS comparison and is therefore will be increased to the same hourly rate as engineering review time to cover these extra services provided to industry.

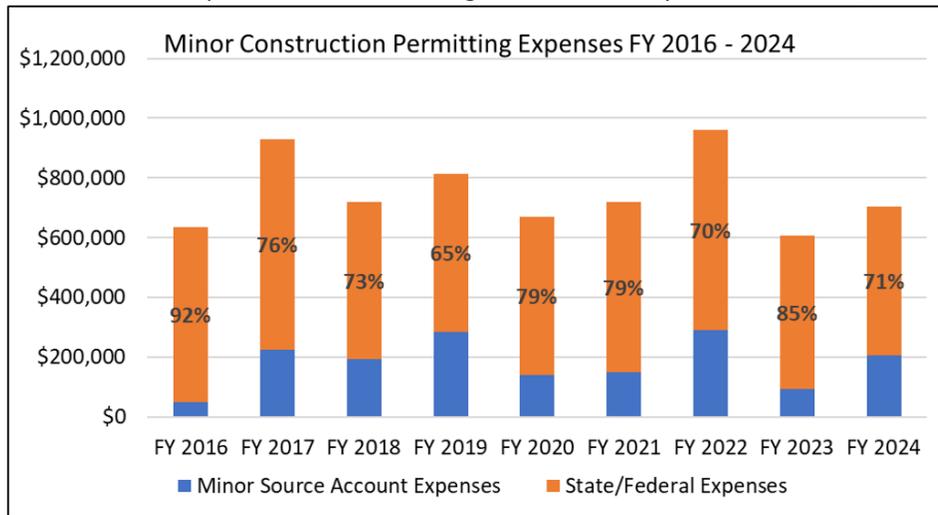
Minor Source Application Fee

The minor source construction permit fees were set in 2016 at a flat fee of \$385 for permit applications and \$100 for template and registration permit applications. Templates and registrations provide a streamlined permit process if a facility accepts predetermined conditions on their operations. Template and registration options exist for grain elevators, small painting operations such as auto body shops, concrete batch plants, aggregate plants, asphalt plants, and bulk gasoline storage facilities. All other minor permits are evaluated on a case-by-case basis, like the major sources.

The flat fee amounts for minor source permits were based on the 2014 stakeholder workgroup recommendations that also included that minor sources pay only 40% of the cost of the permit. The remainder of the cost, 60%, would be covered by the Department using state and federal funds.

As is demonstrated in the chart below, minor fees have never been adequate to cover 40% of the expenses due to the 2014 stakeholder workgroup underestimating the costs of service to minor sources.

Chart 2: Percentage of minor source expenses in FY 2016 through 2024 covered by fees versus state/federal funds



As a result, the minor source fee account has been in or near a significant deficit in most of the previous ten fiscal years. The Department has shifted federal and state funds to pay for the costs of the minor program that could not be covered by fees, but the Department can no longer afford to shift extra monies from other air quality programs to cover the minor fee deficit without cutting services to stakeholders.

The 2024 workgroup recommended to keep minor source fees as a flat fee and increase the fees to ensure the same level of service and guarantee the Department does not contribute more than 60% of the cost. The fee caps will be set at \$1,200 for minor source permit applications and \$500 for templates and registrations.

Asbestos Notification for Demolition and Renovation Fee

Asbestos notification fees are required to be submitted for the renovation or demolition of any institutional, commercial, public, or industrial building that contains asbestos. Residential buildings with less than four dwelling units are generally exempt from the notification requirement unless they are being demolished as part of a commercial project. All fees collected are used to educate affected businesses on the federal asbestos requirements, to complete inspections of asbestos containing renovations and demolitions, and to follow-up on citizen complaints.

The asbestos notification fee was proposed by the 2014 stakeholder workgroup and became effective in 2016. The current fee cap is \$100 per initial notification. Future fee revenue is projected to be insufficient to cover the costs of the program. The 2024 workgroup recommended to both raise the fee cap for initial notifications and begin charging a fee for revised notifications. Revised notifications occur when a contractor changes demolition or renovation dates, the amount of asbestos material in the building increases, or the asbestos waste transporter or disposal location changes. The fee cap for initial notifications is will be set at \$175 and new fee cap for revised notifications will be set at \$100.

Wendy Walker, Environmental Specialist Senior
 Program Development Section, Air Quality Bureau
 Environmental Services Division

November 18, 2025

ENVIRONMENTAL PROTECTION COMMISSION [567]

Adopted and Filed

The Environmental Protection Commission (Commission) hereby amends Chapter 30, “Fees,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code sections 455B.133(8)“a”(2), 455B.133B, and 455B.133C.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 455B.133 and 455B.133B through 455B.134 and the federal Clean Air Act (42 U.S.C. §7401, et seq.).

Purpose and Summary

The rulemaking amends Chapter 30 to increase the fee caps (the maximum amount that can be assessed for specific air quality fees), to add a new Title V annual base fee, and to add a new fee for revisions to asbestos notifications. The increase to the fee caps will provide sustainable funding to cover program expenses, and the new fees will distribute the costs more equitably to those businesses actively using Department of Natural Resources services. All fees directly support the air quality program, which exists to prevent, abate, and control air pollution in the State of Iowa. Fees received by the Department are deposited in one of two funds. The Air Contaminant Fund (Iowa Code section 455B.133B) was established to receive emissions and operating permit fees. The Air Quality Fund (Iowa Code section 455B.133C) was established to receive construction permit and asbestos notification fees.

Item 1 amends rule 567—30.3(455B) to add a new asbestos demolition or renovation notification fee for revisions to initial notifications. Paragraph 30.3(2)“d” currently states that the Department does not require fees for revised, canceled, and courtesy notifications. Paragraph 30.3(2)“d” will be stricken since it is no longer needed.

Item 2 amends rule 567—30.4(455B) to strike a redundant reference to the dollar cap on the fee amount that is also listed in subrule 30.6(2). Additionally, a Title V annual base fee is in new subrule 30.4(3). Only one annual base fee will be assessed for municipalities, universities, and facilities that have requested that a permit be divided into more than one permit for administrative purposes.

Item 3 amends subrule 30.6(2) to increase the fee caps on all fee types based on the recommendations received from industrial stakeholders. Item 3 also adds fee cap amounts for the new fees for revisions to asbestos notifications and the Title V annual base fee.

Public Comment and Changes to Rulemaking

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on May 14, 2025. A public hearing was held on June 3, 2025. The Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on September 17, 2025. A public hearing was held on the following date(s):

- October 20, 2025

Three people attended the public hearing. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Commission on November 18, 2025.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 481—Chapter 6.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking will become effective on January 14, 2026.

The following rulemaking action is adopted:

ITEM 1. Adopt rule **567—30.3(455B)** as follows:

567—30.3(455B) Fees associated with asbestos demolition or renovation notification.

30.3(1) *Payment of fees established.* The owner or operator of a site subject to the national emission standard for hazardous air pollutants (NESHAP) for asbestos notifications, adopted by reference in 567—paragraph 23.1(3) “a,” shall submit a fee with each required original, each revised, or each annual notification for each demolition or renovation, including abatement. Fees shall be paid as specified in the fee schedule approved by the commission and posted on the department's website. Fees shall be submitted with the notification forms provided by the department.

30.3(2) *Fee not required.* A fee shall not be required for the following:

- a. Notifications when the total amount of asbestos to be removed or disturbed is less than 260 linear feet, less than 160 square feet, and less than 35 cubic feet of facility components and is below the reporting thresholds as defined in 40 CFR 61.145 as amended on January 16, 1991;
- b. Notifications of training fires as required in 567—paragraph 23.2(3) “g”;
- c. Controlled burning of demolished buildings as required in ~~567—paragraph 23.2(3) “j”;~~
567—paragraph 23.2(3) “j.”

~~d. Revised, canceled, and courtesy notifications. A revision to a previously submitted courtesy notification due to applicability of the notification requirements in 567—paragraph 23.1(3)“a” is considered an original notification and is subject to the fee requirements of 30.3(1).~~

ITEM 2. Adopt rule 567—30.4(455B) as follows:

567—30.4(455B) Fees associated with Title V operating permits.

30.4(1) *Payment of Title V application fee.* Each owner or operator required to apply for a Title V permit, or a renewal of a Title V permit, shall pay fees as specified in the fee schedule approved by the commission and posted on the department’s website. Fees shall be submitted with forms supplied by the department.

30.4(2) *Payment of Title V annual emissions fee.*

a. Fee required. Any person required to obtain a Title V permit shall pay an annual fee based on the first 4,000 tons of each regulated air pollutant and shall be paid on or before July 1 of each year. The Title V emissions fee shall be based on actual emissions required to be included in the Title V operating permit application and the annual emissions statement for the previous calendar year. ~~The commission shall not set the fee higher than \$70 per ton without adopting the change pursuant to formal rulemaking.~~

b. to e. No change.

30.4(3) *Payment of Title V annual base fee.*

a. Fee required. Any person required to obtain a Title V permit shall pay an annual base fee as specified in the fee schedule approved by the commission and posted on the department’s website. The fee shall be paid on or before July 1 of each year and shall be submitted with forms or through the electronic submittal method specified by the department.

b. The following sources will be required to pay only one Title V annual base fee on or before July 1 of each year: municipalities, universities, and Title V facilities that have requested that their Title V permit be split into more than one permit for administrative purposes.

ITEM 3. Adopt subrule 30.6(2) as follows:

30.6(2) *Fee types and dollar caps on fee types.* The commission may set fees for the fee types and activities specified in this subrule and shall not set a fee in the fee schedule higher than the levels specified in this subrule without adopting the change pursuant to formal rulemaking:

a. New source review applications from major sources, which may include:

(1) Review of each application for a construction permit, including air quality modeling review:

~~\$115~~ \$165 per hour;

(2) Review of each application for a prevention of significant deterioration permit: ~~\$115~~ \$165

per hour;

(3) Review of each plantwide applicability limit request, renewal, or reopening: ~~\$115~~

\$165 per hour; and

(4) Review of each regulatory applicability determination: ~~\$115~~ \$165 per hour; ~~and~~.

~~(5) Air quality modeling review: \$90 per hour.~~

b. New source review applications from minor sources, which may include:

(1) Each application for a construction permit: ~~\$385~~ \$1,200;

(2) Each application for a registration permit: ~~\$100~~ \$500;

(3) Each application for a permit by rule: ~~\$100~~ \$500; and

(4) Each application for a permit template: ~~\$100~~ \$500.

c. Asbestos notifications: ~~\$100~~, which may include:

(1) Each initial or annual asbestos notification: \$175; and

(2) Each revised asbestos notification: \$100.

d. Review of each initial or renewal Title V operating permit application: ~~\$100~~ \$145 per hour.

e. Title V annual emissions: ~~\$70~~ \$98 per ton.

f. Title V annual base fee: \$7,800.

**Iowa Department of Natural Resources
Environmental Protection Commission**

Decision Item

11. 2026 EPC Meeting Recommendations

Month	Meeting Date / Day / Time			Meeting Location (County)
January	01/20/26	Tue	10:00am Business Meeting	Polk
February	02/17/26	Tue	10:00am Business Meeting	Polk
March	03/17/26	Tue	10:00am Business Meeting	Polk
April	04/21/26	Tue	10:00am Business Meeting	Polk
May	05/19/26	Tue	12:00pm Field Tour	Linn
	05/20/26	Wed	10:00am Business Meeting	Linn
June	06/16/26	Tue	10:00am Business Meeting	Polk
July	07/21/26	Tue	10:00am Business Meeting	Polk
August	08/18/26	Tue	10:00am Business Meeting	Polk
September	09/15/26	Tue	10:00am Business Meeting	Polk
October	10/20/26	Tue	10:00am Business Meeting	Polk
November	11/17/26	Tue	10:00am Business Meeting	Polk
December	12/15/26	Tue	10:00am Business Meeting	Polk

Ed Tormey, Division Administrator
Environmental Services Division
EPC Meeting Date: 11/18/25