

567—102.2(455B) Types of permits. There are four types of permits issued by the director. These are described in this rule.

102.2(1) Sanitary disposal project permit. This permit is issued by the director under the authority of Iowa Code section 455B.305. Such permits are issued for a term of three years and are renewable for similar terms.

a. Applications for renewal to be timely filed must be received at the department's office at least 90 days before the expiration date of the existing permit on a form provided by the department.

b. The department shall conduct an inspection of the sanitary disposal project following receipt of the application for renewal. Following the inspection, the permit holder shall be notified of all measures needed to bring the sanitary disposal project into conformance with Iowa Code chapter 455B and these rules.

c. A permit shall be renewed when a properly completed application has been received and all corrective measures required under 102.2(1) "b" have been completed.

102.2(2) Temporary permit. This permit is issued by the director under the authority of Iowa Code subsection 455B.307(1) for solid waste disposal sites which do not comply with the requirements of Iowa Code chapter 455B and these rules. Such permits are issued for a term of one year, and are renewable. Temporary permits may be renewed if the director finds that the public interest will be best served by granting a renewal and the terms of the previous temporary permit have been complied with.

a. Temporary permits shall incorporate as a condition a compliance schedule specifying how and when the applicant will meet the requirements of Iowa Code chapter 455B and these rules.

b. The decision of the director whether to issue a temporary permit, being discretionary, shall be a final decision. Once a temporary permit has been issued, it may be suspended or revoked only as provided in Iowa Code section 455B.305 and 567—Chapter 7.

102.2(3) Developmental permit. The director may issue a developmental permit for construction and operation of a sanitary disposal project which is not specifically described in these rules if the permit applicant demonstrates at a public hearing that the proposed project can provide satisfactory disposal of solid waste without adverse health-related or environmental effects.

a. No such permit shall be issued until the director, after public hearing, considers and approves the proposed project.

b. Developmental permits shall be issued for a term no less than one year and no more than three years.

c. Developmental permits may be renewed if the director finds, following public hearing, that the sanitary disposal project provided satisfactory disposal of solid waste without adverse health-related or environmental effects over the term of the prior permit.

102.2(4) Closure permit. This permit is issued by the director under the authority of Iowa Code section 455B.305 for sanitary disposal projects which no longer accept solid waste. Such permits are issued for a term of 30 years. The term of subsequent renewal of the permit, if the postclosure period is extended, will be determined on a site-specific basis. A sanitary disposal project shall require a closure permit until the department determines that postclosure maintenance, postclosure monitoring, and operation of required leachate control system are no longer necessary.

a. Application shall be filed at the time of departmental notification of intended closure as required by this rule.

b. The application for issuance of this permit shall be based on a previously approved comprehensive plan and other rules adopted pursuant to the authority of Iowa Code section 455B.306.

c. This permit shall require submission of an annual audit report detailing the status of the financial instrument and other funds as required to guarantee completion of postclosure and monitoring requirements.

d. This permit may be modified by the issuance of an amendment by the department. Requests for permit amendments may be initiated by the department or by the permit holder.

e. At the end of the applicable postclosure period, and upon satisfactory completion of all required postclosure activities as established by Iowa Code chapter 455B, written notification shall be issued by the director stating that a permit is no longer required for the facility.

This rule is intended to implement Iowa Code section 455B.304.
[ARC 6982C, IAB 4/19/23, effective 5/24/23]