

455B.443 License required.

1. A person shall not construct a facility until the person obtains a site license issued under this part 6 of division IV by the commission. A person planning to construct a facility shall give notice of the intent to construct the facility as provided in this section. The notice shall be served on the director and on the city council and board of supervisors of each city and county in which the facility is located and shall be published in a newspaper of general circulation in each city and county in which the proposed site is located once a week for two consecutive weeks. The notice shall contain the following:

- a.* A description of the proposed location of the facility.
- b.* A description of the treatment, storage, or disposal method to be used and the types of wastes to be handled, including estimated volumes.
- c.* The names and addresses of the owners and the operators of the facility.

2. Within fifteen days of the date the notice is last published, the owners and operators of the facility shall submit an application to the director requesting that a site license be issued under this part 6 of division IV. The application for a site license shall contain the name and residence of the applicant, and the following additional information:

- a.* The location of the proposed facility and a plat of the proposed location.
- b.* A description of the design and capacity of the proposed facility.
- c.* The expected sources of hazardous wastes for the facility, the proposed methods and routes of transporting the wastes to and from the facility.
- d.* The qualifications of the operator.
- e.* Other relevant information as the commission requires by rule.

The application shall be accompanied by a nonrefundable application fee determined by a schedule established by the commission by rule, but which shall not exceed one thousand dollars.

3. Within thirty days of the receipt of the application, the director shall determine whether the application is in substantial compliance with the information requirements, and shall either accept the application or notify the applicant of any deficiencies. An applicant who receives notification of deficiencies in the application has ninety days from the receipt of notice to remedy the deficiencies and resubmit the application for consideration. The director shall notify the applicant within thirty days of receipt of a resubmitted application whether the application is accepted. An application rejected under this subsection may be resubmitted only once. If a resubmitted application is rejected the applicant may reapply for a license by giving notice and resubmitting an application as provided in subsections 1 and 2, including payment of the nonrefundable application fee.

4. This part 6 of division IV does not apply to a facility that is subject to section 455B.415, subsection 2, and that has obtained applicable local zoning permits and for which contracts have been signed prior to January 1, 1982.

[81 Acts, ch 152, § 3]

86 Acts, ch 1245, § 1899