

605—104.1(30) Department of homeland security and emergency management.

104.1(1) *Emergency planning notification.* The owner or operator of each facility subject to the planning notification requirement shall notify the homeland security and emergency management department that the facility is subject to the requirements of Section 302, Emergency Planning and Community Right-to-Know Act, 42 U.S.C. 11002. The notification is to be on the Tier II form specified in subrule 104.2(4). The facility owner or operator shall submit the notification to the department of natural resources by March 1 for covered chemicals in its possession. If the facility is reporting chemicals to the department of natural resources on the Tier II form pursuant to subrule 104.2(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 homeland security and emergency management department.

104.1(2) *Plan development.* Each local emergency planning committee (LEPC) shall prepare a comprehensive emergency response plan(s) pursuant to 42 U.S.C. 11033 which shall 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.

104.1(3) *Submissions.* Plans and notifications required under this rule shall be submitted to the Homeland Security and Emergency Management Department, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324.

This rule is intended to implement Iowa Code section 30.2.
[ARC 2386C, IAB 2/3/16, effective 3/9/16; ARC 6828C, IAB 1/25/23, effective 3/1/23]