

567—102.308(455B) Denial of beneficial use determination applications. For applications that are found to be inconsistent with these regulations by the department, the following conditions apply.

102.308(1) The department will notify the applicant in writing of the denial, including supporting rationale, within 90 days of receipt of application.

102.308(2) Solid by-products for which a beneficial use determination is denied by the department are considered solid waste and remain subject to all applicable state and federal statutes, ordinances, and regulations.

102.308(3) Applicants may appeal the denial of a beneficial use determination to the department within 60 days of notification of denial. Such appeal shall be made in a manner consistent with 7—Chapter 2506 and 561—Chapter 2506.

[ARC 0483D, IAB 8/19/26, effective 9/23/26]