State of Iowa

Executive Department

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

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, approximately 9,500 pounds of degraded lead azide material stored at the Iowa Army Ammunition Plant was found to have undergone recrystallization, creating a heightened shock and temperature sensitivity risk and posing an imminent risk of spontaneous detonation; and

WHEREAS, seasonal temperature fluctuations and sub-freezing conditions increase the likelihood of instability within the storage containers, making physical handling, packaging, or off-site transport hazardous to personnel and the surrounding public; and

WHEREAS, the United States Army has scheduled a controlled detonation in place at the Iowa Army Ammunition Plant to dispose of the unstable material, which when detonated, may produce an airborne dust plume containing lead particulates subject to meteorological conditions; and

WHEREAS, Des Moines, Lee and Van Buren Counties require coordinated state emergency management, public health monitoring, environmental testing, agricultural monitoring, traffic control and sheltering support to protect lives, property and public health; and

WHEREAS, these conditions constitute an imminent threat of disaster and threatens the public peace, health, and safety of citizens of the State of Iowa. Because of this, they provide legal justification for the issuance of a Proclamation of Disaster Emergency pursuant to Iowa Code § 29C.6 (1).

NOW, THEREFORE, I, KIMBERLY K. REYNOLDS, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution Art. IV, §§ 1, 8 and Iowa Code § 29C.6 (1), and all other applicable laws, do hereby proclaim a **STATE OF DISASTER EMERGENCY** for Des Moines, Lee and Van Buren Counties and do hereby **ORDER** and **DIRECT** the following:

SECTION ONE. As required by Iowa Code § 29C.6 (1), (10) and 42 U.S.C. § 5170 in cases of Presidential Disaster Declarations, this Proclamation of Disaster Emergency activates the disaster response and recovery aspects of the Iowa Department of Homeland Security and Emergency Management's Iowa Emergency Response Plan and those additional response plan(s) applicable to the Des Moines, Lee and Van Buren Counties affected by this disaster and authorizes the use and deployment of all available state resources, supplies, equipment, and materials as are reasonably necessary to assist those citizens located in the disaster county.

SECTION TWO. I temporarily suspend the regulatory provisions of Iowa Admin. Code 11-53.11(3) prohibiting pay to those State of Iowa employees for hours worked in excess of 40 hours per workweek while present in the State's Emergency Operations Center or otherwise engaged in assigned disaster response missions or other activities. This suspension shall be retroactive to the initial activation of the State's Emergency Operations Center.

SECTION THREE. I temporarily suspend the regulatory provisions of Iowa Code Chapter 8A, Iowa Code § 313.10, Iowa Admin. Code chapters 11-117, 11-118 requiring the Iowa Department of Homeland Security and Emergency Management, the Iowa Department of Health and Human Services, the Iowa Department of Natural Resources, the Iowa Department of Agriculture and Land Stewardship and other state agencies involved in the response to this disaster emergency to procure goods and services through a competitive selection process. Suspension of these provisions is limited to the duration of this proclamation and is further limited to procurements which are necessary to respond to this disaster emergency.

SECTION FOUR. This state of disaster emergency shall be effective immediately, shall continue for thirty (30) days, and shall expire on December 24, 2026, unless sooner terminated or extended in writing by me. Iowa Code § 29C.6(1).

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND CAUSED THE GREAT SEAL OF THE STATE OF IOWA TO BE AFFIXED AT DES MOINES, IOWA THIS TWENTY FOURTH DAY OF NOVEMBER IN THE YEAR OF OUR LORD TWO THOUSAND TWENTY-SIX

KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:

PAUL D. PATE
SECRETARY OF STATE