



# DNR Comprehensive Planning Waste Flow Information

The State of Iowa has a solid waste disposal based on flow control. There are 44 planning areas in the state. See the [Comprehensive Planning Website](#) for information:

- Cities and Counties are responsible for the proper management of the solid waste generated within their jurisdiction under **Iowa Code 455B.302 Duties of Cities and Counties**.
- “Local governments” means those counties or municipalities using the sanitary disposal project. **567 IAC 100.2 Definitions**
- A “Planning area” means the combined jurisdiction of the local governments and the designated municipal solid waste sanitary disposal project(s) involved in a comprehensive plan. A planning area may include one or more municipal solid waste sanitary disposal projects. **567 IAC 100.2 Definitions**
- Each permitted sanitary disposal facility has a specific service area that is defined by the jurisdictions of local governments using the facility and detailed in the facility’s operating permit.
- All waste generated in a planning area must be disposed of in that planning area. <sup>1</sup>
- By **Iowa Code 455B.306 (7)“e”** *...a planning area shall not include a planning area or service area, any part of which is included in another comprehensive plan.*
- The unincorporated area of a county is a single local government jurisdiction and therefore cannot be part of more than one service area or planning area.
- A “Comprehensive plan” means a course of action developed and established cooperatively between cities, counties and municipal solid waste sanitary disposal projects regarding their chosen integrated solid waste management system, its participants, waste reduction strategies, and disposal methods. **567 IAC 100.2 Definitions**

## Legal Standing:

Iowa’s waste flow methodology has been challenged in court and upheld. On September 7, 1999, the US Court of Appeals for the 8<sup>th</sup> Circuit affirmed a lower court ruling that Iowa’s solid waste disposal program does not violate the Commerce Clause of the US Constitution. The Court ruled that tracking and controlling in-state waste are valid and legitimate state objectives. Benefits of this methodology include:

- Tracking of Iowa garbage;
- Ensuring compliance with laws for landfill operation and safety;
- Assisting cities and counties in controlling their waste and limiting their liability;
- Providing the framework for the collection of tipping fees that fund various recycling and pollution prevention programs.

<sup>1</sup> A sanitary disposal facility has the right to refuse any particular waste type. If waste is refused the facility director, city or county must, in conjunction with the generator establish or arrange for access to disposal. See website information – Waste Flow Topics: <https://www.iowadnr.gov/Environmental-Protection/Land-Quality/Solid-Waste/Comprehensive-Planning>