

**CHAPTER 1040****COMMUNITY COLLEGE ACCREDITATION***S.F. 2186*

**AN ACT** relating to the time by which community colleges must meet new accreditation standards established by the state board of education and providing for continuation of previous accreditation standards for an additional year.

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

Section 1. Section 280A.47, subsection 1, unnumbered paragraph 1, and paragraph a, Code 1991, are amended to read as follows:

The state board of education shall establish an accreditation process for community college programs. By July 1, ~~1993~~ 1994, all community colleges shall meet the standards for accreditation. For the school year commencing July 1, ~~1994~~ 1995, and in succeeding school years, the department of education shall use a two component process for the continued accreditation of community college programs.

a. The first component consists of annual monitoring by the department of education of all community colleges for compliance with program accreditation standards adopted by the state board. The first component monitoring requires community colleges to submit to an annual audit of college programs by the department of education beginning July 1, ~~1993~~ 1994.

Sec. 2. 1990 Acts,\* chapter 1253, section 127, is amended to read as follows:

SEC. 127. Section 280A.33 is repealed effective June 30, ~~1993~~ 1994.

Approved April 9, 1992

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**CHAPTER 1041****DISPOSAL SYSTEMS AND PUBLIC WATER SUPPLY SYSTEMS***S.F. 2209*

**AN ACT** relating to viable water systems.

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

Section 1. Section 455B.171, Code Supplement 1991, is amended by adding the following new subsection:

**NEW SUBSECTION. 29.** "Viable" means a disposal system or a public water supply system which is self-sufficient and has the financial, managerial, and technical capability to reliably meet standards of performance on a long-term basis, as required by state and federal law, including the federal Water Pollution Control Act and the federal Safe Drinking Water Act.

Sec. 2. Section 455B.173, Code Supplement 1991, is amended by adding the following new subsection:

**NEW SUBSECTION. 11.** Adopt, modify, or repeal rules relating to the business plan which disposal systems and public water supply systems must file with the department pursuant to section 455B.174, and adopt, modify, or repeal rules establishing a methodology and timetable by which nonviable systems shall take action to become viable or make alternative arrangements in providing treatment or water supply services.

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\*Iowa Acts probably intended

Sec. 3. Section 455B.173, subsection 3, unnumbered paragraph 1, Code Supplement 1991, is amended to read as follows:

Establish, modify or repeal rules relating to the location, construction, operation, and maintenance of disposal systems and public water supply systems and specifying the conditions, including the viability of a system pursuant to section 455B.174, under which the director shall issue, revoke, suspend, modify, or deny permits for the operation, installation, construction, addition to, or modification of any disposal system or public water supply system, or for the discharge of any pollutant or for the disposal of water wastes resulting from poultry and livestock operations. The rules specifying the conditions under which the director shall issue permits for the construction of an electric power generating facility subject to chapter 476A shall provide for issuing a conditional permit upon the submission of engineering descriptions, flow diagrams and schematics that qualitatively and quantitatively identify effluent streams and alternative disposal systems that will provide compliance with effluent standards or limitations.

Sec. 4. Section 455B.174, subsection 4, Code 1991, is amended to read as follows:

4. a. Approve or disapprove the plans and specifications for the construction of disposal systems or public water supply systems except for those sewer extensions and water supply distribution system extensions which are reviewed by a city or county public works department as set forth in section 455B.183. The director shall issue, revoke, suspend, modify, or deny permits for the operation, installation, construction, addition to, or modification of any disposal system or public water supply system except for sewer extensions and water supply distribution system extensions which are reviewed by a city or county public works department as set forth in section 455B.183. The director shall also issue, revoke, suspend, modify, or deny permits for the discharge of any pollutant. The permits shall contain conditions and schedules of compliance as necessary to meet the requirements of this part of this division, ~~and the federal Water Pollution Control Act and the federal Safe Drinking Water Act. The director shall not issue or renew a permit to a disposal system or a public water supply system which is not viable. If the director has reasonable grounds to believe that a disposal system or public water supply system is not viable, the department may require the system to submit a business plan as a means of determining viability. This plan shall include the following components:~~

(1) A facilities plan which describes proposed new facilities and the condition of existing facilities, rehabilitation and replacement needs, and future needs to meet the requirements of the federal Water Pollution Control Act and the federal Safe Drinking Water Act.

(2) A management plan which consists of an administrative plan describing methods to assure performance of functions necessary to administer the system, including credentials of management personnel; and an operation and maintenance plan describing how all operating and maintenance duties necessary to the system's proper function will be accomplished.

(3) A financial plan which describes provisions for assuring that adequate revenues will be available to meet cash flow requirements, based on the full cost of providing the service, adequate initial capitalization, and access to additional capital for contingencies.

If, upon submission and review of the business plan, the department determines that the disposal system or public water supply system is not viable, the director may require the system to take actions to become viable within a time period established pursuant to section 455B.173, or to make alternative arrangements in providing treatment or water supply services as determined by rule.

b. In addition to the requirements of paragraph "a", a permit shall not be issued to operate or discharge from any disposal system unless the conditions of the permit assure that any discharge from the disposal system meets or will meet all applicable state and federal water quality standards and effluent standards and the issuance of the permit is not otherwise prohibited by the federal Water Pollution Control Act. All applications for discharge permits are subject to public notice and opportunity for public participation including public hearing as

the department may by rule require. The director shall promptly notify the applicant in writing of the director's action and, if the permit is denied, state the reasons for denial. The applicant may appeal to the ~~department of inspections and appeals commission~~ from the denial of a permit or from any condition in any permit if the applicant files notice of appeal with the director within thirty days of the notice of denial or issuance of the permit. The director shall notify the applicant within thirty days of the time and place of the hearing.

c. Copies of all forms or other paper instruments required to be filed during on-site inspections or investigations shall be given to the owner or operator of the disposal system or public water supply system being investigated or inspected before the inspector or investigator leaves the site. Any other report, statement, or instrument shall not be filed with the department unless a copy is sent by ordinary mail to the owner or operator of the disposal system or public water supply system within ten working days of the filing. If an inspection or investigation is done in co-operation with another state department, the department involved and the areas inspected shall be stated.

d. The director shall also issue or deny conditional permits for the construction of disposal systems for electric power generating facilities subject to chapter 476A. All applications for conditional permits shall be subject to such notice and opportunity for public participation as may be required by the department and as may be consistent with chapter 476A and any agreement pursuant thereto under chapter 28E. The applicant or an intervenor may appeal to the department from the denial of a conditional permit or any of its conditions. For the purposes of chapter 476A, the issuance or denial of a conditional permit by the director or the department upon appeal shall be a determination that the electric power generating facility does or does not meet the permit and licensing requirements of the department. The issuance of a conditional permit shall not relieve the applicant of the responsibility to submit final and detailed construction plans and drawing and an application for a construction permit for a disposal system that will meet the effluent limitations in the conditional permit.

Approved April 9, 1992

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## CHAPTER 1042

### JOBS TRAINING AND RETRAINING PROGRAMS

*S.F. 2295*

**AN ACT** relating to the Iowa small business new jobs training program and the Iowa retraining program.

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

Section 1. Section 280C.2, subsections 1, 2, 3, 5, 6, 7, 12, and 13, Code 1991, are amended to read as follows:

1. "New jobs Jobs training program" or "program" means the project or projects established by a community college for the creation of jobs by providing education and training of workers for new jobs for a new or expanding small business or for the retraining of workers of an existing business in the merged area served by the community college.

2. "Project" means a training arrangement which is the subject of an agreement entered into between the community college and an employer a business to provide program services.

3. "Program services" includes but is not limited to the following:

a. New jobs training.

b. Retraining of existing workers.

b c. Adult basic education and job-related instruction.