

FILED MAR 10 1988

SENATE FILE 2313
BY COMMITTEE ON WAYS AND MEANS
(formerly SSB 2262)
Approved (7/13/87)

Passed Senate, Date 4/4/88 *1986?* Passed House, Date 4/14/88 *1986?*
Vote: Ayes 42 Nays 7 Vote: Ayes 82 Nays 12
Approved March 27, 1988

A BILL FOR

1 An Act imposing additional hazardous waste fees with civil
2 penalties applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2313

1 Section 1. Section 455B.424, Code 1987, is amended by
2 adding the following new subsection immediately following
3 subsection 4 and renumbering the subsequent subsections:

4 NEW SUBSECTION. 5. In addition to other fees imposed by
5 this section, a person that is required to obtain a United
6 States environmental protection agency identification number
7 shall pay the following fees:

8 a. If the person generates more than one thousand
9 kilograms of hazardous waste per month, a fee of two hundred
10 fifty dollars.

11 b. If the person generates hazardous waste but does not
12 generate more than one thousand kilograms of hazardous waste
13 per month, a fee of twenty-five dollars.

14 c. If the person is a transporter of hazardous waste, a
15 fee of twenty-five dollars.

16 d. If the person operates a hazardous waste treatment,
17 storage, or disposal facility, a fee of twenty-five dollars.

18 EXPLANATION

19 This bill imposes additional hazardous waste fees on
20 persons required to obtain a United States environmental
21 protection agency identification number. Such persons who
22 generate more than one thousand kilograms of hazardous waste
23 per month have an additional annual fee of two hundred fifty
24 dollars, otherwise it is twenty-five dollars. Such persons
25 who are transporters of hazardous waste have an additional
26 annual fee of twenty-five dollars. Such persons who operate
27 hazardous waste treatment, storage, or disposal facilities
28 have an additional annual fee of twenty-five dollars.

29 Fees received are deposited in the hazardous waste remedial
30 fund. Fees imposed may be suspended if the hazardous waste
31 remedial fund has a balance in excess of six million dollars.
32 Failing or refusing to pay fees imposed subjects a person to
33 the assessment of a fifteen percent penalty.

34 SUCCESSOR TO SSB 2262 (LSB 8430SC)

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STATE OF IOWA

FISCAL NOTE

LSB No. 8430S

Staff ID. JWR

BY SENATOR GRONSTAL

SENATE FILE 2313

In compliance with a written request received March 10, 1988, a fiscal note for **SENATE FILE 2313** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2313 imposes a fee on those hazardous waste handlers within the State required to hold identification numbers issued by the United States Environmental Protection Agency. The fee would be set at \$250 for those persons generating more than 1,000 kilograms of hazardous waste per month. For those persons generating less than 1,000 kilograms per month, the fee would be \$25. The bill would impose a fee of \$25 on transporters of hazardous waste, and a \$25 fee on facilities that treat, store or dispose of hazardous waste.

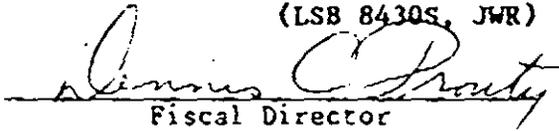
Assumptions:

1. The fee is collected on an annual basis.
2. The fee applies only to Iowa facilities.
3. Governmental agencies are not exempt from the fee.
4. The definition of per month generation is consistent with the EPA definition. This definition includes in the \$250 fee category any generator which exceeds 1,000 kilograms in any one calendar month throughout the year.
5. The definition of person means facility rather than organization.
6. Only those persons holding identification numbers who are actively involved in hazardous waste handling during a year would be charged the fees.
7. There are 193 generators of 1,000 or more kilograms per month, 2,129 smaller generators, 342 transporters, and 46 treatment or storage facilities presently active and holding identification numbers from the EPA in the State.

Fiscal Effect:

This bill would result in \$11,000 in additional funds per year for the Hazardous Waste Remedial Fund. Fees are due to the Fund on April 15 for the previous year, so this bill would not have a fiscal effect until April 15, 1989. These fees would be suspended if the Fund has a balance in excess of \$6,000,000, and would not be imposed again until the Fund balance falls below \$3,000,000.

(LSB 8430S, JWR)


Fiscal Director

Legislative Fiscal Bureau

Date: 3/22/88

LSB

GRONSTAL, CH.
SOORHOLTE
RICHARD

SSB 2262
WAYS & MEANS
Now

SENATE FILE 2313
BY (PROPOSED COMMITTEE ON WAYS
AND MEANS BILL)

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

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32 Failing or refusing to pay fees imposed subjects a person to
33 the assessment of a fifteen percent penalty.

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d. If the person operates a hazardous waste treatment, storage, or disposal facility, a fee of twenty-five dollars.

SENATE FILE 2313

AN ACT
IMPOSING ADDITIONAL HAZARDOUS WASTE FEES WITH CIVIL PENALTIES
APPLICABLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 455B.424, Code 1987, is amended by adding the following new subsection immediately following subsection 4 and renumbering the subsequent subsections:

NEW SUBSECTION. 5. In addition to other fees imposed by this section, a person that is required to obtain a United States environmental protection agency identification number shall pay the following fees:

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b. If the person generates hazardous waste but does not generate more than one thousand kilograms of hazardous waste per month, a fee of twenty-five dollars.

c. If the person is a transporter of hazardous waste, a fee of twenty-five dollars.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2313, Seventy-second General Assembly.

Approved *April 27* 1988

JOHN F. DWYER
Secretary of the Senate

TERRY E. BRANSTAD
Governor

SF 2313