

CHAPTER 1138

OPEN FEEDLOTS

S.F. 503

AN ACT relating to open feedlots, by providing for standards of construction for pollution control structures.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 455B.161, subsection 2, paragraph b, Code 2001, is amended to read as follows:

b. ~~A runoff control settled open feedlot effluent basin which that~~ collects and stores only precipitation-induced runoff from an animal feeding operation in which animals are confined to areas which are unroofed or partially roofed and in which no crop, vegetation, or forage growth or residue cover is maintained during the period in which animals are confined in the operation an open feedlot.

Sec. 2. Section 455B.161, Code 2001, is amended by adding the following new subsection:
NEW SUBSECTION. 18A. "Open feedlot" means an unroofed or partially roofed animal feeding operation if crop, vegetation, or forage growth or residue cover is not maintained as part of the animal feeding operation during the period that animals are confined in the animal feeding operation.

Sec. 3. Section 455B.171, Code 2001, is amended by adding the following new subsections:
NEW SUBSECTION. 23A. "Open feedlot" means the same as defined in section 455B.161.
NEW SUBSECTION. 38A. "Settled open feedlot effluent" means a combination of manure, precipitation-induced runoff, or other runoff originating from an open feedlot after its settleable solids have been removed.

NEW SUBSECTION. 38B. "Settled open feedlot effluent basin" or "basin" means an impoundment which is part of an open feedlot, if the primary function of the impoundment is to collect and store settled open feedlot effluent.

Sec. 4. NEW SECTION. 455B.205A CONSTRUCTION DESIGN STANDARDS — SETTLED OPEN FEEDLOT EFFLUENT BASINS.

If the department requires that a settled open feedlot effluent basin be constructed according to design standards, regardless of whether the department requires the owner to be issued a construction permit under section 455B.200, any design standards for the basin shall be established by rule as provided in chapter 17A that exclusively account for special design characteristics of open feedlots and related basins, including but not limited to the dilute composition of settled open feedlot effluent as collected and stored in the basins.

Sec. 5. DIRECTIONS TO CODE EDITOR. The Code editor shall transfer provisions of this Act amending Code chapter 455B to a new chapter in conformance with sections transferred pursuant to Senate File 2293²⁰ or House File 2468,²¹ if enacted by the Seventy-ninth General Assembly, 2002 Session.

Approved April 30, 2002

²⁰ Chapter 1137 herein

²¹ Not enacted