

459.103 General authority — commission and department.

1. The commission shall establish by rule adopted pursuant to [chapter 17A](#), requirements relating to the construction, including expansion, or operation of animal feeding operations, including related animal feeding operation structures. The requirements shall include but are not limited to minimum manure control, the issuance of permits, and departmental investigations, inspections, and testing.

2. Any provision referring generally to compliance with the requirements of [this chapter](#) as applied to animal feeding operations also includes compliance with requirements in rules adopted by the commission pursuant to [this section](#), orders issued by the department as authorized under [this chapter](#), and the terms and conditions applicable to licenses, certifications, permits, or manure management plans required under [subchapter III](#). However, for purposes of approving or disapproving an application for a construction permit as provided in [section 459.304](#), conditions for the approval of an application based on results produced by a master matrix are not requirements of [this chapter](#) until the department approves or disapproves an application based on those results.

3. Rules adopted to implement [this chapter](#) are not subject to [section 17A.7, subsection 2 or 3](#).

[98 Acts, ch 1209, §25](#)

[C99, §455B.200](#)

[2002 Acts, ch 1137, §27, 68, 71; 2002 Acts, 2nd Ex, ch 1003, §250, 259, 260, 262](#)

[C2003, §459.103](#)

[2003 Acts, ch 163, §3, 23; 2007 Acts, ch 82, §2; 2024 Acts, ch 1169, §19](#)

Referred to in [§459.102](#), [459.304](#), [459.318](#), [459A.205](#), [459A.404](#)

NEW subsection 3