

The following definitions will be moved to chapter 100.

“Agricultural waste” means organic materials normally discarded during the production of plants and animals from agronomic, horticultural or silvicultural operations. *“Agricultural waste”* includes, but is not limited to, manure, crop residuals, bedding, and other vegetative by-products produced during farm processing. Dead animals are not included.

“Bulking agent” means a material that contributes structure and porosity, usually a dry, rigid material such as shredded wood.

“Certified Compostable Products” means any product specifically manufactured to break down in a compost system at the end of its useful life. Examples include containers, films, or foodservice ware such as bowls, plates, cups, cutlery, and bio-plastic liner bags. Products are composed of materials such as vegetable matter, paper, cardboard, and plastics and are certified as conforming to ASTM D6400 or ASTM D6868 standards.

“Compostable” means an organic material that undergoes degradation by biological processes during composting to yield carbon dioxide, water, inorganic compounds and biomass.

“Compost” means the product manufactured through the controlled aerobic, biological decomposition of biodegradable materials. The product has undergone mesophilic and thermophilic temperatures, which significantly reduces the viability of pathogens and weed seeds and stabilizes the carbon such that it is beneficial to plant growth.

“Composting” means the controlled process and management of aerobic, biological decomposition resulting in an innocuous final product. This process significantly reduces the viability of pathogens and weed seeds and stabilizes the carbon such that it is beneficial to plant growth.

“Composting facility” means all related receiving, processing, production, curing, and storage areas and necessary infrastructure.

“Contact Water” means liquid that has run off, or emerged from, raw feedstock and materials that are being processed, or a liquid that has come into contact with equipment dedicated to the handling of raw feedstocks or unstabilized compost, and which contains extracted, dissolved, or suspended materials. Contact water also includes condensate from gasses resulting from the composting process. It does not include water from curing materials, finished compost or product storage piles.

“Cured compost” means compost that is both stable and mature according to the definitions found in this division.

“Curing” means a continuation of the composting process after the high heat stage during which maturity continues to increase.

“Finished compost” means cured and, if necessary, screened or refined.

“Food processing residuals” means organic materials generated as a by-product of the industrial food processing sector that are non-toxic, non-hazardous, and contain no sanitary wastewater. The term does not include fats, oil, grease and Dissolved Air Flotation (DAF) skimmings.

“In-vessel” means the use of a drum, silo, bin, tunnel, or other container for the purpose of producing compost.

“Maturity” means the degree or level of completeness of composting. Mature compost is free of phytotoxic components.

“Organic materials” means any material of animal or plant origin.

“Premises” means a geographically contiguous property owned by a generator or noncontiguous property owned by a generator and that is connected by a controlled right-of-way to which the public does not have access. Two or more pieces of property that are geographically contiguous and divided by public or private right-of-way are a single premises.

“Raw rendering material” means any body, part of a body, or product of a body of any dead animal

that is unwholesome, condemned, inedible, or otherwise unfit for human consumption.

“*Stability*” means a stage in the composting process when microbial activity is diminished with the corresponding decrease of available organic carbon and other energy sources. Stable compost consumes little nitrogen and oxygen and generates little CO₂ or heat.

“*Wearing surface*” means a layer or top surface that is in direct contact with traffic or other moving objects and is subject to wear

CHAPTER 102 SOLID WASTE MANAGEMENT

DIVISION I ORGANIC MATERIALS COMPOSTING FACILITIES

567—102.1(455D) Applicability and Compliance. This division shall apply to the composting of organic material, including yard wastes. Composting facilities may include turned windrows, aerated static piles, aerated in-vessel systems, or other methods approved by the department. This division does not apply to agricultural waste composted under 567—Chapter 65 or materials managed under Iowa Code Chapter 200A Bulk Dry Animal Nutrient Products. It also does not apply to the sale or distribution of finished compost which is covered in Iowa Code chapter 200.

102.1(1) Compliance with this division in no way relieves the compost facility of the responsibility of complying with all other local, state, or federal statutes, ordinances, and rules and other applicable requirements.

102.1(2) For purposes of this division, tonnages may be calculated by multiplying cubic yardage by bulk density.

567—102.2(455D) Definitions incorporated by reference. The definitions in Iowa Code sections 455B.301, 455D.9 and in 567—Chapter 100, shall apply to division I of this chapter.

567—102.3(455D) Feedstock Categories. Compost feedstock are categorized as follows:

102.3(1) Type A feedstocks include yard waste, clean wood waste, crop residues, and other vegetative materials determined to pose a low level of risk to human health and the environment, including from physical contaminants and human pathogens.

102.3(2) Type B feedstocks include source-separated pre and post-consumer food residuals, food processing residuals, dead animals, raw rendering material, certified compostable products, and animal excreta, manure, animal bedding and litter, not regulated under 567—Chapter 65. Type B feedstocks are materials that the department determines pose a moderate level of risk to human health and the environment, or have a higher level of risk from physical contaminants and human pathogens compared to Type A feedstocks.

102.3(3) Type C feedstocks include industrial process waste, sludges, biosolids, diapers, solid or semi-solid material from composting toilets, and industrial by-products not covered in Type B feedstocks. Type C feedstocks consist of materials the department determines pose a higher level of risk to human health and the environment from physical and chemical contaminants and human pathogens, compared to Type A and B feedstocks.

102.3(4) Prohibited feedstocks include asbestos-containing material, biomedical wastes, infectious waste, human remains, petroleum-containing wastes, seed treated with pesticide and industrial waste derived from seed treated with pesticides, toxic wastes as defined in rule 567—109.3(455B,455D), radiological wastes, hazardous wastes as defined in Iowa Code section 455B.411, materials containing

metals that exceed the concentrations listed in 567-102.9(5)b, and materials that have direct process stream contact with or originate from a process which may release petroleum products, organic solvents, pesticides, or polychlorinated biphenyls (PCBs).

567—102.4(455D) Exemptions. The following activities are exempt from this division. This exemption is not a defense to a nuisance action brought pursuant to Iowa Code chapter 657.

102.4(1) Type A and Type B feedstocks from a single household composted on site, by the owner or tenant for use at their residence.

102.4(2) Composting of up to two tons per year of Type A and Type B feedstocks, excluding dead animals, singly or in combination, used on the same premises where it was composted. The feedstock may be generated off premises.

102.4(3) Agricultural waste that is subject to 567—Chapter 65, and clean wood waste which is necessary as a bulking agent and which is free of coatings and preservatives. Use of any other materials as a bulking agent shall require prior approval by the department. If agricultural waste is mixed with other wastes, including dead animals for the purpose of composting, then this division shall apply.

567—102.5(455D) General requirements for all composting activities not exempt pursuant to rule 567—102.4(455D).

102.5(1) Siting requirements.

a. The composting facility shall be located:

(1) at least 500 feet from any existing inhabited residence, not including the residence of a person owning or operating the compost facility, at the time the permit application was received by the department.

(2) at least 200 feet from public wells,

(3) at least 100 feet from private wells,

(4) at least 50 feet from property lines,

(5) at least 100 feet from flowing or intermittent streams, lakes, or ponds, and

(6) outside of wetlands.

b. Composting done within the 100-year flood plain shall be in accordance with all local and department regulations, including rule 567—71.5(455B). Sediment ponds, engineered wetlands, or other constructed waterways for the purpose of pollution control are excluded from this subrule.

102.5(2) Design requirements.

a. Water shall be prevented from running onto the facility from adjacent land.

b. Contact water shall be prevented from leaving the premises.

c. Contact water shall not be discharged to surface water unless otherwise authorized by a National Pollutant Discharge Elimination System (NPDES) discharge permit.

d. Facilities shall be designed, constructed, and maintained so as to minimize ponding of water or liquids. Any ponding that does occur shall be corrected through routine facility maintenance within 48 hours after the termination of the event causing the ponding.

e. Composting not done in-vessel shall be done on a surface that will permit accessibility during periods of inclement weather. The receiving, processing, production, and curing shall take place on a surface of asphalt, concrete, compacted granular aggregate, clay or similar relatively impermeable material. Facilities that only compost Type A feedstocks may have a surface of compacted soil. The surface must be maintained in a condition that prevents infiltration to the groundwater.

f. In-vessel composting shall be done in a container that does not leak, prevents access by vectors, and provides adequate aeration.

g. With the exception of in-vessel composting, the high water table shall be at least 12 inches below the ground surface.

102.5(3) Signage. The facility shall have a sign posted at the entrance specifying:

- a. Name of operation.
- b. Materials which are accepted or the statement “All materials must have prior approval.”
- c. Telephone number of emergency contact person.

102.5(4) Operational requirements.

- a. Aerobic conditions shall be maintained.
- b. Facilities shall be free of unsecured trash at the end of each operating day.
- c. Non-compostable waste shall be removed or stored in a container or containment area and recycled or disposed of at a permitted sanitary disposal project.
- d. Organic materials shall be managed to minimize odors, dust, noise, litter, contact water, fire and scavenging by vectors.
- e. Composting shall be performed in a manner that minimizes the formation of contact water.
- f. Storage of cured compost shall be limited to 18 months, unless prior written approval from the department is granted for an extension.
- g. Compost shall not be applied to land, sold, or given away unless all of the following conditions are met:
 - (1) Concentration of human-made inert materials such as glass, metal, and plastic is less than 1.5 percent by dry weight,
 - (2) The size of any human-made inert materials is less than 13 mm (0.512 inches)

567-102.6(455D) Tier 1 composting facilities. A tier 1 facility may compost an unlimited amount of Type A and Type B feedstocks generated on the premises and up to 250 tons per year of Type A and Type B feedstocks, either singly or in combination, generated off-site. Tier 1 facilities are exempt from obtaining a composting permit provided the facility complies with rule 567—102.5(455D).

567—102.7(455D) Tier 2 composting facilities. A Tier 2 facility may compost an unlimited amount of Type A feedstock generated on or off premises, an unlimited amount of Type B feedstocks generated on the premises, and 250 tons or more per year of Type B feedstocks generated off the premises. Tier 2 facilities are exempt from obtaining a composting permit provided the facility complies with rules 567—102.5(455D) and 567—102.7(455D).

102.7(1) Notification. Before the composting facility commences operation, the department shall be notified in writing of the following:

- a. The location of the composting facility.
- b. Legal description of the facility.
- c. Landowner’s name, telephone number, email and mailing address.
- d. Responsible party’s name, telephone number, email and mailing address.
- e. Maximum throughput and capacity.
- f. Method of composting to be employed.
- g. Source of the feedstock.
- h. Aerial photo.

102.7(2) The feedstock receiving, processing and storage areas must be clearly defined.

102.7(3) An annual report for the previous fiscal year beginning July 1 and ending June 30 shall be submitted to the department by July 31 of each year. The annual report shall be submitted using a form prescribed by the department.

102.7(4) Beginning {One year following effective date of this rule} The person responsible for daily operations shall be a certified compost operator as described in 567-102.11.

567—102.8(455D) Tier 3 composting facilities. A Tier 3 composting facility may compost an unlimited

amount of Type A feedstock generated on or off the premises, an unlimited amount of type B feedstock generated on the premises, and up to 1,000 tons per year type B feedstock generated off premises. Tier 3 facilities are exempt from obtaining a composting permit provided the facility complies with rules 567—102.5(455D) and 567—102.8(455D).

102.8(1) Notification. Before the composting facility commences operation, the department shall be notified in writing of the following:

- a. The location of the composting facility.
- b. Legal description of the facility.
- c. Landowner's name, telephone number, email and mailing address.
- d. Responsible party's name, telephone number, email and mailing address.
- e. Maximum throughput and capacity
- f. Method of composting to be employed.
- g. Source of the feedstock.
- h. Aerial photo.

102.8(2) Operational requirements. In addition to the operational requirements subrule 102.5(4), Tier 3 compost facilities shall meet the following operational standards:

a. Tier 3 compost facilities must develop and follow an operations plan that describes operational procedures. This includes the method of composting, measures to control nuisance odors, vectors, fires, contact water and stormwater, and plans for using or marketing finished compost. The operations plan must be reviewed annually and updated when there is a change to procedures, equipment, or feedstocks being processed. The operations plan shall be available to the department upon request.

b. The person responsible for daily operation of the facility shall be certified by a department-approved training program. The certification must be renewed every three years.

c. Feedstocks with free liquid shall be mixed with drier feedstocks, bulking material, or compost so that the liquid is promptly absorbed and not allowed to flow as free liquid from the compost piles or windrows. Free liquid that is not absorbed shall be managed as contact water.

d. Contact water shall be directed to a containment, recycling, treatment system or any combination of the three.

e. By the end of each operating day, all incoming Type B feedstocks must be processed into the active composting pile, transferred to leak-proof containment, or mixed with bulking material and covered in a manner that minimizes nuisance odors and scavenging by vectors.

f. Beginning {one year following the effective date of this rule} The person responsible for daily operations shall be a certified compost operator as described in 567-102.11.

102.8(3) Reporting. An annual report for the previous fiscal year beginning July 1 and ending June 30 shall be submitted to the department by July 31 of each year. The report shall be submitted using a form prescribed by the department.

567—102.9(455D) Tier 4 composting facilities.

102.9(1) Permit required. Tier 4 facilities may compost any amount of Type A, B and C feedstock. Tier 4 facilities shall not be operated without a permit from the department as described in 567—subrule100.4(2).

102.9(2) Permit application requirements. A permit application shall be on a form prescribed by the department and include the following in addition to the requirements in 567—subrule100.5(1):

a. Aerial photograph identifying wells, streams, creeks, rivers, ponds, sinkholes, and drainage wells within one-half mile of the closest portion of the facility.

b. Design documents prepared by an Iowa-licensed professional engineer that include the following:
(1) Dimensions, details, and capacities of the proposed receiving, processing, production, curing, and storage areas, as well as the contact water containment, recycling or treatment system.

- (2) Design calculations justifying the size of the composting area for the volume of material to be composted.
- (3) Design plans showing compliance with design requirements in subrule 102.9(3)
 - c. Stormwater management plan to prevent run-on to the operating base, as well as controls outside of the operating base for a 25-year, 24-hour storm event.
 - d. Flow diagram of all operating steps.
 - e. An operations plan addressing the following:
 - (1) Method of composting including description of the aeration method and the aeration frequency to be used to maintain aerobic conditions.
 - (2) Duration of composting with a time frame for receiving, processing, production, curing, and storage.
 - (3) Description of storage of feedstock including quantity and types.
 - (4) Description of the methods to minimize and manage odors, dust, vectors, noise and litter.
 - (5) Description of the specific procedures to be followed in case of equipment breakdown, maintenance downtime, and fire in equipment, composting material or buildings, including methods to be used to remove or dispose of accumulated waste and burned or damaged material.
 - (6) Plans for using or marketing the finished compost.
 - (7) Method(s) of managing collected contact water.
 - (8) Method(s) of maintaining contact water management systems to maintain design volume.
 - (9) Description of the monitoring, sampling, and analysis procedures and schedule for testing the composting, including sampling frequency, sample size and number, and sample locations. A facility-specific time-temperature monitoring plan for pathogen kill shall be included in the operations plan.
 - f. A closure plan containing a description of the steps necessary to close the facility in compliance with rule 567-100.10.
 - g. Documentation that the person responsible for daily operation of the facility is certified by a department-approved program.

102.9(3) Design requirements. In addition to the following, Tier 4 facilities shall comply with subrule 567—102.5(2) unless otherwise specified in the permit.

- a. All operations shall take place on a base that will permit accessibility during periods of inclement weather. The base shall be maintained and repaired, as needed.
- b. Receiving, processing and production, must also meet the following minimum design standards.
 - (1) Support the load of the equipment, vehicles, materials, and all operations for the duration of the permit period.
 - (2) Have sufficient slope to prevent surface ponding and to transmit contact water to a containment structure to prevent liquids from entering surface water or groundwater.
 - (3) Be protected with a wearing surface consisting of asphalt, concrete, compacted granular aggregate, or similar relatively impermeable material and underlain by a liner consisting of a minimum of 12 inches of recompacted clay or other approved material with a hydraulic conductivity of 1×10^{-5} cm/sec or less. The bottom of the liner shall be at least 12 inches above the high water table.
- c. The containment structure for contact water shall include a liner system consisting of a minimum of 12 inches of recompacted clay or other approved material with a hydraulic conductivity of 1×10^{-7} cm/sec or less. The bottom of the liner shall be at least 5 feet above the high water table.
- d. The design of the facility shall include specifications for documentation of quality control and assurance that the construction meets the minimum design standards.
- e. Facilities permitted by the department prior to [effective date of this rule] shall submit a compliance plan on or before [1 year after the effective date of this rule] that includes a schedule to verify compliance or obtain compliance with this subrule no later than [5 years after the effective date

of this rule].

f. The department may approve alternatives to these design requirements that provides the same level of environmental protection.

102.9(4) Operating requirements. In addition to the following, Tier 4 facilities shall comply with rule 567—102.4(455D) unless otherwise specified in the permit.

a. Access.

(1) Access to the facility shall be restricted with a lockable gate at the entrance to the facility and perimeter access controlled by a fence or natural barrier approved by the department.

(2) Access to the facility shall be allowed only when an employee, agent or representative of the facility is on duty.

(3) Emergency access to the facility shall be provided. Fire lanes shall be maintained to provide access for firefighting equipment.

b. All putrescible materials received must be incorporated into the composting process within 24 hours of receipt, unless storage of these materials is specified in the operations plan and authorized in the permit.

c. Compost processing time and temperatures shall meet Process to Further Reduce Pathogens (PFRP) requirements in [40 CFR Appendix B to Part 503 B.1 . and](#) produce compost that meets the stability necessary for the intended use. Unless otherwise proposed in the operating plan and authorized in the permit, the permit holder shall test, at a minimum:

(1) Twice weekly temperature readings of compost piles, batches, and windrows.

(2) Weekly moisture levels of compost piles, batches, and windrows.

d. Contact water shall be directed to a containment, recycling, or treatment system that prevents discharge to the stormwater system and surface water. A containment system shall have a minimum of one foot of freeboard at all times.

e. A certified compost operator shall be on duty during all hours of operation.

f. A visual inspection of the facility shall be conducted and documented on a quarterly basis at a minimum. If deficiencies are discovered during the visual inspection, actions taken to correct the deficiency shall be documented. The inspection shall at a minimum include the following:

(1) The condition of the pad. Portions of the pad that are under windrows or piles of curing or finished compost are not required to be inspected.

(2) Verification that ponding is not occurring on the pad

(3) Verification that contact water is being directed to a containment, recycling, or treatment system and not discharging to the stormwater system or to surface water.

(4) Remaining capacity, amount of freeboard and general condition of the contact water basin

(5) Condition of containers and aeration equipment used for in-vessel composting if applicable.

102.9(5) Product testing. Samples and measurements taken for the purpose of product testing shall be representative of the composting activity and shall be conducted in a manner consistent with Test Methods for Examination of Composting and Compost (TMECC) or other applicable standards approved by the department in the permit.

a. The density of fecal coliform shall be less than 1,000 most probable number (MPN) per gram of total solids (dry weight basis) or the density of Salmonella sp. Bacteria in compost shall be less than three MPN per four grams of total solids (dry weight basis).

b. The concentrations of all metals are less than the following:

Metal	Concentration mg/kg dry weight
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Arsenic (As)	41
Cadmium (Cd)	39
Copper (Cu)	1500
Lead (Pb)	300
Mercury (Hg)	17
Nickel (Ni)	420
Selenium (Se)	100
Zinc (Zn)	2800

c. Compost shall be tested for stability using one of the methods listed in TMECC 5.08, Respirometry, or other method approved by the department in the permit.

102.9(6) Operator certification. The person responsible for daily operations shall be a certified compost operator as described in 567-102.11.

102.9(7) Record-keeping requirements. The following records shall be maintained by the facility for a period of three years, and at the facility at all times, and shall be submitted to the department upon request:

- a. Analytical results described in subrule 102.9(5).
- b. Types and weight of compostable materials and bulking agent, in tons, accepted at the facility annually.
- c. Weight of compost, in tons, removed from the facility annually.
- d. A copy of the operations plan, the permit and annual reports.
- e. Documentation of the volumes and dates of treatment, recycling, or disposal of unused contact water.
- f. Documentation of visual inspections conducted as per 102.9(4)f

102.9(8) Reporting requirements. An annual report for the previous fiscal year beginning July 1 and ending June 30 shall be submitted to the department by July 31 of each year. The report shall be submitted using a form prescribed by the department

102.9(9) Closure requirements.

- a. A schedule to implement the closure plan in paragraph 102.9(2)“f” shall be submitted to the department at least 30 days prior to the proposed termination date for the facility. If needed, a request to modify the closure plan may be submitted at the same time.
- b. Unless an alternative schedule is approved by the department, within six months of the facility’s ceasing operation, the facility shall properly dispose of all organic material, solid waste and litter and remove all finished compost from the premises.

567—102.10(455D) Financial assurance. Tier 4 composting facilities must obtain and submit a financial assurance instrument to the department. The financial assurance instrument shall provide monetary funds to properly dispose of any preprocessed and postprocessed materials that remain at a facility due to the owner’s or operator’s failure to properly close the site according to the schedule approved by the department in paragraph 102.9(9)“a,” or within six months of permit suspension, termination, revocation, or expiration if no alternative schedule is approved.

102.10 (1) No permit without financial assurance. The department shall not issue or renew a permit to an owner or operator until a financial assurance instrument has been submitted to and approved by

the department.

102.10(2) Proof of compliance. Proof of the establishment of the financial assurance instrument and compliance with this rule, including a current closure cost estimate, shall be submitted to the department at the time of application for a permit for a new composting facility. The owner or operator must provide continuous coverage for closure and submit proof of compliance, including an updated closure cost estimate, with each permit renewal until released from this requirement by the department.

102.10(3) Use of one financial assurance instrument for multiple permitted activities. Facilities required to maintain financial assurance pursuant to any other provisions of 567—Chapters 100 to 102 may satisfy the requirements of this rule by the use of one financial assurance instruments listed in subrule 102.10(5).

102.10(4) Financial assurance amounts required. The estimate submitted to the department must be certified by an Iowa-licensed professional engineer and must account for at least the following factors determined by the department to be minimal necessary costs for closure:

a. Transportation costs, which include the cost to load the material, and total tip fees to properly dispose of the maximum tonnage of received materials that could be managed and stockpiled by the compost facility. Also included shall be the costs of properly removing any wastewater held at the facility.

b. The costs for maintaining financial assurance pursuant to any other provisions of 567—Chapters 100 to 123, if any, in accordance with subrule 102.10(3).

102.10(5) Acceptable financial assurance instruments. The financial assurance instrument shall be established in an amount equal to the cost estimate prepared in accordance with subrule 102.10(4) and shall not be canceled, revoked, disbursed, released, or allowed to terminate without the approval of the department. The language of the financial assurance instrument shall meet the criteria in 567—subrule 101.708(3). Financial assurance shall be provided by one of the following options:

a. Trust fund as per 567—subrule 101.707(1)

b. Surety bond, as per 567—subrule 101.707(2)

c. Letter of credit, as per 567—subrule 101.707(3)

d. Corporate Guarantee as per 567—subrule 101.707(7)

e. Local government guarantee as per 567—subrule 101.707(8)

f. Local government dedicated fund as per 567—subrule 101.707(9)

567-102.11(455D) Compost operator certification.

102.11(1) To become a certified compost facility operator, an individual shall complete a compost operator training course that has been approved by the department. An operator certified by another state may have reciprocity subject to approval by the department. An individual that is certified as a compost facility operator as of *{effective date of rule}* will continue to be certified until the end of the renewal period.

102.11(2) Operator certification course. The required operator training course for a certified compost facility operator shall have at least 24 contact hours and shall address the following areas, at a minimum:

a. Basic principles of composting and decomposition

b. Composting methods

c. Site design and equipment

d. Characteristics of various types of feedstocks and recipe development

e. Construction of windrows or piles

f. Monitoring and troubleshooting

g. Uses and markets for compost

h. Applicable laws and regulations.

102.11(3) *Alternative operator training.* Alternate operator training must be approved by the department. The applicant shall be responsible for submitting any documentation the department may require to evaluate the equivalency of alternate training.

102.11(4) Applications for certification shall be made on a form prescribed by the department.

102.11(5) *Duration and renewal of certification.* Renewal periods are for three years and begin on July 1, 2025. Certified operators must earn eight contact hours during each three-year renewal period. A newly certified operator is not required to earn contact hours during their initial certification period.

a. Application for renewal is due prior to expiration of certification. If a certificate holder fails to apply for renewal within 30 days following expiration of the certificate, the applicant must then apply for a new certification in accordance with subrule 102.12(1).

b. The certificates of operators not fulfilling the continuing education requirements will be void 30 days after the expiration date, unless an extension is granted.

d. All activities for which contact hours will be granted must be related to compost and pre-approved by the department.

e. The department may, in individual cases involving hardship or extenuating circumstances, grant an extension of time of up to three months within which the applicant may fulfill the contact hour requirements. Hardship or extenuating circumstances include documented health-related confinement or other circumstances beyond the control of the certified operator which prevent attendance at the required activities. All requests for extensions must be made prior to expiration of certification.

f. The certified operator is responsible for submitting an application for renewal that includes documentation of the contact hours completed during the renewal period.

g. A certified operator shall be deemed to have complied with the contact hour requirements of this subrule during periods that the operator serves honorably on active duty in military service.

102.12(6) *Temporary operation without a certified operator.* Authorization to temporarily operate without a certified operator may be given for a period of six months when a certified operator is no longer available to the facility. The facility must make a request to the department, explaining why a temporary authorization is needed and identify the efforts that will be made to obtain a certified operator.

These rules are intended to implement Iowa Code section 455D.9.

567—102.13 to 102.99 Reserved