

CHAPTER 102  
EMERGENCY PLANNING AND REPORTING

[Prior to 2/7/90, Public Defense Department(650) Ch 102]  
[Prior to 12/23/92, Disaster Services Division(607) Ch 101]

Chapter rescission date pursuant to Iowa Code section 17A.7: 11/19/30

DIVISION I—EMERGENCY PLANNING DISTRICTS

**605—102.1(30) Designation and organization of emergency planning districts.** The department of homeland security and emergency management (department) is required to designate emergency planning districts. A local emergency planning committee is appointed by the department for each emergency planning district. The local emergency planning committee shall be responsible for the implementation of Emergency Planning and Community Right-to-Know Act (EPCRA) activities in each of the emergency planning districts, including facilitating preparation and implementation of emergency planning for the emergency planning district.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.2(30) Emergency planning districts—counties.** Each of the presently existing 99 Iowa counties is designated as the geographic boundaries for an emergency planning district.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.3(30) Application to modify districts.** Two or more local emergency planning committees with commonality of interests may petition the department to amend, modify, or combine their districts. Petitions shall specify the geographical district requested, the reasons for the change, the benefit to the public by the designation of the proposed geographical district, and the proposed date for the change in designation.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.4 to 102.10** Reserved.

DIVISION II—LOCAL EMERGENCY PLANNING COMMITTEES

**605—102.11(30) Appointment of local emergency planning committees (LEPCs).**

**102.11(1) Purpose.** The Iowa emergency response commission (IERC) reviews membership lists of persons to serve on an LEPC. Annually, the LEPC chair will submit a current LEPC membership list with the chair's signature and date the document to verify current and authorized membership. The current verified membership list will be sent to the IERC.

**102.11(2) Representation.** At minimum, each LEPC should be comprised of a representative from each of the following groups or organizations:

- a. Elected state and local officials,
- b. Law enforcement personnel,
- c. Emergency management personnel,
- d. Firefighting personnel,
- e. First-aid personnel,
- f. Health personnel,
- g. Local environmental personnel,
- h. Hospital personnel,
- i. Transportation personnel,
- j. Broadcast and print media,
- k. Community groups, and
- l. Owners and operators of facilities subject to the requirements of EPCRA.

A person may represent one or more of the disciplines listed, provided the person is duly appointed by each group or organization to be represented.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.12(30) LEPC members.**

**102.12(1) *Appointment of LEPCs.*** Nominations to an existing LEPC shall be made by the LEPC, and the department shall be notified. Vacancies on the LEPC shall be filled in accordance with this subrule.

**102.12(2) *Meeting participation.*** Any member of the local emergency management commission may participate in any meeting of the LEPC. If the local emergency management commission member is not the appointed representative of one of the groups or organizations specified in subrule 102.11(2), the local emergency management commission member shall not be eligible to vote on any issue before the LEPC.

**102.12(3) *Member changes.*** The department may revise the appointments made as it deems appropriate. Interested persons may petition the department to modify the membership of an LEPC.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.13(30) LEPC duties.**

**102.13(1)** The LEPC shall establish procedures for the functioning of the committee to include:

- a. The length of terms of the LEPC members and the selection of a chair and vice chair;
- b. The public notification of committee activity (42 U.S.C. 11001(c));
- c. The conduct of public meetings to discuss the emergency plan (Iowa Code chapter 21 and 42 U.S.C. 11001(c)); and
- d. The procedures for receiving and responding to public comments and the distribution of emergency plans (42 U.S.C. 11001(c)).

**102.13(2)** The LEPC shall establish procedures for receiving and processing requests from the public for information under EPCRA Section 324, including Form Tier II information under EPCRA Section 312 (42 U.S.C. 11001(c)).

**102.13(3)** The LEPC shall designate a 24-hour emergency contact point(s) for the immediate receipt of chemical release notifications (42 U.S.C. 11003(c)(3)).

**102.13(4)** The LEPC shall designate an official to respond to requests for information from the public for safety data sheets (SDSs), chemical lists, chemical inventory forms, emergency response plans, and toxic chemical release forms. The information, including minutes of LEPC meetings and related committee actions, shall be available to the public during normal working hours at a location designated by the LEPC (42 U.S.C. 11044(a)).

**102.13(5)** The LEPC shall prepare an emergency plan for the district and shall review and revise as necessary the emergency plan at least annually. Both the initial emergency plan and any updates or revisions shall be submitted by the LEPC to the department in accordance with rule 605—102.14(30) (42 U.S.C. 11003(a), 42 U.S.C. 11003(e)).

**102.13(6)** The LEPC shall evaluate the need for resources in the district necessary to develop, implement, and exercise the emergency plan(s) and make recommendations (42 U.S.C. 11003(b)).

**102.13(7)** The LEPC shall maintain a current listing of the emergency coordinators designated by each covered facility (42 U.S.C. 11003(d)(1)).

**102.13(8)** The LEPC shall receive, review and act upon information updates from covered facilities regarding emergency planning.

**102.13(9)** The LEPC shall annually publish notice that emergency response plans, SDSs, and inventory forms have been submitted and how the public can obtain access to the material for review (42 U.S.C. 11044(b)).

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.14(30) Emergency response plan development.** The department acknowledges that emergency planning includes more than chemical release planning. The chemical release planning required by this chapter and EPCRA shall be included in the comprehensive emergency planning conducted by the local emergency management commission per Iowa Code chapter 29C and planning standards of the department.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.15(30) LEPC office.** The LEPC shall designate a local government office that will serve as the focal point for receiving nonemergency notifications from facilities that are subject to the law. This office shall also be the depository for SDSs, chemical lists, chemical inventory forms, emergency response plans, and toxic chemical release forms; a point of contact for the public regarding community right-to-know inquiries; and the office of record for minutes of LEPC meetings and related committee actions.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.16(30) LEPC meetings.** The LEPC shall meet as frequently as deemed necessary by the chair until the local emergency operations plan is developed and concurred with by the joint administration and reviewed by the department. Subsequent to plan approval, the LEPC is required to meet at least annually to review emergency response procedures, review emergency plans and ensure the actions required are properly administered within the local emergency planning district.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.17(30) Local emergency response plan submission.** After completion of the initial emergency response plan and any subsequent revisions thereto, the LEPC shall submit a copy to the department. The department shall review the submission and make recommendations to the LEPC on appropriate revisions that may be necessary to comply with provisions in 42 U.S.C. 11003(c) and state planning standards in 605—Chapter 7 to ensure coordination with emergency response plans of other emergency planning districts, the state of Iowa, and adjacent states. To the maximum extent practicable, the review shall not delay implementation of the plan or revisions thereto. All plans shall be submitted annually by a date determined by the department.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.18 to 102.20** Reserved.

#### DIVISION III—REPORTS AND RECORDS

**605—102.21(30) Department of homeland security and emergency management.**

**102.21(1) Emergency planning notification.** The owner or operator of each facility subject to the planning notification requirement shall notify the department that the facility is subject to the requirements of EPCRA Section 302, 42 U.S.C. 11002. The notification is to be on the Tier II form specified in subrule 102.22(4). The facility owner or operator shall submit the notification to the department of natural resources (DNR) by March 1 for covered chemicals in its possession. If the facility is reporting chemicals to the DNR on the Tier II form pursuant to subrule 102.22(4), a duplicate report is not required. The report shall be revised by a notification on the Tier II form within 60 days after the acquisition of chemicals meeting the notification requirements and reported to the department.

**102.21(2) Plan development.** Each LEPC shall prepare a comprehensive emergency response plan pursuant to 42 U.S.C. 11033 that will become an integrated portion of the emergency plan established by the joint administration. Where a local emergency planning district exceeds the jurisdictional boundaries of a single joint administration, a comprehensive emergency response plan shall be developed for each joint administration at least annually. The plan shall be reviewed and revised as necessary. The joint administration shall not change the plan without the approval of the LEPC.

**102.21(3) Submissions.** Plans and notifications required under this rule will be submitted electronically to the department.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.22(30) Department of natural resources.**

**102.22(1) Emergency notifications of releases.** Each release subject to the requirements of EPCRA Section 304, 42 U.S.C. 11004, shall be submitted to the DNR. This notification shall be done in conjunction with the notification required by rule 567—105.5(455B). Notification of a release shall be telephoned to the DNR at 515.725.8694 immediately. A follow-up report shall be made within 30 days.

**102.22(2) Toxic chemical release form.** The owner or operator of a facility subject to the requirements of EPCRA Section 313, 42 U.S.C. 11023, shall submit information required by the federal Environmental

Protection Agency regulations to the DNR, if requested. The information for the previous calendar year shall be submitted by July 1 of the following year.

**102.22(3) *SDS information.*** The owner or operator of a facility required to prepare or have available an SDS for a hazardous chemical under the Occupational Safety and Health Act of 1970 and regulations promulgated under that Act shall submit a list of each chemical or an SDS required to be submitted under EPCRA Section 311, 42 U.S.C. 11021. The list/SDS shall be submitted to the DNR and to the appropriate LEPC and the fire department in whose jurisdiction the facility is located. The list/SDS must be submitted to the DNR within 90 days of the facility first acquiring the chemical above reporting thresholds.

**102.22(4) *Emergency and hazardous chemical inventory form (Tier II).*** The owner or operator of a facility required to prepare or have available an SDS for a hazardous chemical under the Occupational Safety and Health Act of 1970 and regulations promulgated under that Act shall submit emergency and hazardous chemical inventory information required to be submitted under EPCRA Section 312, 42 U.S.C. 11022. The information shall be submitted to the DNR, the appropriate LEPC, and the fire department in whose jurisdiction the facility is located by March 1 for the chemicals in its inventory the preceding calendar year. Tier I forms will not be accepted. The information shall be submitted via the DNR online Tier II reporting tool.

**102.22(5) *Submissions.*** Notifications and reports required under this rule shall be submitted to the Department of Natural Resources, EPCRA, 6200 Park Avenue, Suite 200, Des Moines, Iowa 50321, or electronically through online reporting tools as noted in subrule 102.22(4). Additional information can be found in rule 567—131.2(455B).

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.23(30) References to federal law.** Unless otherwise specified, all references in this chapter to federal statutes are to those provisions in effect on November 19, 2025.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

These rules are intended to implement Iowa Code chapter 30.

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