

NATURAL RESOURCES DEPARTMENT[561]

Adopted and Filed

Pursuant to the authority of Iowa Code section 558.69, the Department of Natural Resources hereby amends Chapter 9, "Groundwater Hazard Documentation," Iowa Administrative Code.

The amendment adopts by reference a revised Form 542-0960, "Groundwater Hazard Statement," to clarify that the time of transfer inspection of private sewage disposal systems is only required for buildings that have or are required by law to have sewage disposal systems.

Changes to the language of subrule 9.2(1) provide for the adoption by reference of the revised Groundwater Hazard Statement and the implementation of the use of this form. The wording of the subrule was slightly revised for clarification.

Notice of Intended Action was published in the Iowa Administrative Bulletin on March 21, 2012, as **ARC 0045C**. Public hearings were held in conjunction with the rule making to amend 567—Chapters 68 and 69 (Notice **ARC 0046C**, IAB 3/21/12). The public hearings occurred on April 12, 16, 17, 18 and 19, 2012. No written or oral comments were received in regard to the revision of the Groundwater Hazard Statement or 567—Chapter 9.

After analysis and review of this rule making, no negative impact on private-sector or public-sector employment in the state of Iowa has been found.

This amendment is intended to implement Iowa Code section 558.69.

This amendment shall become effective July 18, 2012.

The following amendment is adopted.

Amend subrule 9.2(1) as follows:

9.2(1) The transferor or the transferor's agent or attorney shall complete and sign department Form 542-0960, "Groundwater Hazard Statement," which may be obtained from the department or local county recorder. An agent or attorney may sign the form for the transferor, but in doing so the agent or attorney represents that a good-faith inquiry of the transferor has been made regarding the information contained in the form and that the information is correct. The department hereby adopts by reference Form 542-0960, "Groundwater Hazard Statement," as amended through ~~September 1, 2010~~ July 18, 2012. For all real estate transactions dated ~~July 1, 2009~~, July 18, 2012, or later, a county recorder shall accept only the currently adopted form. The department authorizes the reproduction of Form 542-0960 by any person through photocopying or electronic means so long as the general format and wording are not altered in the reproduction thereof.

[Filed 5/22/12, effective 7/18/12]

[Published 6/13/12]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/13/12.