

**567—12.2(455K) Notice of audit.** Owners or operators are not required to give the department notice of audit before beginning an environmental audit; however, they are encouraged to do so. Owners or operators may not be able to take advantage of immunity provisions under the Act if they fail to give notice to the department that they are planning to commence an environmental audit and the department initiates an inspection or investigation prior to the person's filing a disclosure of violation with the department. If notice of audit is given to the department, the audit must be completed within a reasonable time not to exceed six calendar months from the date the notice of audit is received by the department unless a request for extension has been filed with and granted by the department.

**12.2(1)** If a notice of audit is provided to the department, it must be submitted in writing by certified mail. A notice of audit should include the following information:

- a.* The name of the facility to be audited;
- b.* The location of the facility to be audited (address and city);
- c.* The description of the facility or portion of the facility, activity, operation or management system to be audited, including applicable department permit and registration numbers;
- d.* The date of anticipated initiation of audit (day, month, and year);
- e.* The general scope of audit, with sufficient detail to enable a determination of whether subsequently discovered violations are included. If the scope of the audit changes before it is completed, an amended notice shall be submitted promptly after this fact becomes known;
- f.* The names of the persons conducting the audit; and
- g.* The anticipated date of completion of the audit not to exceed six calendar months.

**12.2(2)** If, after providing notice of audit, an owner or operator determines the audit will not be completed by the initial anticipated completion date but within six calendar months from the date of the original notice of audit, the owner or operator should provide the department a written amendment to the notice of audit with the revised anticipated completion date, not to exceed six calendar months from the date of the original notice of audit. Amendments to the anticipated date of completion should be filed with the department prior to the expiration of the original listed anticipated date of completion. If the anticipated date of completion will go beyond six calendar months from the date of the original notice of audit, the owner/operator must file a request for extension pursuant to rule 12.3(455K) of this chapter.

**12.2(3)** A notice of audit is not privileged information and is considered public information subject to provisions of state open records laws in Iowa Code chapter 22.

**12.2(4)** If a notice of audit is provided to the department, the department will provide written acknowledgment of receipt with an assigned identification number for reference and tracking purposes.