


State of Iowa
Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

**PROCLAMATION OF SUSPENSION OF RULES DUE TO DISASTER
EMERGENCY**

- WHEREAS,** ON SUNDAY, MAY 25, 2008 AND CONTINUING, SEVERE STORM SYSTEMS MOVED ACROSS PORTIONS OF IOWA; AND
- WHEREAS,** STORMS HAVE RESULTED IN WIDESPREAD FLOODING AND DESTRUCTION TO AREAS IN IOWA; AND
- WHEREAS,** EIGHTY-SIX (86) COUNTIES HAVE BEEN DECLARED DISASTER AREAS ("THE GOVERNOR'S DESIGNATED COUNTIES") AS A RESULT OF SAID STORMS; AND
- WHEREAS,** SEVENTY-EIGHT (78) OF THE EIGHTY-SIX (86) COUNTIES ("THE PRESIDENTIAL DISASTER COUNTIES") HAVE BEEN DECLARED DISASTER AREAS BY THE PRESIDENT OF THE UNITED STATES AS A RESULT OF SAID STORMS; AND
- WHEREAS,** DAMAGE CAUSED BY THESE NATURAL DISASTERS HAS CREATED AN IMMEDIATE NEED TO RESPOND TO THE DAMAGE IN A MANNER THAT IS PROTECTIVE OF HEALTH, SAFETY AND THE ENVIRONMENT; AND
- WHEREAS,** IOWA CODE SECTION 29C.6(6) AUTHORIZES THE GOVERNOR OF THE STATE OF IOWA TO SUSPEND REGULATORY STATUTES PRESCRIBING THE PROCEDURES FOR CONDUCT OF STATE BUSINESS, OR THE ORDERS OR ADMINISTRATIVE RULES OF ANY AGENCY AFTER PROCLAMATION OF A DISASTER IF STRICT COMPLIANCE WITH THE PROVISIONS OF ANY STATUTE, ORDER OR RULE WOULD IN ANY WAY PREVENT, HINDER, OR DELAY NECESSARY ACTION IN COPING WITH THE EMERGENCY; AND
- WHEREAS,** STRICT COMPLIANCE WITH THESE SPECIFIED AGENCY RULES COULD PREVENT, HINDER, OR DELAY NECESSARY ACTION RESULTING FROM THIS DISASTER.

NOW, THEREFORE, I, CHESTER J. CULVER, GOVERNOR OF THE STATE OF IOWA, BY THE POWER AND AUTHORITY VESTED TO ME BY THE CONSTITUTION, ARTICLE IV, SECTIONS 1 AND 8, AND IOWA CODE SECTION 29C.6(1), DO HEREBY DECLARE THE FOLLOWING MEASURES:

1. PURSUANT TO IOWA CODE SECTION 29C.6(6), I DO HEREBY SUSPEND THE 30-DAY NOTICE REQUIREMENT FOR USE OF SAND AND SANDBAGS AS AN ALTERNATIVE DAILY COVER AT A SANITARY LANDFILL, CONTAINED IN IOWA ADMINISTRATIVE CODE RULE 567—108.8, WITHIN ALL OF THE GOVERNOR'S DESIGNATED COUNTIES.
2. PURSUANT TO IOWA CODE SECTION 29C.6(6), I DO HEREBY SUSPEND IOWA ADMINISTRATIVE CODE RULE 567—109.11(2)(EXCEPT SUBSECTION "A") WITHIN ALL OF THE GOVERNOR'S DESIGNATED COUNTIES RELATING TO THE DISPOSAL OF PETROLEUM-CONTAMINATED SOIL AT A SANITARY LANDFILL. RULE 567—109.11(2)"A", WHICH PROHIBITS THE DEPOSIT OF SOIL CONTAINING HAZARDOUS WASTE, REMAINS IN EFFECT STATE-WIDE.
3. PURSUANT TO IOWA CODE SECTION 29C.6(6), I DO HEREBY SUSPEND IOWA ADMINISTRATIVE CODE RULE 567—113.4(12) WITHIN ALL OF THE GOVERNOR'S DESIGNATED COUNTIES. PUBLIC COMMENTS RECEIVED WITHIN 30 DAYS OF FINAL


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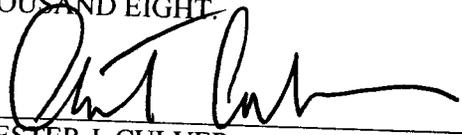
IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

SANITARY LANDFILL PERMIT ACTIONS WILL BE ACCEPTED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSIDERED TO DETERMINE WHETHER FURTHER MODIFICATION OF THE PERMIT IS APPROPRIATE.

4. PURSUANT TO IOWA CODE SECTION 29C.6(6), I DO HEREBY SUSPEND IOWA ADMINISTRATIVE CODE RULE 567—118.4(3) WITHIN ALL OF THE GOVERNOR'S DESIGNATED COUNTIES, THEREBY ALLOWING THE TEMPORARY STORAGE OF OVER 1,000 DISCARDED APPLIANCES AT A LOCATION PRIOR TO DEMANUFACTURING.
5. PURSUANT TO IOWA CODE SECTION 29C.6(6), I DO HEREBY SUSPEND IOWA ADMINISTRATIVE CODE RULES 567—100.4(2)"B" AND "C" (EXCEPT SUBSECTIONS "C"(2) AND (3)) WITHIN ALL OF THE PRESIDENTIAL DISASTER COUNTIES RELATING TO THE DISPOSAL OF DEAD FARM ANIMALS. DISPOSAL OF DEAD FARM ANIMALS SHALL BE IN ACCORDANCE WITH THE FOREIGN ANIMAL DISEASE RESPONSE PLAN, CHAPTER 7, FOUND AT [HTTP://WWW.IOWADNR.GOV/AFO/FILES/FAD_REPORT.PDF](http://www.iowadnr.gov/afo/files/fad_report.pdf). RULES 567—100.4(2)"C"(2) AND (3), WHICH ESTABLISH SEPARATION DISTANCES FROM AN ADJACENT PROPERTY LINE AND AN EXISTING NEIGHBORING RESIDENCE, RESPECTIVELY, REMAIN IN EFFECT STATE-WIDE.
6. PURSUANT TO IOWA CODE SECTION 29C.6(6), I DO HEREBY SUSPEND IOWA ADMINISTRATIVE CODE RULES 567—71.9 AND 72.9, WITHIN ALL OF THE PRESIDENTIAL DISASTER COUNTIES RELATING TO ARMORING AND REVETMENT PROTECTIVE DEVICES ALONG STREAM CHANNELS. ARMORING AND REVETMENT PROTECTIVE DEVICES ALONG STREAM CHANNELS MAY BE CONSTRUCTED OR INSTALLED WITHIN THOSE AREAS WITHOUT A PERMIT AS PROVIDED IN APPENDIX A.
7. THIS PROCLAMATION IS EFFECTIVE IMMEDIATELY AND WILL REMAIN IN EFFECT IN EACH COUNTY FOR THE PERIOD OF TIME DURING WHICH THE COUNTY IS SUBJECT TO A DECLARATION OF DISASTER EMERGENCY.

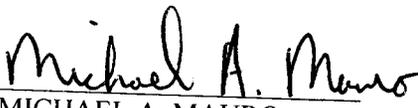


IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND CAUSED THE GREAT SEAL OF THE STATE OF IOWA TO BE AFFIXED. DONE AT DES MOINES, IOWA THIS 8TH DAY OF JULY IN THE YEAR OF OUR LORD TWO THOUSAND EIGHT.



CHESTER J. CULVER
GOVERNOR OF IOWA

ATTEST:



MICHAEL A. MAURO
SECRETARY OF STATE

APPENDIX A

Armoring/revetment protective devices in stream channels.

- a. Armoring material shall be limited to quarry rock, field stone, broken concrete, gabion baskets or gabion mattresses. If broken concrete is used, all exposed reinforcing steel must be removed from the concrete or cut flush with the surface of the concrete prior to placement and must be maintained free of exposed reinforcing steel. Broken concrete slabs must not exceed three feet in any dimension. The revetment material should consist of a mixture of sizes so as to form a dense, interlocking blanket. The use of asphalt or other material considered to be solid waste is prohibited.
- b. Armoring material shall be placed on the existing or a prepared stream bank with a finished slope of no steeper than 1.5 feet horizontal to 1 foot vertical (1.5H:1V).
- c. The thickness of the blanket of armoring materials shall not exceed three feet. In no case shall the material be placed so that the resulting channel cross-section is more restrictive than the adjacent natural upstream and downstream channel cross-section. The placement of armoring material into isolated scour hole areas may exceed the maximum thickness limitation of three feet as long as the material does not obstruct the channel.
- d. Any spoil material resulting from stream bank shaping must be disposed outside the flood plain in a non-wetland location.
- e. The armoring material shall not extend vertically above the adjacent top of bank.
- f. Project registration is required for armoring/revetment protective devices. The following project information shall be sent to the Attention of Annie Hartman, Iowa Department of Natural Resources: Name, phone number and mailing address of the project point of contact, location of the project (in the Quarter-Quarter, Section-Tier-Range format), and length of stream reach affected. This registration is for informational purposes only. The department will not send a response to the project registration.