

SENATE FILE 2143
BY MURPHY

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the establishment of rules for conditional
2 permits for disposal projects, including sewer systems.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2143

1 Section 1. Section 455B.173, subsection 3, unnumbered
2 paragraph 1, Code Supplement 1987, is amended to read as
3 follows:

4 Establish, modify, or repeal rules relating to the
5 location, construction, operation, and maintenance of disposal
6 systems and public water supply systems and specifying the
7 conditions under which the director shall issue, revoke,
8 suspend, modify, or deny permits for the operation,
9 installation, construction, addition to, or modification of
10 any disposal system or public water supply system, or for the
11 discharge of any pollutant or for the disposal of water wastes
12 resulting from poultry and livestock operations. The rules
13 specifying the conditions under which the director shall issue
14 permits for the construction of an electric power generating
15 facility subject to chapter 476A shall provide for issuing a
16 conditional permit upon the submission of engineering
17 descriptions, flow diagrams, and schematics that qualitatively
18 and quantitatively identify effluent streams and alternative
19 disposal systems that will provide compliance with effluent
20 standards or limitations. The rules specifying the conditions
21 under which the director shall issue permits for the
22 construction, installation, or modification of a disposal
23 system, including a sewer system, shall provide for the
24 issuance of a conditional permit for a disposal system project
25 for which the permit application is accompanied by a
26 comprehensive plan, for which a sanitary district has provided
27 the financing, and for which a sanitary district has solicited
28 approval by resolution of a sanitary district. The rules for
29 a conditional permit shall also provide for gradual
30 implementation of the comprehensive plan and a reasonable
31 period for compliance with the time frames established by the
32 commission for implementation of the various phases of the
33 comprehensive plan if a good faith effort is displayed by the
34 sanitary district in gaining compliance. The commission shall
35 issue a final written permit in place of a conditional permit

1 upon implementation of the entire comprehensive plan.

2 EXPLANATION

3 This bill requires the environmental protection commission
4 to establish rules which provide for a conditional permit for
5 a disposal project, including a sewer system, for which permit
6 a comprehensive plan, funding, and approval by resolution of a
7 sanitary district, are submitted. The bill also requires that
8 the rules provide for a gradual implementation of the
9 comprehensive plan, and extension of the time period
10 established by the commission for implementation of the
11 comprehensive plan if a good faith effort in implementing the
12 plan is displayed by the sanitary district.

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