Agenda

Environmental Protection Commission

Tuesday, November 17, 2026

Teleconference: 614-686-0310 PIN: 564 757 480#

Video Conference: meet.google.com/wps-igfq-dsb

6200 Park Ave, Des Moines, 50321

Walnut Woods Conference Rm

Tuesday, November 17, 2026
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	Amie Davidson (Information)
4	Director's Remarks	Kayla Lyon (Information)
5	FY 2028 Budget Request	Jennifer Nelson (Information)
6	Adopted and Filed – Updates to Air Quality Rules in Chapters 21, 22, 23, 24, 27, and 33	Jessica Reese McIntyre (Decision)
7	Referral to the Attorney General--Country Living MHP LLC	Carrie Schoenebaum (Decision)
8	2027 EPC Meeting Dates	Amie Davidson (Decision)
9	Upcoming Meetings • Tuesday, December 15, Des Moines • Tuesday, January 19, Des Moines	

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

The Iowa Department of Natural Resources (DNR) does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, English-language proficiency, disability, or age in the administration of its programs or activities in accordance with applicable laws and regulations. DNR will not tolerate discrimination, intimidation, threats, coercion, or retaliation against any individual or group because they have exercised their rights protected by federal or state law.

[1]Comments 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 15, 2026

Video Teleconference
and
6200 Park Ave.

Approved by the Commission TBD

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Meeting Minutes

Call To Order

The meeting of the Environmental Protection Commission (Commission or EPC) was called to order by Chair Stutsman at 10:00 am on September 15, 2026 via a combination of in-person and video/teleconference attendees.

Commissioners Present

Jim Christensen
Rebecca Dostal
Patricia Foley
Mark Stutsman
Kyle Tobiason
Roger Zylstra

Commissioners Absent

Amy Echard
Jason Ballard
Dawn Refsell

Approval of Agenda and Consent Agenda

The consent agenda included the following items:

Motion was made by Rebecca Dostal to approve the agenda and consent agenda as presented. Seconded by Patricia Foley.
Chairperson Mark Stutsman asked for a voice vote. There were no nay votes. Motion passes.

Approved as Presented

Approval of Minutes

Motion was made by Jim Christensen to approve the item as presented. Seconded by Roger Zylstra.
Chairperson Mark Stutsman asked for a voice vote. There were no nay votes. Motion passes.

Approved as Presented

Monthly Reports

- Division Administrator Amie Davidson invited Mike Moeller to give a presentation on the water quality monitoring appropriation and how the Department plans to utilize the funding. Mr. Moeller highlighted the three main ways the $500,000 will be used, which includes focusing on stabilizing core water quality monitoring operations, expanding stream and biological monitoring, and enhancing public health water monitoring.

Information

Director's Remarks

- Director Lyon provided an overview of the DNR presence at the Iowa State Fair and thanked staff for all of their hard work and coordination. Director Lyon highlighted the water quality themed day as well as the Environmental Leaders Award Ceremony.

Information

Environmental Protection Commission Biennial Report

The Commissioners discussed the proposed FY25-FY26 biennial report.

Public Comments – None

Written Comments – None

Motion was made by Rebecca Dostal to approve the item as presented. Seconded by Kyle Tobiason.
Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

WATER SUPPLY-WATER USE AND ALLOCATION ANNUAL PERMIT FEE

Taylor Moore requested Commission approval for the proposed water use and allocation permit fee. Miss Moore responded to several questions regarding the water use program and how fees are determined for each permit holder.

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-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

SOLID WASTE ALTERNATIVE PROGRAM (SWAP)-CONTRACT RECOMMENDATION

Tom Anderson requested Commission approval for a contract recommendation with the City of Ames under the Solid Waste Alternatives Program.

Public Comments – None

Written Comments – None

Motion was made by Roger Zylstra to approve the items as presented. Seconded by Rebecca Dostal.
Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

DERELICT BUILDING GRANT PROGRAM RECOMMENDATIONS

Reid Bermel requested Commission approval for the recommendation to fund projects in the City of Thornton and the City of Princeton under the Derelict Building Grant Program.

Public Comments – None

Written Comments – None

Motion was made by Rebecca Dostal to approve the items as presented. Seconded by Roger Zylstra.
Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

CONTRACT AMENDMENT WITH IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP (IDALS)

Miranda Haes requested Commission approval for a contract with IDALS to support the Trout Run/Siewer Springs Watershed Protection Project.

Public Comments – None

Written Comments – None

Motion was made by Patricia Foley to approve the items as presented. Seconded by Kyle Tobiason.
Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

CONTRACT WITH IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP (IDALS)

Ethan Thies requested Commission approval for a contract with IDALS for the Protect Dry Run Creek Watershed Improvement Project. Mr. Thies responded to questions regarding the anticipated length of the ongoing project.

Public Comments – None

Written Comments – None

Motion was made by Roger Zylstra to approve the item as presented. Seconded by Rebecca Dostal.
Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

NOTICE OF INTENDED ACTION-CHAPTER 60, "SCOPE OF TITLE, DEFINITIONS, WASTEWATER CONSTRUCTION PERMITS, AND OPERATION PERMITS

Satya Chennupati requested Commission approval for the Notice of Intended Action for Chapter 60.

Public Comments – None

Written Comments – None

Motion was made by Jim Christensen to approve the item as presented. Seconded by Patricia Foley.
Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

NOTICE OF INTENDED ACTION-CHAPTER 2 AND CHAPTER 2505 "FAIR INFORMATION PRACTICES" AND CHAPTER 2506 "CONTESTED CASES"

Kelli Book requested Commission approval for the Notice of Intended Action for Chapter 2, Chapter 2505 and Chapter 2506.

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-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

CLEAN WATER AND DRINKING WATER STATE REVOLVING LOAN FUND (SRF)-FY 2027 INTENDED USE PLANS-SECOND QUARTER UPDATE

Lori McDaniel requested Commission approval for FY 2027 second quarter updated of the Clean Water and Drinking Water SRF Intended Use Plans.

Public Comments – None

Written Comments – None

Motion was made by Rebecca Dostal to approve the item as presented. Seconded by Roger Zylstra.
Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

CONTRACT WITH IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP (IDALS)-NUTRIENT MARKETING

Steve Konrady requested Commission approval for a contract with IDALS to designate funds to Cass and Carroll Counties to assist public water supplies in nutrient management.

Public Comments – None

Written Comments – None

Motion was made by Rebecca Dostal to approve the item as presented. Seconded by Kyle Tobiason.
Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

CONTRACT WITH UNION COUNTY CONSERVATION -STATE LAND MANAGEMENT

Steve Konrady requested Commission approval for a contract with Union County Conservation to assist with timber stand and grassland management on lands adjacent to source water reservoirs and lakes in Union County.

Public Comments – None

Written Comments – None

Motion was made by Roger Zylstra to approve the item as presented. Seconded by Rebecca Dostal.
Chairperson Mark Stutsman asked for a roll call vote. Dawn Refsell-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

CONTRACT WITH UNITED STATES GEOLOGICAL SURVEY (USGS)-CENTRAL MIDWEST WATER SCIENCE CENTER

Dan Kendall requested Commission approval for a contract with USGS to assist the DNR in the collection of real-time surface water flow and water quality concentrations in Iowa.

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-absent, Amy Echard-absent, Jim Christensen-aye, Jason Ballard-absent, Rebecca Dostal-aye, Kyle Tobiason-aye, Patricia Foley-aye, Roger Zylstra-aye, Mark Stutsman-aye. Motion passes.

APPROVED AS PRESENTED

GENERAL DISCUSSION

- None

ADJOURN

Chairperson Mark Stutsman adjourned the Environmental Protection Commission meeting at 11:45 am on September 15, 2026.

ADJOURNED

IOWA Department of Natural Resources

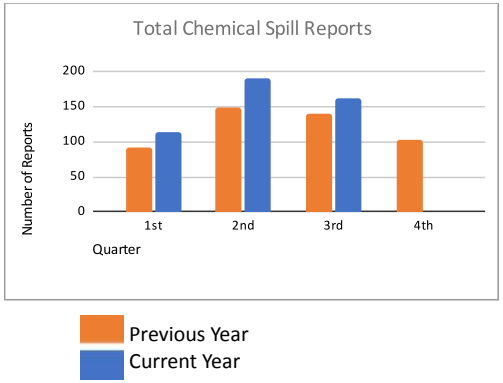
Third Quarter 2026 Chemical Spill, Manure Release and Wastewater By-Pass Report

(Quarterly report to the Environmental Protection Commission)

Chemical Spills

During the period July 1, 2026, through September 30, 2026, 162 hazardous conditions were reported to the department (*567 IAC 105.5 (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	2026	91	114	0	5	60	67	33	55	30	24	61	90
2nd	2026	149	189	17	19	77	116	62	71	36	38	113	151
3rd	2026	140	162	4	14	86	89	55	69	33	34	107	128
4th	2026	102		11		56		44		29		73	
Calendar Year to Date		482	465	32	38	279	272	194	195	128	96	354	369



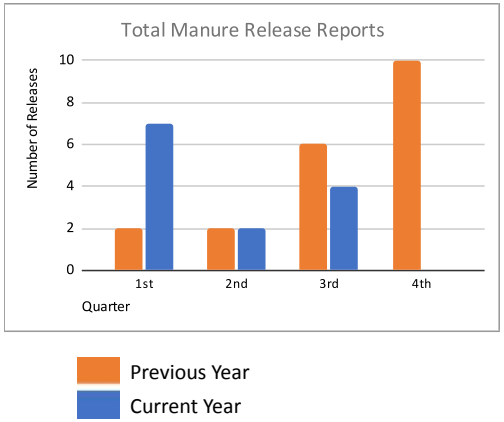
* Other includes: non-agricultural and non-petroleum based chemicals including but not limited to chlorine, acids/bases, inorganic and organic chemicals

** 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, 2026, through September 30, 2026, 4 manure releases were reported to the department. *567 IAC 65.1 (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)*	
Quarter	Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year
1st	2026	2	7	0	1	1	2	1	5
2nd	2026	2	2	0	0	1	0	1	2
3rd	2026	6	4	0	1	3	3	3	1
4th	2026	10		4		2		8	
Calendar Year to Date		20	13	4	2	7	5	13	8

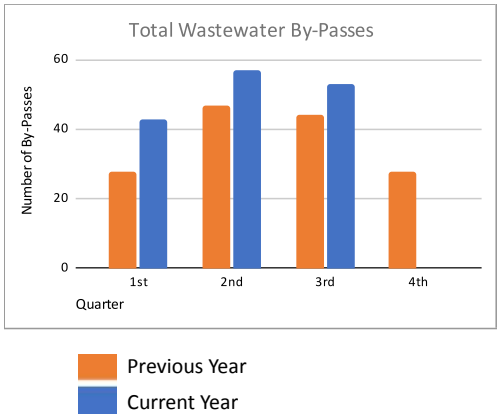


* Off Site includes: transportation and land application related incidents.

Wastewater By-Passes

During the period July 1, 2026 through September 30, 2026, 53 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	2026	28	43	0.472	0.265	0.034	0.470	0	0
2nd	2026	47	57	0.325	0.535	0.171	0.157	0	0
3rd	2026	44	53	0.906	1.026	0.014	0.04	0	0
4th	2026	28		4.685		0.061		0	
Calendar Year to Date		147	153					0	0



Monthly Waiver Report
October 2026

Item #	DNR Reviewer	Facility/City	Program	Subject	Decision	Date	Agency
1	Danjin Zulic	Nestle USA Beverage Division	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.29.26	26aqw185
2	Michael Hermsen	Conagra Foods Packaged Foods - Waterloo	Air Quality Construction Permit	Waiver of Initial Stack Test Requirement.	Approved	9.30.26	26aqw186
3	Jason Dowie	Pine Lake Corn Processors	Air Quality Construction Permit	Request to modify existing emission units to route emissions through existing condenser (CE C20A) before exiting through emission point C20, as currently permitted, during planned shutdown in early October, prior to final issuance of modified permits	Approved	10.1.26	26aqw187
4	Keith Wilken	The Car Wash UST #198600558	Underground Storage Tank Sectior	Per Chapter 134.14(3), inspections of new UST installations must be completed before the system is backfilled, and an inspection report submitted prior to the UST System components being activated.	Approved	10.6.26	26utw188
5	Mark Fields	JBS USA Pork	Air Quality Construction Permit	Request to extend stack test due date to allow permit modification after becoming a Title V major facility.	Approved	3.13.26	26utw189
6	Danjin Zulic	Altec Industries, Inc.	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	10.6.26	26aqw190
7	Nate Tatar	Ag Processing, Inc - Sheldon	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	10.6.26	26aqw191
8	Karen Kuhn	Northern Natural Gas Ventura	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	10.6.26	26aqw192
9	John Curtin	Kent Pet	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement for two Pellet Coolers, a hammermill for corn and a truck receiving pit at a facility that makes cat litter.	Approved	10.8.26	26aqw193
10	Jasmine Bootman	POET Biorefining - Jewell	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	10.12.26	26aqw194
11	Danjin Zulic	TrinityRail Maintenance Services Inc	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	10.13.26	26aqw195
12	John Curtin	Koch Fertilizer Fort Dodge LLC	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement for an open ammonia flare.	Approved	10.14.26	26aqw196
13	Brandon Polzin	Iowa Spring Manufacturing & Sales, Inc	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	10.15.26	26aqw197
14	John Curtin	Gemini Incorporated	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement for eight spray booths and four laser cutters.	Approved	10.15.26	26aqw198
15	Rachel Quill	Georgia-Pacific Gypsum, LLC	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	10.20.26	26aqw199
16	Jasmine Bootman	Consolidated Energy Co, LLC - Dysart	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	10.21.26	26aqw200
17	Brandon Polzin	Simonsen Industries, Inc - Rendering	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	10.22.26	26aqw201

Monthly Waiver Report
September 2026

Item #	DNR Reviewer	Facility/City	Program	Subject	Decision	Date	Agency
1	John Curtin	Koch Fertilizer, Ft. Dodge LLC	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement for High Temperature Shift an	Approved	8.25.26	26aqw168
2	Nate Tatar	Valero Renewable Fuels Co, LLC -Albert City	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	8.27.26	26aqw169
3	Larry Bryant	Waterloo, City of STP	CP (Wastewater)	Allow location of swing check valves in the discharge piping for the Cattle Congress Lift Station Reconstruction project in a vertical orientation rather than the horizontal orientation required by IWFDS 3.5.2.2(1).	Denied	8.27.26	26cpw170
4	Danjin Zulic	City of Iowa City Wastewater Treatment	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.1.26	26aqw171
5	Keith Wilken	LETTY'S UST #198608418	Underground Storage Tank Section	Per 567 IAC Chapter 135.15(1)"e", an underground storage tank system that has not been properly temporarily closed for more than 12 months must be permanently closed. The waiver requests allowance of return to service requirements in lieu of closure.	Approved	9.1.26	26utw172
6	Lucas Tenborg	Manatts, Inc.	Air Quality Construction Permits	DNR received a variance request on July 29, 2026 to operate the Emission Unit 323 EU-2 Hot Mix Asphalt Dryer at an increased rate above the permitted Maximum Capacity.	Approved	9.2.26	26aqw173
7	Dan Watterson, Kelli Book, Dallas Heikens	SM Pork, LLC, AFO#65843	Animal Feeding Operation	Confinement bldg. has shallow well too close to confinement. Both constructed 2008. Well used to water livestock, used since initial construction. Request variance from 200' distance.	Approved	9.3.26	26cpw174
8	Nate Tatar	Clow Valve Company - Foundry	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.8.26	26aqw175
9	Michael Hermsen	Van Diest Supply Company	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.10.26	26aqw176
10	Danjin Zulic	Cargill, Inc - Eddyville	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.10.26	26aqw177
11	KAren Kuhn	Platinum Crush LLC	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.11.26	26aqw178
12	Michael Hermsen	Integrated DNA Technologies	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.11.26	26aqw179
13	Karen Kuhn	Stellar Industries	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.17.26	26aqw180
14	Nate Tatar	Pioneer Hi-Bred International, Inc. - Toledo	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.17.26	26aqw181
15	Jasmine Bootman	Iowa Army Ammunition Plant	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.17.26	26aqw182
16	Brandon Polzin	Tri-Mark Corporation	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.24.26	26aqw183
17	Jasmine Bootman	Five Star Cooperative - New Hampton (SBG	Air Quality Construction Permits	Waiver of Initial Stack Test Requirement.	Approved	9.28.26	26aqw184

Iowa Department of Natural Resources
Environmental Protection Commission

Information Item

5. FY 2028 Budget Request

The Department is required to submit an annual budget request by October 1, 2026. 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 2028.

APPROPRIATION NAME	FY 27 Appropriation	FY 28 Department Request	Increase/ (Decrease)
GENERAL FUND			
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**
ENVIRONMENT FIRST			
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**
NON-GENERAL FUND			
Fish and Wildlife Operations	$53,901,798	$53,901,798	$0
Groundwater Fund	$3,455,850	$3,455,850	$0
GW Fund Interest: Water Quality Monitoring	$300,000	$0	($300,000)
GW Fund Interest: State GW Protection	$176,150	$0	($176,150)
WQ Fin Assistance: Water Quality Monitoring	$500,000	$500,000	$0
Snowmobile Transfer to Fish and Wildlife	$100,000	$100,000	$0
Total Non-General Funds	**$58,433,798**	**$57,957,648**	**($476,150)**
INFRASTRUCTURE			
Lake Water Quality Improvements	$9,600,000	$9,600,000	$0
Water Trails/Lowhead Dams	$1,500,000	$1,500,000	$0
Derelict Buildings	$1,000,000	$0	$(1,000,000)
Park Infrastructure Improvements	$5,000,000	$5,000,000	$0
Total Rebuild Iowa Infrastructure Fund	**$17,100,000**	**$16,100,000**	**($1,000,000)**
TOTAL DEPARTMENT REQUEST	**$115,690,536**	**$115,214,386**	**($1,476,150)**

Jennifer Nelson, Chief Financial Officer
November 17, 2026

Iowa Department of Natural Resources
Environmental Protection Commission

ITEM **#6** **DECISION**

TOPIC **Adopted and Filed – Updates to Air Quality Rules in Chapters 21, 22, 23, 24, 27, and 33**

The Commission is requested to approve the final amendments to 567 Iowa Administrative Code (IAC) that proposes to amend Chapter 21, "Compliance, Excess Emissions, and Measurement of Emissions," Chapter 22, "Controlling Air Pollution," Chapter 23, "Air Emission Standards," Chapter 24, "Operating Permits," Chapter 27, "Certificate of Acceptance," and Chapter 33, "Construction Permit Requirements for Major Stationary Sources-Prevention of Significant Deterioration (PSD)."

Overview and Purpose of Rule Changes
The final rule changes consist primarily of updates to federal air quality regulations, particularly the New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP). Upon adoption of the standards, the Department of Natural Resources (Department) becomes the administrator for the federal standards and is the primary implementation agency in Iowa. Stakeholders typically prefer to work with the Department and the local air agencies in Polk County and Linn County, rather than the EPA, to address air quality requirements.

Additionally, the revisions require all Asbestos NESHAP renovation and demolition notifications to be submitted electronically through the Department's online system starting February 1, 2027. The start date was updated from the January 1 date indicated in the Notice of Intended Action due to the schedule change for Commission approval of the final rules. Electronic submittal will enhance processing efficiency and data accuracy.

The final rules also include minor administrative changes, including updating outdated cross-references and removing obsolete provisions, to ensure clear, up-to-date rules.

Summary of Rulemaking Actions
The Regulatory Analysis was published in the March 18, 2026 edition of the Iowa Administrative Bulletin (IAB). A public hearing was held on April 8, 2026, and was attended by four people representing both industry and the general public. One written comment was received during the comment period in support of the adopting federal regulations for municipal solid waste (MSW) landfills.

The Commission approved the Notice of Intended Action on July 21, 2026. The Notice was published in the IAB on August 19, 2026. The public hearing was held on September 21, 2026, and was attended by two people. There were no oral comments, and one written comment was received during the public comment period in support of adopting the MSW landfill regulations. The submitted comment letter and the Department's response to the comments are summarized in the attached public responsiveness summary. If the Commission approves the final rules, the Adopted and Filed rules will be published on December 9, 2026, and will become effective on January 13, 2027.

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Environmental Services Division

November 17, 2026

ENVIRONMENTAL PROTECTION COMMISSION [567]

Adopted and Filed

The Environmental Protection Commission (Commission) hereby amends Chapter 21, "Compliance, Excess Emissions, and Measurement of Emissions," Chapter 22, "Controlling Air Pollution," Chapter 23, "Air Emission Standards," Chapter 24, "Operating Permits," Chapter 27, "Certificate of Acceptance," and Chapter 33, "Construction Permit Requirements for Major Stationary Sources—Prevention of Significant Deterioration (PSD)," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code sections 455B.133, 455B.134 and 455B.145.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 455B.133, 455B.134 and 455B.145 and 42 U.S.C. §7401 et seq.

Purpose and Summary

The rulemaking amends Chapters 21 through 24, 27, and 33 as follows:

Item 1 amends rule 567—21.1(455B) to add a definition of "variance" that is currently present in Chapter 22. The definition has been moved from Chapter 22 to Chapter 21 because the variance requirements are set forth in Chapter 21.

Item 2 amends subrule 21.10(9) to adopt by reference a voluntary alternative option to the Method 9 test method, which is the federal test method for measuring visible emissions (also known as opacity). The amendment also adopts by reference other voluntary alternative test methods and modifications published in 40 Code of Federal Regulations (CFR) Parts 60 and 63 on January 25, 2024.

Item 3 amends rule 567—21.13(455B) to adopt by reference the alternative testing provisions for Method 9 as proposed in Item 2.

Item 4 amends rule 567—22.1(455B) to update the definition of "standard metropolitan statistical area" (SMSA) to adopt by reference the changes in 40 CFR Section 58.1, which include changing the defined term to "metropolitan statistical area" (MSA).

Item 5 rescinds the definition of "variance" in rule 567—22.1(455B). As adopted in Item 1, this definition has been moved to rule 567—21.1(455B).

Item 6 amends paragraph 22.1(2)"s" to include a definition of "educational institution" regarding the construction permitting exemption for equipment used for academic purposes located at educational institutions. The amendment does not change the definition but instead removes a reference to a repealed Iowa Code section that previously defined the term.

Item 7 amends subparagraph 22.10(3)"d"(5) to correct an outdated cross-reference.

Item 8 amends paragraph 22.10(4)"c" to correct an outdated cross-reference.

Item 9 amends the introductory paragraph of subrule 23.1(2), New Source Performance Standards (NSPS), to adopt by reference the alternative test methods in 40 CFR Part 60 as proposed in Items 2 and 3.

Item 10 removes the word "Federal" from the title of the NSPS table in subrule 23.1(2).

Item 11 amends paragraph "hh" of the NSPS table to adopt by reference of changes that the Environmental Protection Agency (EPA) made to the NSPS (Subpart KK) for lead acid battery manufacturing plants, as published in the CFR on February 23, 2023.

Item 12 amends paragraph "rrr" of the NSPS table to adopt by reference changes that EPA made to the NSPS (Subpart WWW) for municipal solid waste landfills (MSW landfills). The changes include amendments published after April 10, 2000, and through March 26, 2020. Those amendments were not adopted previously due to litigation. The litigation has since been resolved, and the Commission is now adopting those amendments by reference.

Item 13 adopts new paragraph "xxx" in the NSPS table to adopt by reference NSPS (Subpart XXX) for MSW landfills, which applies to MSW landfills constructed or expanded after July 17, 2014. The adoption includes the original Subpart XXX, which was published in the CFR on August 29, 2016, and subsequent amendments published through February 14, 2022. As with the amendments to Subpart WWW,

Subpart XXX was not adopted previously due to litigation. The litigation has since been resolved, and the Commission is now adopting Subpart XXX by reference.

Item 14 adopts new paragraph "dddd" in the NSPS table to adopt by reference the NSPS (Subpart KKa) for new, modified, or reconstructed lead acid battery manufacturing plants. Subpart KKa applies to affected facilities for which construction, modification, or reconstruction occurred after February 23, 2022.

Item 15 amends subrule 23.1(3) to adopt several changes. The amendment includes reformatting the adoption of the federal Asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP), as adopted by reference from 40 CFR Part 61, Subpart M, so that it is removed from and precedes the Federal Emissions Standards for Hazardous Air Pollutants table. The amendment also restores explanatory text for the Asbestos NESHAP that was inadvertently removed in a previous rulemaking.

Projects subject to the Asbestos NESHAP commonly include commercial, industrial, and institutional buildings or bridges undergoing renovation or demolition. The provisions in the Asbestos NESHAP have not changed. However, the Commission is now requiring electronic submittal of the NESHAP notification of building renovation and demolition, to become effective on February 1, 2027.

The Department's online Asbestos Notification System has been available since 2017. Since the online system's inception, it has included tutorials and other resources to assist facilities with submitting their notifications. Additionally, the Department has contracted with the Iowa Waste Reduction Center's (IWRC's) Iowa Air Emissions Assistance Program administered by the University of Northern Iowa to provide small businesses free, confidential, and non-regulatory assistance with submitting electronic notifications. Applicants can continue to contact the Department for assistance, as well. The Department and the IWRC have been providing additional outreach to notify and assist affected parties with using the online notification system.

Currently, about 60 percent of the roughly 2,000 renovation and demolition notifications submitted annually are submitted through the online system. Transitioning to complete electronic submittal will provide a resource savings to the Department once staff are no longer entering information into the online system from the approximately 1,000 paper notifications submitted annually.

Item 15 also amends the title of the NESHAP table in subrule 23.1(3) to replace the word "Federal" with "National."

Item 16 amends the introductory paragraph of subrule 23.1(4) to adopt by reference the alternative test methods in 40 CFR Part 63 as proposed in Items 2 and 3. The January 25, 2024, amendment date includes adoption of amendments to NESHAP Subpart QQQQ for surface coating of wood building products, as amended through March 8, 2023. No changes to paragraph 23.1(4)"cq" are necessary to adopt these amendments.

Item 17 amends the title of the table in subrule 23.1(4) to replace the word "Federal" with "National."

Item 18 amends paragraph "ca" of the NESHAP table to adopt by reference amendments to Subpart AAAA for MSW landfills that were published through February 14, 2022. Due to the affiliation of Subpart AAAA with the requirements in NSPS Subparts WWW and XXX and the aforementioned litigation, the Commission did not previously adopt the amendments, but is now doing so.

Item 19 amends paragraph "ep" of the NESHAP table to adopt federal amendments to Subpart PPPPPP for lead acid battery manufacturing. The adoption includes federal amendments published after November 19, 2020, and through February 23, 2023. The Commission did not adopt previous amendments due to litigation. The litigation has been resolved, and the Commission is now adopting these amendments by reference.

Item 20 amends paragraph "ev" of the NESHAP table to correct the name of the affected source category because part of its name is currently not included.

Item 21 adopts new paragraph "fa" in the NESHAP table to adopt by reference the NESHAP (Subpart AAAAAAA) for asphalt processing and asphalt roof manufacturing as originally promulgated on December 2, 2009, and as amended through March 20, 2023. The Commission did not previously adopt Subpart AAAAAAA because there were no affected facilities in Iowa. However, a new affected facility was recently identified when the facility applied for an air construction permit.

Item 22 amends the introductory paragraph of subrule 23.1(5) to update adoption of federal emission guidelines for existing sources.

Item 23 updates adoption of the federal emission guidelines for existing MSW landfills by rescinding and replacing paragraph 23.1(5)"a." New paragraph 23.1(5)"a" adopts by reference 40 CFR Part 62, Subpart OOO, the federal standards for MSW landfills that commenced construction on or before July 17, 2014, and have not been modified or reconstructed since that date.

Item 24 amends subrule 23.2(3) to update the exemptions for open burning. The amendment corrects outdated cross-references. The amendment also updates the asbestos notification requirements for training fires and controlled burning of a demolished building to require that Asbestos NESHAP notifications be submitted electronically effective February 1, 2027, and as described in Item 15.

Item 25 amends paragraph 23.3(2)"b" to update references to "standard metropolitan statistical area" to reflect the current terminology, "metropolitan statistical area," as adopted in Item 4. The amendment also corrects an outdated cross-reference.

Item 26 amends paragraph 23.5(2)"d" to correct an outdated cross-reference.

Item 27 amends paragraph 27.3(4)"b" to remove outdated and unnecessary provisions related to penalties for noncompliance.

Item 28 amends subrule 33.3(1) to update the definition of "subject to regulation" for purposes of the Prevention of Significant Deterioration (PSD) rules. The amendment adopts by reference updates that EPA made to federal regulations in 40 CFR Part 98 related to greenhouse gas emissions.

Item 29 amends subrule 33.3(2) to adopt by reference updates that EPA made to the Guideline on Air Quality Models, as published on November 29, 2024, in 40 CFR Part 51, Appendix W.

Item 30 amends paragraph 33.3(18)"g" to correct an outdated cross-reference.

Public Comment and Changes to Rulemaking

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on March 18, 2026. A public hearing was held on April 8, 2026. The Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on August 19, 2026. A public hearing was held on the following date:

- September 21, 2026

Two people attended the public hearing. No oral comments were provided at the hearing. One written comment was received in favor of adoption the federal regulations related to MSW landfills. No changes from the Notice were made to this rulemaking in response to public comments. However, due to a schedule change for Commission approval of the final rulemaking, the January 1, 2027, start date for required electronic submittals of asbestos notifications as described in Items 15 and 24 of the Notice was updated to February 1, 2027, in this rulemaking.

Adoption of Rule Making

This rule making was adopted by the Commission on November 17, 2026.

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 Commission for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

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 13, 2027.

The following rulemaking action is adopted:

ITEM 1. Adopt the following **new** definition of "Variance" in rule **567—21.1(455B)**:

"Variance" means a temporary waiver from rules or standards governing the quality, nature, duration, or extent of emissions granted by the commission for a specified period of time.

ITEM 2. Amend subrule 21.10(9) as follows:

21.10(9) *Methods and procedures.* Stack sampling and associated analytical methods used to evaluate compliance with emission limitations of 567—Chapter 23 or a permit condition are as follows:

a. Performance test (stack test). A stack test shall be conducted according to the U.S. Environmental Protection Agency (EPA) reference methods as specified in 40 CFR 51, Appendix M (as amended or corrected through March 29, 2023); 40 CFR 60, Appendix A (as amended or corrected through ~~March 29, 2023~~ January 25, 2024); 40 CFR 61, Appendix B (as amended or corrected through October 7, 2020); and 40 CFR 63, Appendix A (as amended or corrected through ~~March 29, 2023~~ January 25, 2024). Each test shall consist of at least three separate one-hour test runs. Unless otherwise specified by the department, EPA method, or regulation, compliance shall be assessed on the basis of the arithmetic mean of the emissions measured in the three test runs. The owner of the equipment or the owner's authorized agent may use an alternative methodology if the methodology is approved by the department in writing before testing.

b. and *c.* No change.

ITEM 3. Amend rule **567—21.13(455B)** as follows:

567—21.13(455B) Methodology and qualified observer. The federal method for visual determination of opacity of emissions and requirements for qualified observers as defined in 40 CFR Part 60, Appendix A, Method 9, as amended through ~~November 14, 1990~~ January 25, 2024, is adopted by reference.

To qualify as an observer, a candidate must, after meeting the requirements established in 40 CFR Part 60, Appendix A, Method 9, have on record with the department a minimum of 250 readings of black plumes and 250 readings of white plumes, taken at approved smoke reading courses.

ITEM 4. Amend rule **567—22.1(455B)**, definition of "Standard metropolitan statistical area," as follows:

"~~Standard metropolitan~~ Metropolitan statistical area" or *"~~SMSA~~ MSA"* means ~~an area that has at least one city with a population of at least 50,000 and such surrounding areas as geographically defined by the U.S. Office of Management and Budget (Department of Commerce)~~ any area included in the definition of "metropolitan statistical area" in 40 CFR Section 58.1 as amended through March 6, 2024.

ITEM 5. Rescind the definition of "Variance" in rule **567—22.1(455B)**.

ITEM 6. Amend paragraph **22.1(2)"s"** as follows:

s. Equipment that is not related to the production of goods or services and used exclusively for academic purposes, located at educational institutions ~~(as defined in Iowa Code section 455B.161)~~. For purposes of this exemption, "educational institution" shall mean a building in which an organized course of study or training is offered to students enrolled in kindergarten through grade 12 and served by local school districts, accredited or approved nonpublic schools, area education agencies, community colleges, institutions of higher education under the control of the state board of regents, and accredited independent colleges and universities. The equipment covered under this exemption is limited to lab hoods, art class equipment, wood shop equipment in classrooms, wood fired pottery kilns, and fuel-burning units with a capacity of less than 1 million Btu per hour fuel capacity. This exemption does not apply to incinerators.

ITEM 7. Amend subparagraph **22.10(3)"d"(5)** as follows:

(5) Operating permits. The owner or operator of a Group 4 facility shall apply for an operating permit for the facility if the facility's annual PTE for PM_{10} is equal to or greater than 100 tons per year as specified in 567—24.100(455B) through 567—24.300(455B). The owner or operator of a Group 4 facility that is a grain terminal elevator shall include fugitive emissions in the calculations to determine if the PTE for PM_{10} is greater than or equal to 100 tons per year. The owner or operator also shall submit annual emissions inventories and fees, as specified in ~~567—22.106(455B)~~ 567—24.106(455B).

ITEM 8. Amend paragraph **22.10(4)"c"** as follows:

c. Operating permits. The owner or operator shall sum the PTE of the feed mill equipment with the PTE of the equipment at the country grain elevator, country grain terminal elevator or grain terminal elevator, as PTE is specified in 22.10(2), to determine if operating permit requirements specified in 567—24.100(455B) through 567—24.300(455B) apply to the stationary source. If the operating permit requirements apply, then the owner or operator shall apply for an operating permit as specified in 567—24.100(455B) through 567—24.300(455B). The owner or operator also shall begin submitting annual emissions inventories and fees, as specified under ~~567—22.106(455B)~~ 567—24.106(455B).

ITEM 9. Amend subrule 23.1(2), introductory paragraph, as follows:

23.1(2) *New source performance standards.* The federal standards of performance for new stationary sources, as defined in 40 Code of Federal Regulations Part 60 as amended or corrected through ~~June 28, 2023~~ January 25, 2024, are adopted by reference, except §60.530 through §60.539b (Part 60, Subpart AAA), and shall apply to the following affected facilities. The corresponding 40 CFR Part 60 subpart designation is provided in the table below. A different date for adoption by reference may be included with the subpart designation in the table. Reference test methods (Appendix A), performance specifications (Appendix B), determination of emission rate change (Appendix C), quality assurance procedures (Appendix F) and the general provisions (Subpart A) of 40 CFR Part 60 also apply to the affected facilities.

ITEM 10. Amend subrule **23.1(2)**, title of Federal New Source Performance Standards table (NSPS table), as follows:

~~Federal~~ New Source Performance Standards (NSPS) Adopted by Reference in 23.1(2)

ITEM 11. Amend subrule **23.1(2)**, NSPS table paragraph "hh," as follows:

hh	Lead-acid battery manufacturing plants	KK	~~February 27, 2014~~ N/A

ITEM 12. Amend subrule **23.1(2)**, NSPS table paragraph "rrr," as follows:

rrr	Municipal solid waste landfills, as defined by 40 CFR 60.751	WWW	~~April 10, 2000~~ N/A

ITEM 13. Adopt the following **new** paragraph "xxx" in subrule **23.1(2)**, NSPS table:

xxx	Municipal solid waste landfills, as defined by 40 CFR 60.761	XXX	N/A

ITEM 14. Adopt the following **new** paragraph "dddd" in subrule **23.1(2)**, NSPS table:

dddd	Lead acid battery manufacturing plants for which construction, modification or reconstruction commenced after February 23, 2022	KKa	N/A

ITEM 15. Amend subrule 23.1(3) as follows:

23.1(3) *Emission standards for hazardous air pollutants.* The federal standards for emissions of hazardous air pollutants, 40 Code of Federal Regulations Part 61 as amended or corrected through October 7, 2020, and 40 CFR Part 503 as adopted on August 4, 1999, are adopted by reference, except 40 CFR §61.20 to §61.26, §61.90 to §61.97, §61.100 to §61.108, §61.120 to §61.127, §61.190 to §61.193, §61.200 to §61.205, §61.220 to §61.225, and §61.250 to §61.256, and shall apply to the following affected pollutants and facilities and activities listed below. The corresponding 40 CFR Part 61 subpart designation is provided in the table below~~.~~, with the exception of 23.1(3)*"a."* A different date for adoption by reference may be included with the subpart designation in the table. Reference test methods (Appendix B), compliance status information requirements (Appendix A), quality assurance procedures (Appendix C) and the general provisions (Subpart A) of Part 61 also apply to the affected activities or facilities.

a. Asbestos. Any of the following involves asbestos emissions: asbestos mills, surfacing of roadways, manufacturing operations, fabricating, insulating, waste disposal, spraying applications and demolition and renovation operations (Subpart M). Any person subject to notification requirements under this rule shall submit a complete and timely notification. Until January 31, 2027, paper notification shall be postmarked or delivered to the department on the form provided by the department or may instead be provided through the electronic submittal method specified by the department. On or after February 1, 2027,

notification shall be made through the electronic submittal method specified by the department. Any person subject to notification requirements under this rule shall submit fees as required in 567—Chapter 30.

~~Federal~~ National Emission Standards for Hazardous Air Pollutants (NESHAP)

Adopted by Reference in 23.1(3)

23.1(3) paragraph	Affected source category	40 CFR Part 61 Subpart Adopted	Date of adoption (if different than 23.1(3) introductory paragraph) or note if standard is not adopted
~~a~~	~~Asbestos~~	~~M~~	~~N/A~~
b	Beryllium	C	Not adopted. No facilities in Iowa. Paragraph reserved.
c	Beryllium rocket motor firing	D	Not adopted. No facilities in Iowa. Paragraph reserved.
d	Mercury	E	N/A
e	Vinyl chloride	F	N/A
f	Equipment leaks of benzene (fugitive emission sources)	J	N/A
g	Equipment leaks of volatile hazardous air pollutants (fugitive emission sources)	V	N/A
h	Inorganic arsenic emissions from arsenic trioxide and metallic arsenic production facilities	P	Not adopted. No facilities in Iowa. Paragraph reserved.
i	Inorganic arsenic emissions from glass manufacturing plants	N	N/A
j	Inorganic arsenic emissions from primary copper smelters	O	Not adopted. No facilities in Iowa. Paragraph reserved.
k	Benzene emissions from coke by-product recovery plants	L	N/A
l	Benzene emissions from benzene storage vessels	Y	N/A
m	Benzene emissions from benzene transfer operations	BB	N/A
n	Benzene waste operations	FF	N/A

b. Reserved.

ITEM 16. Amend subrule 23.1(4), introductory paragraph, as follows:

23.1(4) *Emission standards for hazardous air pollutants for source categories.* The federal standards for emissions of hazardous air pollutants for source categories, 40 Code of Federal Regulations Part 63 as amended or corrected through ~~March 29, 2023~~ January 25, 2024, are adopted by reference, except those provisions that cannot be delegated to the states. The corresponding 40 CFR Part 63 subpart

designation is provided in the table below. A different date for adoption by reference may be included with the subpart designation in the table. 40 CFR Part 63, Subpart B, incorporates the requirements of Clean Air Act Sections 112(g) and 112(j) and does not adopt standards for a specific affected facility. Test methods (Appendix A), sources defined for early reduction provisions (Appendix B), and determination of the fraction biodegraded (Fbio) in the biological treatment unit (Appendix C) of Part 63 also apply to the affected activities or facilities.

ITEM 17. Amend subrule **23.1(4)**, title of the Federal Emission Standards for Hazardous Air Pollutants for Source Categories table (NESHAP table), as follows:

~~Federal~~ National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories Adopted by Reference in 23.1(4)

ITEM 18. Amend subrule **23.1(4)**, NESHAP table paragraph "ca," as follows:

ca	Emission standards for hazardous air pollutants: municipal solid waste landfills	AAAA	~~April 20, 2006~~ N/A

ITEM 19. Amend subrule **23.1(4)**, NESHAP table paragraph "ep," as follows:

ep	Emission standards for hazardous air pollutants for area sources: lead acid battery manufacturing ~~area sources~~	PPPPPP	~~November 19, 2020~~ N/A

ITEM 20. Amend subrule **23.1(4)**, NESHAP table paragraph "ev," as follows:

ev	Emission standards for hazardous air pollutants for area sources: chemical manufacturing	VVVVVV	N/A

ITEM 21. Adopt the following **new** paragraph "fa" in subrule **23.1(4)**, NESHAP table:

fa	Emission standards for hazardous air pollutants for area	AAAAAAA	N/A

sources: asphalt processing and asphalt roofing manufacturing

ITEM 22. Amend subrule 23.1(5), introductory paragraph, as follows:

23.1(5) *Emission guidelines.* The emission guidelines and compliance times for existing sources, as defined in 40 Code of Federal Regulations Part 60 as amended through ~~March 21, 2011~~ the dates noted in the paragraphs below, shall apply to the following affected facilities. ~~The corresponding 40 CFR Part 60 subpart designation is in parentheses. A different CFR reference and date for adoption by reference may be included with the subpart designation indicated in the paragraphs of this subrule.~~ The control of the designated pollutants will be in accordance with federal standards established in Sections 111 and 129 of the Act and 40 CFR Part 60, Subpart B (Adoption and Submittal of State Plans for Designated Facilities), and the applicable subpart(s) for the existing source. Reference test methods (Appendix A), performance specifications (Appendix B), determination of emission rate change (Appendix C), quality assurance procedures (Appendix F) and the general provisions (Subpart A) of 40 CFR Part 60, as adopted by reference in 23.1(2), also apply to the affected facilities.

ITEM 23. Rescind paragraph **23.1(5)"a"** and adopt the following **new** paragraph in lieu thereof:

a. Emission guidelines and compliance times for the control of designated pollutants from certain designated municipal solid waste (MSW) landfills (40 CFR Part 62, Subpart OOO). Emission guidelines and compliance times for municipal solid waste landfills that commenced construction on or before July 17, 2014, and have not been modified or reconstructed since July 17, 2014, shall be in accordance with federal standards established in Subpart OOO of 40 CFR Part 62 as amended through February 14, 2022.

ITEM 24. Amend subrule 23.2(3) as follows:

23.2(3) *Exemptions.* The open burning exemptions specified in this subrule do not provide exemptions from any other applicable environmental regulations. In particular, the exemptions contained in this subrule do not absolve any person from compliance with the rules for solid waste disposal, including ash disposal, and solid waste permitting contained in 567—Chapters 100 through ~~130~~ 109 or the rules for

storm water runoff and storm water permitting contained in ~~567—Chapters 60 and 64~~ 567—Chapter 60. The following exemptions apply unless prohibited by local ordinances or regulations, except that the exemptions for open burning of trees and tree trimming (23.2(3)*"b"*), landscape waste (23.2(3)*"d"*), residential waste (23.2(3)*"f"*), agricultural structures (23.2(3)*"i"*), and demolished buildings (23.2(3)*"j"*) are unavailable within the cities of Cedar Rapids, Marion, Hiawatha, Council Bluffs, Carter Lake, Des Moines, West Des Moines, Clive, Windsor Heights, Urbandale, and Pleasant Hill.

a. Disaster rubbish. The open burning of rubbish, including landscape waste, for the duration of the community disaster period in cases where an officially declared emergency condition exists. Burning of any structures or demolished structures shall be conducted in accordance with 40 CFR Section 61.145 as amended through January 16, 1991, which is the "Standard for Demolition and Renovation" of the asbestos National Emission Standard for Hazardous Air Pollutants (asbestos NESHAP).

b. to *f.* No change.

g. Training fires. For purposes of 23.2(3), a "training fire" is a fire set for the purposes of conducting bona fide training of public or industrial employees in firefighting methods. For purposes of this paragraph, "bona fide training" means training that is conducted according to the National Fire Protection Association 1403 Standard on Live Fire Training Evolutions (2002 Edition) or a comparable training fire standard. A training fire may be conducted, provided that all of the following conditions are met:

(1) A training fire on a building is conducted with the building structurally intact.

(2) The training fire does not include the controlled burn of a demolished building.

(3) If the training fire is to be conducted on a building, ~~written~~ notification is provided to the department ~~on DNR Form 542-8010, Notification of an Iowa Training Fire-Demolition or a Controlled Burn of a Demolished Building, and is postmarked or delivered to the director~~ as specified in 23.2(3)*"g"*(4) at least ten working days before such action commences.

(4) ~~Notification~~ Timely and complete notification shall be made in accordance with ~~40 CFR Section 61.145, "Standard for Demolition and Renovation" of the asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) as amended through January 16, 1991.~~ the asbestos NESHAP. Until

January 31, 2027, paper notification shall be postmarked or delivered to the department on the form provided by the department or may instead be provided through the electronic submittal method specified by the department. On or after February 1, 2027, notification shall be made through the electronic submittal method specified by the department.

(5) All asbestos-containing materials shall be removed prior to the training fire.

(6) Asphalt roofing may be burned in the training fire only if notification to the director contains testing results indicating that none of the layers of asphalt roofing contain asbestos. During each calendar year, each fire department may conduct no more than two training fires on buildings where asphalt roofing has not been removed, provided that for each of those training fires, the asphalt roofing material present has been tested to ensure that it does not contain asbestos. Each fire department's limit on the burning of asphalt roofing shall include both training fires and the controlled burning of a demolished building, as specified in 23.2(3)*"j."*

(7) Rubber tires shall not be burned during a training fire.

h. and *i.* No change.

j. Controlled burning of a demolished building. A city, as "city" is defined in Iowa Code section 362.2(4), with approval of its council, as "council" is defined in Iowa Code section 362.2(8), may conduct a controlled burn of a demolished building. A city is the only party that may conduct such a burn and is responsible for ensuring that all of the following conditions are met:

(1) Prohibition. The controlled burning of a demolished building is prohibited within the city limits of Cedar Rapids, Marion, Hiawatha, Council Bluffs, Carter Lake, Des Moines, West Des Moines, Clive, Windsor Heights, Urbandale, Pleasant Hill, Buffalo, Davenport, Mason City, or any other area where area-specific state implementation plans require the control of particulate matter.

(2) Notification requirements. For each building proposed to be burned, the city fire department or a city official, on behalf of the city, shall submit to the department a completed notification postmarked at least 10 working days prior to commencing demolition and at least 30 days before the proposed controlled burn commences. Timely and complete notification shall be made in accordance with the asbestos NESHAP.

Until January 31, 2027, paper notification shall be postmarked or delivered to the department on the form provided by the department or may instead be provided through the electronic submittal method specified by the department. On or after February 1, 2027, notification shall be made through the electronic submittal method specified by the department. Documentation of city council approval shall be submitted with the notification. Information required to be provided shall include the exact location of the burn site; the approximate distance to the nearest neighboring residence or business; the method used by the city to notify nearby residents of the proposed burn; an explanation of why alternative methods of demolition debris management are not being used; and information required by ~~40 CFR Section 61.145, "Standard for Demolition and Renovation" of the asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), as amended through January 16, 1991. Notification shall be provided on DNR Form 542-8010, Notification of an Iowa Training Fire Demolition or a Controlled Burn of a Demolished Building~~ the asbestos NESHAP. For burns conducted outside the city limits, the city shall send to the chairperson of the applicable county board a copy of the completed ~~DNR~~ notification ~~Form 542-8010~~ and documentation of city council approval. Notification to the county board shall be postmarked, faxed or sent by email at least 30 days before the proposed controlled burn commences.

(3) to (11) No change.

(12) Compliance with other applicable environmental regulations. Compliance with the exemption requirements in this paragraph shall not absolve a city of the responsibility to comply with any other applicable environmental regulations. In particular, a city conducting a controlled burn of a demolished building shall comply with all applicable solid waste disposal, including ash disposal, and solid waste permitting rules contained in 567—Chapters 100 through ~~130~~ 109, as well as all applicable storm water discharge and storm water permitting rules contained in ~~567—Chapters 60 and 64~~ 567—Chapter 60.

ITEM 25. Amend paragraph **23.3(2)"b"** as follows:

b. Combustion for indirect heating. Emissions of particulate matter from the combustion of fuel for indirect heating or for power generation shall be limited by the ASME Standard APS-1, Second Edition, November 1968, "Recommended Guide for the Control of Dust Emission—Combustion for Indirect Heat

Exchangers." For the purpose of this paragraph, the allowable emissions shall be calculated from equation (15) in that standard, with Comax2=50 micrograms per cubic meter. The maximum ground level dust concentrations designated are above the background level. For plants with 4,000 million Btu/hour input or more, the "a" factor shall be 1.0. In plants with less than 4,000 million Btu/hour input, appropriate "a" factors, less than 1.0, shall be applied. Pertinent correction factors, as specified in the standard, shall be applied for installations with multiple stacks. However, for fuel-burning units in operation on January 13, 1976, the maximum allowable emissions calculated under APS-1 for the facility's equipment configuration on January 13, 1976, shall not be increased even if the changes in the equipment or stack configuration would otherwise allow a recalculation and a higher maximum allowable emission under APS-1.

(1) Outside any ~~standard~~ metropolitan statistical area, the maximum allowable emissions from each stack, irrespective of stack height, shall be 0.8 pounds of particulates per million Btu input.

(2) Inside any ~~standard~~ metropolitan statistical area, the maximum allowable emission from each stack, irrespective of stack height, shall be 0.6 pounds of particulates per million Btu input.

(3) No change.

(4) Measurements of emissions from a particulate source will be made in accordance with the provisions of ~~567—Chapter 25~~ 567—Chapter 21.

(5) No change.

ITEM 26. Amend paragraph **23.5(2)"d"** as follows:

d. Compliance with the requirements of 23.5(2) shall not constitute an exemption from compliance with any other applicable environmental regulations. In particular, compliance with these requirements shall not absolve any person from compliance with the requirements set forth in ~~567—Chapter 64~~ 567—Chapter 60 that are applicable to industrial anaerobic lagoons.

ITEM 27. Amend paragraph **27.3(4)"b"** as follows:

b. Penalties. The penalties specified in such ordinance or regulations shall include fines~~,~~ and injunctive relief ~~and sealing of equipment found to be not in compliance with applicable provisions of the ordinance or regulations~~.

ITEM 28. Amend subrule **33.3(1)**, definition of "Subject to regulation," as follows:

"Subject to regulation" means, for any air pollutant, that the pollutant is subject to either a provision in the Act, or a nationally applicable regulation codified by the Administrator and published in 40 CFR Subchapter C (Air Programs) that requires actual control of the quantity of emissions of that pollutant, and that such a control requirement has taken effect and is operative to control, limit or restrict the quantity of emissions of that pollutant released from the regulated activity, except that:

1. Greenhouse gases (GHGs), the air pollutant defined in 40 CFR 86.1818-12(a) (as amended through September 15, 2011) as the aggregate group of six greenhouse gases that includes carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, shall not be subject to regulation except as provided in paragraph "4," and shall not be subject to regulation if the stationary source maintains its total sourcewide emissions below the GHG PAL level, meets the requirements in 567—33.9(455B), and complies with the PAL permit containing the GHG PAL.

2. For purposes of paragraphs "3" and "4," the term "tpy CO_2 equivalent emissions (CO_2e)" shall represent an amount of GHGs emitted and shall be computed as follows:

1. Multiply the mass amount of emissions (tpy) for each of the six greenhouse gases in the pollutant GHGs by the associated global warming potential of the gas published at 40 CFR Part 98, Subpart A, Table A-1, "Global Warming Potentials," (as amended through ~~December 24, 2014~~ April 25, 2024). For purposes of this definition, prior to July 21, 2014, the mass of the greenhouse gas carbon dioxide shall not include carbon dioxide emissions resulting from the combustion or decomposition of non-fossilized and biodegradable organic material originating from plants, animals, or microorganisms (including products, by-products, residues and waste from agriculture, forestry and related industries as well as the non-fossilized and biodegradable organic fractions of industrial and municipal wastes, including gases and liquids recovered from the decomposition of non-fossilized and biodegradable organic material).

2. No change.

3. and 4. No change.

ITEM 29. Amend subrule 33.3(2) as follows:

33.3(2) *Applicability.* The requirements of this rule (PSD program requirements) apply to the construction of any new "major stationary source" as defined in 33.3(1) or any project at an existing major stationary source in an area designated as attainment or unclassifiable under Section 107(d)(1)(A)(ii) or (iii) of the Act.

In addition to the provisions set forth in 567—33.3(455B) through 567—33.9(455B), the provisions of 40 CFR Part 51, Appendix W (Guideline on Air Quality Models) as amended through ~~January 17, 2017~~ November 29, 2024, are adopted by reference. Provisions set forth in 567—33.3(455B) through 567—33.9(455B) that are adopted by reference from 40 CFR 51.166 or 40 CFR 52.21 are as amended through July 19, 2021, unless otherwise noted. The following phrases contained in 40 CFR 51.166 are not adopted by reference: "it shall also provide that," "mechanism whereby," "the plan may provide that," "the plan provides that," "the plan shall provide," and "the plan shall provide that." Additionally, the term "the plan" shall mean "State Implementation Plan" or "SIP."

a. to *i.* No change.

ITEM 30. Amend paragraph **33.3(18)"g"** as follows:

g. The owner or operator of the source shall make the information required to be documented and maintained pursuant to paragraph 33.3(18)*"f"* available for review upon request for inspection by the department or the general public pursuant to the requirements for Title V operating permits contained in ~~567—subrule 22.107(6)~~ 567—subrule 24.107(6).

PUBLIC PARTICIPATION RESPONSIVENESS SUMMARY
FOR
567 IOWA ADMINISTRATIVE CODE
Chapters 21, 22, 23, 24, 27, and 33

Rulemaking Summary
The final rule changes consist primarily of updates to federal air quality regulations, particularly the New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP). Additionally, the revisions require all Asbestos NESHAP renovation and demolition notifications to be submitted electronically through the Department of Natural Resources' online system starting February 1, 2027. The final rules also include minor administrative changes, including updating outdated cross-references and removing obsolete provisions, to ensure clear, up-to-date rules.

Notice of Intended Action was published in the Iowa Administrative Bulletin on August 19, 2026, as **ARC 0477D**, and a public hearing was held on September 21, 2026. The Department of Natural Resources (Department) received no oral comments at the public hearing. The Department received one written comment prior to the September 21 deadline for public comments.

Public Comment
Submitted on August 30, 2026, by e-mail from Chaze Roberts, District Manager, Loess Hills Landfill & RNG Plant, Malvern, Iowa:

> Iowa Waste Services, LLC. (Iowa Waste) appreciates the opportunity to provide comments in support of the Iowa Department of Natural Resources (DNR) proposed changes to Air Quality Bureau rules.
>
> Iowa Waste Services. LLC owns and operates the Loess Hills Regional Sanitary Landfill (Loess Hills Landfill) in Malvern, Iowa and provides solid waste management services for communities in the state. The adoption of the proposed Air Quality Bureau rules includes existing federal New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), and Emission Guidelines (EG subparts which regulate municipal solid waste landfills, such as the Loess Hills Landfill, and directly affect Iowa Waste Services as a stakeholder.
>
> The aforementioned federal rules are currently administered by the Environmental Protection Agency (EPA) Region 7 office, based in Lenexa, Kansas. Iowa Waste Services LLC supports the DNR delegation of these rules to transfer the administration of the rules from the EPA Region 7 office to the DNR, localizing the enforcement and decision-making processes. Iowa Waste Services, LLC believes that state-level administration of NSPS, NESHAP, and EGs is the original intent of the federal rules and, as proposed, does not change the compliance requirements of the rules. We understand this rulemaking action does not create new regulations, but transitions administration of the rules from the EPA to the DNR.
>
> State administration of the rules will allow the DNR and regulated facilities to move expeditiously make changes and decisions that are uniquely tailored to the needs of the state of Iowa as it continues to grow and change. This rulemaking allows for Iowan-owned and operated businesses to work directly with Iowan regulators within the existing regulatory compliance

framework to make common sense decisions that benefit all Iowans. As such, Iowa Waste Services, LLC would like to express support for the proposed rulemaking.

We thank you for the opportunity to provide comments.

Department Response
The Department appreciates the comments in support of the rule changes for municipal solid waste landfills.

Recommended Action
The Department recommends that no changes from the Notice be made in response to the public comments. However, due to the schedule change for the Environmental Protection Commission's approval of the final rules, the proposed January 1, 2027, start date for required electronic submittals of asbestos notifications has been updated to February 1, 2027, in the final rules.

Iowa Department of Natural Resources
Environmental Protection Commission

ITEM 7 **DECISION**

TOPIC **Referral to the Attorney General**

The Director requests the referral of the following matter to the Attorney General for appropriate legal action. A litigation report has been provided to the commissioners. Country Living MHP LLC has been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- Country Living MHP LLC

Carrie Schoenebaum Attorney II
Legal Services Bureau

October 26, 2026

LITIGATION REPORT

Prepared By: Carrie Schoenebaum
Date: October 27, 2026

I. Summary

The DNR seeks referral of Country Living MHP LLC[1] (Country Living) to the Attorney General's Office for a violation of Administrative Order 2024-WW-18 and ongoing NPDES permit violations resulting in prohibited discharges of pollutants to a water of the state.

II. Alleged Violators

Heath Biddlecome
Kodiak Property Management
P.O. Box 1056
Carpinteria, CA 93014-1056

Ignite Communities/Crown Communities, LLC
1712 Pioneer Ave STE 2117
Cheyenne, WY 82001

Alexander Lee Cabot, Kodiak Property Management
1712 Pioneer Ave STE 2117
Cheyenne, WY 82001

Kodiak Property Management RA
400 Locust St. STE 400
Des Moines, IA 50309

Country Living MHP LLC
P.O. Box 1056
Carpinteria, CA 93014-1056

Heath Biddlecome Country Living MHP, LLC
P.O. Box 906
Summerland, CA 93067

[1] The Department is seeking referral of the following legal entities which all play a role in the operation or ownership of this mobile home park and were all subject to the 2024 Administrative Order: Country Living MHP LLC, Ignite Communities, Crown Communities, LLC, Kodiak Property Management dba Kodiak Property Management Inc.

Country Living MHP LLC, RA
400 Locust St. STE 400
Des Moines, IA 50309

III. Description of Facility

Country Living operates a wastewater treatment facility (WWTF) located at Section 34, T80N, R23W in Polk County, Iowa. This location is locally known as 6930 NE 56th Street, Altoona, IA 50009. Wastewater treatment for this community is provided by a three-cell, aerated, continuous discharge lagoon system. The primary cell is equipped with seven pond aerators that were installed in the first part of 2025, and the secondary cell is equipped with two surface aerators. The third cell is quiescent.

This WWTF is operated pursuant to NPDES permit No. 7700605, which was issued on June 1, 2015, with a compliance schedule for Ammonia Nitrogen and *E. coli*. This compliance schedule was final October 1, 2019. The NPDES permit was amended on September 26, 2017, to reflect the current owner (Country Living), and was reissued on September 1, 2020 and December 1, 2025.

IV. Alleged Violations

a. Facts

Between September 1, 2017, and September 1, 2024, Country Living violated 310 effluent limits contained in its NPDES permit. To address these violations, on October 4, 2024, the Department issued Administrative Order 2024-WW-18. This order required Country Living to submit final plans and specifications for WWTF upgrades no later than January 1, 2026. These upgrades were intended to eliminate the effluent limit violations. To date, the final plans and specifications have not been submitted.

Country Living has continued to violate the effluent limits contained in its NPDES permit since issuance of the Administrative Order. Between September 1, 2024, and October 1, 2026, Country Living violated 111 effluent limits. All of the effluent limit violations between September 1, 2017 and October 1, 2026 are contained in Table 1 below.

On November 10, 2025, the Department conducted a routine NPDES permit compliance inspection at Country Living and observed that only one aerator in the secondary cell was working. Mr. Tom Thorpe, affidavit operator, stated that the electrical panel can only support one aerator in that cell. Nonfunctional or broken aeration units were also documented during routine inspections conducted in 2016, 2021, and 2023.

On December 11, 2025, the Department sent a NOV for the effluent limit violations that occurred between August 2023 and September 2025. Included with this NOV was a copy of the November 10, 2025, inspection report and a reminder that pursuant to Administrative Order 2024-WW-18 final plans and specifications were due to the Department by January 1, 2026.

On June 27, 2025, the Department sent a NOV for the effluent limit violations that occurred between October 2024 and March 2025.

On February 26, 2026, the Department sent a NOV for failure to submit the final plans and specifications required in the Administrative Order by the January 1, 2026, deadline and for the effluent limit violations that occurred between July 2025 and December 2025. The Department requested that Country Living submit a written response detailing the actions that have been or will be taken to comply with the Administrative Order by March 15, 2026. To date, no response has been received.

On March 20, 2026, the Department e-mailed Country Living reminding it that a written response was requested to be submitted no later than March 15, 2026. To date no response has been received.

On May 28, 2026, the Department e-mailed the engineering firm (I & S Group, Inc.) that had been representing Country Living seeking the status of the final plans and specifications. I & S Group, Inc. responded that it was not currently providing engineering services to Country Living. To date, no other engineer has contacted the Department on behalf of Country Living.

On June 2, 2026, the Department sent another e-mail to Country Living seeking a response detailing the actions that have been or will be taken to comply with the Administrative Order. To date, no response has been received.

The NPDES annual permit fee for the state fiscal year 2027 was due to the Department August 30th, 2026 (it is due every year on August 30th). An annual invoice was mailed to County Living on July 31, 2026. A Letter of Noncompliance regarding the overdue annual fee was sent to Country Living on September 25, 2026. To date the fee has not been paid. In prior years this fee was also not timely paid, i.e., 2017, 2021, 2023, 2024 and 2025.

b. Law

1. Iowa Code section 455B.186 and 567 IAC 62.1(1) state that a pollutant shall not be disposed of by dumping, depositing, or discharging such pollutant into any water of the state unless authorized by a permit or administrative rule. The above facts indicate a violation of these provisions.

2. Iowa Code section 455B.173 authorizes and requires the Environmental Protection Commission (Commission) to promulgate rules relating to water quality standards, the operation of wastewater disposal systems, the discharge of pollutants into waters of the state, and the issuance of permits to wastewater disposal systems. The Commission has done so at 567 IAC 60 through 63.

3. Iowa Code 455B.197 authorize the issuance of NPDES permits. The Commission has adopted regulations pertaining to the issuance of NPDES permits at 567 IAC Chapter 60.

4. 567 IAC 60.3(1) provides that no person shall operate any wastewater disposal system or part thereof without, or contrary to any condition of, an operation permit issued by the Director. The above stated facts demonstrate noncompliance with this provision.

5. Administrative Order No. 2024-WW-18 was issued to Country Living on October 4, 2024. This order required Country Living to submit final plans and specifications for the WWTF upgrades no later than January 1, 2026. To date, this has not been submitted.

6. Iowa Code section 455B.191(4) authorizes the Attorney General to institute legal proceedings necessary to secure enforcement of the water quality provisions of the law. Iowa Code section 455B.191(1) authorizes civil penalties of up to $5,000 per day of violation of statutory provisions or DNR rules. Iowa Code section 455B.191(2) authorizes more serious criminal sanctions for negligent or knowing violations.

V. Witnesses

Bryan Bunton will be available during the November 17, 2026 EPC meeting to answer additional questions.

Table 1.

Effluent Limit Violations 9/1/2017 - 10/1/2026

COUNTRY LIVING MOBILE HOME PARK -

7700605

Altoona EPA #:IA0068004		AVERAGE - #/100 ML		7DAY - LBS/DAY		AVERAGE - LBS/DAY		DAILY MAXIMUM - LBS/DAY		7DAY - MG/L		AVERAGE - MG/L		DAILY MAXIMUM - MG/L		DAILY MINIMUM - MG/L		DAILY MAXIMUM - STD UNITS		DAILY MINIMUM - STD UNITS		Parameter Monthly Total
		Limit	DMR	Limit	DMR	Limit	DMR	Limit	DMR	Limit	DMR	Limit	DMR	Limit	DMR	Limit	DMR	Limit	DMR	Limit	DMR	
Outfall: 002																						
11/2017	DO															5.00	3.41					1
1/2018	DO															5.00	1.98					1
2/2018	DO															5.00	4.04					1
3/2018	DO															5.00	4.36					1
4/2018	DO															5.00	4.10					1
5/2018	NH3-N											20.00	23.70	20.00	23.70							2
6/2018	DO															5.00	0.81					1
8/2018	NH3-N											11.00	12.50	11.00	12.50							2
	DO															5.00	1.16					1
9/2018	NH3-N											13.20	20.20	13.20	20.20							2
	DO															5.00	2.44					1
10/2018	NH3-N											18.90	19.30	18.90	19.30							2
11/2018	DO															5.00	2.11					1
12/2018	DO															5.00	2.33					1
1/2019	DO															5.00	2.16					1
2/2019	DO															5.00	1.26					1
3/2019	DO															5.00	2.00					1
7/2019	NH3-N											13.30	13.40	13.30	13.40							2
	DO															5.00	2.14					1
8/2019	DO															5.00	2.06					1
9/2019	NH3-N					6.20	6.70	6.20	6.70			13.20	36.50	13.20	36.50							4
	DO															5.00	1.00					1
10/2019	NH3-N					0.80	5.63	0.80	5.63			2.70	30.70	2.70	30.70							4
	DO															5.00	2.95					1
11/2019	NH3-N					0.80	3.30	0.80	3.30			2.70	18.00	2.70	18.00							4
12/2019	NH3-N					1.20	3.28	1.20	3.28			3.90	17.90	3.90	17.90							4
1/2020	NH3-N					1.60	4.24					5.20	23.10	19.90	23.10							3

LITIGATION REPORT for Country Living MHP LLC
Insert date November 17, 2026

	DO															5.00	4.14				1
2/2020	NH3-N					1.80	4.11	2.70	4.11			5.80	22.40	8.40	22.40						4
	DO															5.00	3.19				1
3/2020	NH3-N					1.20	3.91	1.20	3.91			3.90	21.30	3.90	21.30						4
	DO															5.00	2.91				1
4/2020	NH3-N					0.70	2.18	1.50	2.18			2.10	11.90	4.70	11.90						4
5/2020	NH3-N					0.60	4.35	1.00	4.35			1.80	23.70	3.20	23.70						4
	DO															5.00	4.08				1
6/2020	NH3-N					0.40	4.44	1.00	4.44			1.30	24.20	3.20	24.20						4
	DO															5.00	2.30				1
7/2020	NH3-N					0.30	4.86	1.00	4.86			1.10	26.50	3.20	26.50						4
	DO															5.00	2.89				1
8/2020	NH3-N					0.30	6.79	0.80	6.79			1.00	37.00	2.70	37.00						4
	DO															5.00	2.16				1
9/2020	NH3-N					0.50	5.82	0.80	5.82			1.50	31.70	2.70	31.70						4
	DO															5.00	0.25				1
10/2020	NH3-N					0.80	5.39	0.80	5.39			2.70	29.40	2.70	29.40						4
	DO															5.00	0.87				1
11/2020	NH3-N					0.80	4.83	0.80	4.83			2.70	26.30	2.70	26.30						4
	DO															5.00	4.62				1
12/2020	NH3-N					1.20	5.39	1.20	5.39			3.90	29.40	3.90	29.40						4
	DO															5.00	1.91				1
1/2021	NH3-N					1.60	4.64					5.20	33.40	19.90	33.40						3
	CBOD5					7.92	10.28			40.00	74.00	25.00	74.00								3
	DO															5.00	0.25				1
2/2021	NH3-N					1.80	7.39	2.70	7.39			5.80	33.70	8.40	33.70						4
	CBOD5			12.67	20.40	7.92	20.40			40.00	93.00	25.00	93.00								4
	DO															5.00	0.25				1
3/2021	NH3-N					1.20	3.19	1.20	3.19			3.90	22.00	3.90	22.00						4
	CBOD5									40.00	48.00	25.00	48.00								2
	DO															5.00	0.25				1
4/2021	NH3-N					0.70	1.99	1.50	1.99			2.10	15.40	4.70	15.40						4
	CBOD5											25.00	37.00								1
5/2021	NH3-N					0.60	3.35	1.00	3.35			1.80	23.40	3.20	23.40						4

LITIGATION REPORT for Country Living MHP LLC
Insert date November 17, 2026

	DO															5.00	0.25				1
6/2021	NH3-N					0.40	1.06	1.00	1.06			1.30	7.20	3.20	7.20						4
	DO															5.00	0.25				1
7/2021	NH3-N					0.30	4.52	1.00	4.52			1.10	29.00	3.20	29.00						4
	DO															5.00	0.25				1
8/2021	NH3-N					0.30	5.85	0.80	5.85			1.00	33.50	2.70	33.50						4
	DO															5.00	0.33				1
9/2021	NH3-N					0.50	5.45	0.80	5.45			1.50	37.00	2.70	37.00						4
	DO															5.00	0.25				1
	PH																			6.50	0.97	1
10/2021	NH3-N					0.80	6.76	0.80	6.76			2.70	40.10	2.70	40.10						4
	DO															5.00	0.25				1
11/2021	NH3-N											2.70	27.40	2.70	27.40						2
	DO															5.00	1.62				1
12/2021	NH3-N											3.90	26.80	3.90	26.80						2
	DO															5.00	2.69				1
1/2022	NH3-N											5.20	30.80	19.90	30.80						2
	DO															5.00	2.68				1
2/2022	NH3-N											5.80	28.80	8.40	28.80						2
	DO															5.00	3.02				1
3/2022	NH3-N											3.90	12.40	3.90	12.40						2
	DO															5.00	3.16				1
4/2022	NH3-N											2.10	13.90	4.70	13.90						2
	DO															5.00	3.36				1
5/2022	NH3-N											1.80	13.40	3.20	13.40						2
	DO															5.00	1.64				1
6/2022	NH3-N					0.40	4.67	1.00	4.67			1.30	20.70	3.20	20.70						4
	DO															5.00	0.25				1
7/2022	NH3-N					0.30	5.69	1.00	5.69			1.10	23.60	3.20	23.60						4
	DO															5.00	0.25				1
8/2022	NH3-N					0.30	6.13	0.80	6.13			1.00	24.00	2.70	24.00						4
	DO															5.00	0.25				1
9/2022	NH3-N											1.50	25.20	2.70	25.20						2
	DO															5.00	0.25				1

LITIGATION REPORT for Country Living MHP LLC
Insert date November 17, 2026

10/2022	NH3-N											2.70	26.00	2.70	26.00						2
	DO															5.00	1.66				1
11/2022	NH3-N					0.80	1.63	0.80	1.63			2.70	25.10	2.70	25.10						4
	DO															5.00	2.97				1
12/2022	NH3-N											3.90	29.50	3.90	29.50						2
	DO															5.00	1.34				1
1/2023	NH3-N											5.20	29.00	19.90	29.00						2
	DO															5.00	1.07				1
2/2023	DO															5.00	1.90				1
3/2023	NH3-N					1.20	4.00	1.20	4.00			3.90	24.80	3.90	24.80						4
	PH																			6.50	6.11	1
4/2023	NH3-N					0.70	2.64	1.50	2.64			2.10	18.00	4.70	18.00						4
	DO															5.00	2.06				1
5/2023	NH3-N					0.60	3.00	1.00	3.00			1.80	19.20	3.20	19.20						4
	DO															5.00	2.68				1
6/2023	NH3-N					0.40	4.36	1.00	4.36			1.30	32.70	3.20	32.70						4
	DO															5.00	0.25				1
7/2023	NH3-N					0.30	3.52	1.00	3.52			1.10	29.00	3.20	29.00						4
	DO															5.00	0.25				1
8/2023	NH3-N					0.30	3.92	0.80	3.92			1.00	28.70	2.70	28.70						4
	DO															5.00	0.25				1
	E.COLI	126.00	4100.00																		1
9/2023	NH3-N					0.50	3.90	0.80	3.90			1.50	26.50	2.70	26.50						4
	DO															5.00	0.61				1
10/2023	NH3-N					0.80	3.52	0.80	3.52			2.70	27.50	2.70	27.50						4
	DO															5.00	1.80				1
11/2023	NH3-N					0.80	3.01	0.80	3.01			2.70	25.70	2.70	25.70						4
	DO															5.00	2.48				1
	E.COLI	126.00	1200.00																		1
12/2023	NH3-N					1.20	3.90	1.20	3.90			3.90	37.00	3.90	37.00						4
	DO															5.00	4.09				1
1/2024	NH3-N					1.60	5.53					5.20	38.50	19.90	38.50						3
	DO															5.00	2.76				1
2/2024	NH3-N					1.80	4.15	2.70	4.15			5.80	38.90	8.40	38.90						4

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	DO															5.00	3.97				1
3/2024	NH3-N					1.20	3.39	1.20	3.39			3.90	32.90	3.90	32.90						4
4/2024	NH3-N					0.70	2.16	1.50	2.16			2.10	20.10	4.70	20.10						4
	DO															5.00	3.24				1
	PH																	9.00	9.10		1
5/2024	NH3-N					0.60	1.63	1.00	1.63			1.80	16.50	3.20	16.50						4
	CBOD5											25.00	27.00								1
	DO															5.00	1.18				1
	E.COLI	126.00	24000.0																		1
6/2024	NH3-N					0.40	2.24	1.00	2.24			1.30	21.40	3.20	21.40						4
	CBOD5									40.00	57.00	25.00	57.00								2
	DO															5.00	0.81				1
7/2024	NH3-N					0.30	2.62	1.00	2.62			1.10	23.20	3.20	23.20						4
	DO															5.00	0.87				1
8/2024	NH3-N					0.30	2.77	0.80	2.77			1.00	22.60	2.70	22.60						4
	DO															5.00	0.98				1
	E.COLI	126.00	434.05																		1
9/2024	NH3-N					0.50	3.47	0.80	3.47			1.50	24.40	2.70	24.40						4
	DO															5.00	0.74				1
10/2024	NH3-N					0.80	4.37	0.80	4.37			2.70	31.20	2.70	31.20						4
	DO															5.00	0.99				1
	E.COLI	126.00	24000.0																		1
11/2024	NH3-N					0.80	4.82	0.80	4.82			2.70	34.00	2.70	34.00						4
	DO															5.00	2.11				1
12/2024	NH3-N					1.20	8.72	1.20	8.72			3.90	42.00	3.90	42.00						4
	DO															5.00	3.76				1
1/2025	NH3-N											5.20	29.00	19.90	29.00						2
	CBOD5											25.00	30.00								1
	DO															5.00	3.29				1
2/2025	CBOD5											25.00	37.00								1
	DO															5.00	4.65				1
3/2025	NH3-N											3.90	23.00	3.90	23.00						2
	DO															5.00	4.10				1
	E.COLI	126.00	10000.0																		1

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4/2025	NH3-N											2.10	13.00	4.70	13.00							2
5/2025	NH3-N											1.80	3.30	3.20	3.30							2
	DO															5.00	3.17					1
6/2025	NH3-N					0.40	0.54					1.30	3.40	3.20	3.40							3
	DO															5.00	2.48					1
	E.COLI	126.00	187.04																			1
7/2025	NH3-N					0.30	1.79	1.00	1.79			1.10	11.00	3.20	11.00							4
	DO															5.00	2.45					1
	E.COLI	126.00	9800.00																			1
8/2025	NH3-N					0.30	0.82	0.80	0.82			1.00	5.00	2.70	5.00							4
	DO															5.00	2.36					1
	E.COLI	126.00	2100.00																			1
9/2025	NH3-N											1.50	2.50									1
	DO															5.00	2.65					1
	E.COLI	126.00	241.93																			1
10/2025	DO															5.00	2.14					1
11/2025	DO															5.00	3.97					1
12/2025	NH3-N					1.20	3.31	1.20	3.31			3.90	15.00	3.90	15.00							4
1/2026	NH3-N					1.60	5.27					5.20	18.00									2
	DO															5.00	3.19					1
2/2026	NH3-N					1.80	7.29	2.70	7.29			5.80	20.00	8.40	20.00							4
	CBOD5			12.67	16.76	7.92	16.76			40.00	46.00	25.00	46.00									4
	DO															5.00	2.78					1
3/2026	NH3-N					1.20	5.74	1.20	5.74			3.90	21.00	3.90	21.00							4
	DO															5.00	3.30					1
	E.COLI	126.00	24000.0																			1
4/2026	NH3-N					0.70	1.07					2.10	3.70									2
	DO															5.00	3.02					1
	E.COLI	126.00	133.48																			1
5/2026	NH3-N											1.80	2.10									1
	DO															5.00	2.83					1
6/2026	NH3-N					0.40	4.32	1.00	4.32			1.30	16.00	3.20	16.00							4
	DO															5.00	2.16					1
	E.COLI	126.00	17975.0																			1

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7/2026	**NH3-N**					0.30	2.82	1.00	2.82			1.10	8.00	3.20	8.00						4
	DO															5.00	2.13				1
	PH																			6.40	2.21	1
8/2026	**NH3-N**					0.30	5.30	0.80	5.30			1.00	15.00	2.70	15.00							4
	CBOD5					7.92	8.47															1
	DO															5.00	2.12					1
	E.COLI	126.00	24000.0																			1
9/2026	**NH3-N**					0.50	4.10	0.80	4.10			1.50	16.00	2.70	16.00							4
	DO															5.00	1.57					1
	E.COLI	126.00	24000.0																			1

Total: 421

Iowa Department of Natural Resources
Environmental Protection Commission

Decision Item
8. 2027 EPC Meeting Dates

Month	**Meeting Date / Day / Time**			**Meeting Location** (County)
January	**01/19/27**	Tue	**10:00am** Business Meeting	Polk
February	**02/16/27**	Tue	**10:00am** Business Meeting	Polk
March	**03/23/27**	Tue	**10:00am** Business Meeting	Polk
April	**04/20/27**	Tue	**10:00am** Business Meeting	Polk
May	**05/18/27**	Tue	**12:00pm** Field Tour	Story
	05/19/27	Wed	**10:00am** Business Meeting	Story
June	**06/15/27**	Tue	**10:00am** Business Meeting	Polk
July	**07/20/27**	Tue	**10:00am** Business Meeting	Polk
August	**08/17/27**	Tue	**10:00am** Business Meeting	Polk
September	**09/21/27**	Tue	**10:00am** Business Meeting	Polk
October	**10/19/27**	Tue	**10:00am** Business Meeting	Polk
November	**11/16/27**	Tue	**10:00am** Business Meeting	Polk
December	**12/21/27**	Tue	**10:00am** Business Meeting	Polk

Amie Davidson, Division Administrator
Environmental Services Division
EPC Meeting Date: 11/17/26