

567—102.307(455B) Revocation of beneficial use determinations. The department may revoke any beneficial use determination if it finds one or more of the following.

102.307(1) The matters serving as the basis for the department's determination were incomplete or incorrect or are no longer valid.

102.307(2) The department finds that there has been a violation of any law, rule, permit, or other authorization in its jurisdiction.

102.307(3) The department has reasonable cause to suspect, based upon information not previously considered or available as part of the application, demonstrating that management of the solid by-product under the approved beneficial use determination may present a significant risk to or adverse effect on human health and the environment.

102.307(4) The solid by-product is used in a manner inconsistent with the terms under which it was determined to no longer be a solid waste. The department may consider the placement, dumping, or other use of a solid by-product in a manner inconsistent with the beneficial use determination to be illegal disposal of solid waste, and the applicant, generator, distributor, or end user may be subject to enforcement action by the department pursuant to Iowa Code section 455B.307.

102.307(5) The applicant has requested the revocation of the determination or other legal grounds exist for such revocation.

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