

ENVIRONMENTAL PROTECTION COMMISSION[567]

Adopted and Filed

Rulemaking related to criteria for siting low-level radioactive waste disposal facilities

The Environmental Protection Commission (Commission) hereby rescinds Chapter 152, “Criteria for Siting Low-Level Radioactive Waste Disposal Facilities,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code section 455B.486.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 455B.484 through 455B.486.

Purpose and Summary

Chapter 152 establishes criteria for the Department of Natural Resources (Department) to identify and recommend sites that are suitable for operation of low-level radioactive waste disposal facilities as required by the Low-Level Radioactive Waste Policy Amendments Act of 1980. However, the current rule structure is outdated.

At present, there are four low-level radioactive waste disposal sites in the United States; none are located in Iowa. Since 1985, Iowa has been part of a compact to dispose of such waste generated in Iowa at these out-of-state sites. As such, this rule was never utilized. If it were to be utilized, it is unclear in 2025 whether the standards in Chapter 152 are still applicable and warranted. Therefore, the Commission is rescinding these rules until such a time as it is necessary to dispose of low-level radioactive waste in the State.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on January 7, 2026, as **ARC 9934C**. A public hearing was held on the following date(s):

- January 27, 2026
- January 29, 2026

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Commission on July 21, 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 September 23, 2026.

The following rulemaking action is adopted:

ITEM 1. Rescind and reserve **567—Chapter 152**.

[Filed 7/24/26, effective 9/23/26]

[Published 8/19/26]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 8/19/26.