

567—101.102(455B) Applicability and compliance.

101.102(1) This division shall apply to sanitary landfills that are constructed and operated exclusively for the final deposition of municipal solid waste.

101.102(2) Pursuant to Iowa Code section 455B.305(1), an MSWLF shall not be constructed or operated without first obtaining a permit from the department pursuant to this division, the requirements set forth in 567—Chapter 100, and Division I of this chapter.

101.102(3) The issuance of a permit to an MSWLF pursuant to this division in no way relieves the applicant of the responsibility of complying with all other local, state, or federal statutes; ordinances; and rules or other requirements applicable to the construction and operation of an MSWLF.

101.102(4) Sanitary landfills accepting municipal solid waste must comply with the provisions of this division.

101.102(5) These rules do not pertain to the management and disposal of special wastes. Division VI of this chapter contains rules pertaining to the management and disposal of special wastes.

101.102(6) These rules do not apply to MSWLF units that did not receive waste after October 9, 1994. The closure permit issued or the rules in effect at the time of closure shall govern post-closure activities for such MSWLF units.

101.102(7) This division does not apply to MSWLF units that ceased receiving waste before October 1, 2007, and are not contiguous with MSWLF units that continued to accept waste after October 1, 2007. For the purpose of this subrule, contiguous MSWLF units are those that adjoin, abut, or have a common boundary or edge with one another or that utilize the same groundwater monitoring network system. The permit issued and the rules in effect at the time waste acceptance ceased shall govern post-permit activities for such MSWLF units, except as follows:

- a. Financial assurance in accordance with 567—101.114(455B) shall be required.
- b. Surface water sampling in accordance with 101.110(3) shall be required.
- c. MSWLF units shall perform groundwater sampling for the following parameters:
 - (1) Routine semiannual water sampling parameters:
 1. Chloride.
 2. Specific conductance (field measurement).
 3. pH (field measurement).
 4. Ammonia nitrogen.
 5. Iron, dissolved.
 6. Chemical oxygen demand.
 7. Any additional parameters deemed necessary by the department.
 - (2) Routine annual water sampling parameters:
 1. Total organic halogen.
 2. Phenols.
 3. Any additional parameters deemed necessary by the department.
- d. If the analytical results for a downgradient groundwater monitoring point do not fall within the control limits of two standard deviations above (or below, for pH) the mean parameters, listed in 101.102(7) “d”(1) and “d”(2), in a corresponding upgradient groundwater monitoring point and it cannot be demonstrated that a source other than an MSWLF unit caused the control limit exceedance, then the owner or operator shall comply with the groundwater assessment monitoring program requirements in 101.110(6) and corrective action requirements in 101.110(7), 101.110(8), and 101.110(9), if necessary.

101.102(8) Compliance with amendments to these rules.

a. Owners or operators of existing MSWLF units that have an approved leachate collection system and a composite liner, or a leachate collection system and an alternative liner modeled at an approved point of compliance, shall not be required to redesign or reconstruct the MSWLF units due to amendments to these rules subsequent to such approval unless the department finds that such units are causing pollution or that continued use of such units will result in a vertical expansion on top of or against the side slopes of a previously filled noncompliant MSWLF unit. Prior to waste placement in the vertical expansion area, revised design plans shall be submitted to include construction of a separatory liner and leachate collection

system that comply with all the requirements of 101.107(5) to be placed between the area of vertical expansion and the underlying noncompliant MSWLF unit.

b. Except as authorized by 101.102(8) “*a*,” if any new regulation conflicts with a provision of or an operating procedure prescribed in the engineering plans or the MSWLF permit, the facility shall conform to the new regulation.

101.102(9) Equivalency review procedure.

a. In approving a permit application under this division, the department may authorize, in writing, alternatives to the design requirements in this division only if, and only to the extent that, specific rules in this division expressly state that alternatives may be authorized under this division.

b. An owner or operator requesting an alternative design under this division shall submit a request to the department prepared by an Iowa-licensed professional engineer. The request shall:

(1) Identify the specific rule for which an equivalency alternative is being sought.

(2) Demonstrate through supporting technical documentation, justification and quality control procedures that the requested alternative to the design requirements in the rules of this division will, for the life of operations at the facility, achieve the performance standards in that rule.

c. No equivalency alternative will be approved unless the application affirmatively demonstrates that the following conditions are met:

(1) The request is complete and accurate and the requirements of this subrule have been met.

(2) The proposed alternative will provide protection equivalent to the design requirements in this division for the air, water, or other natural resources of the state of Iowa and will not harm or endanger the public health, safety, or welfare.

101.102(10) All rules, standards, technical guidance, and other similar legal or technical documents referenced in this division shall be the version of those documents in effect on August 1, 2025, unless otherwise noted in these rules, and except for references to the Iowa Code and Iowa Administrative Code, which shall always be the most recent version unless otherwise noted in these rules.

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