

**455J.7 Designation of environmental management systems.**

1. *Consideration of plans.* The council shall consider solid waste management plans submitted by solid waste planning areas and make recommendations for designation as an environmental management system to the commission. All system designations recommended by the council are subject to approval by the commission. Any solid waste planning area may submit a plan to the council and seek designation as a system.

a. By October 1, 2008, the council shall recommend the designation of up to six initial qualifying solid waste planning areas as environmental management systems to serve as pilot projects. By October 1, 2009, and by the same date each year thereafter, the council may recommend the designation of any additional planning areas as systems, provided those areas meet the requirements of section 455J.3.

b. In recommending the designation of a planning area as a system, the council shall make a determination as to whether the area meets the requirements of section 455J.3. The council shall not recommend the designation of a planning area as a system unless the planning area meets the requirements of section 455J.3.

c. The commission shall consider the plans submitted to the council and shall review the council's recommendations on those plans. The commission shall approve or reject each plan and shall make publicly available its reasons for doing so.

2. *System review.*

a. By October 1, 2009, and by the same date each year thereafter, the council shall review the annual reports of all designated systems and determine whether those systems remain in compliance with section 455J.3. If the council determines that a planning area is no longer in compliance, the council may recommend to the commission the revocation of the planning area's system designation.

b. The council may review and monitor the progress of those planning areas that have not been designated as a system and shall coordinate with other statewide boards, task forces, and other entities in order to achieve the goals and objectives of this chapter.

3. *Allocation of funds.*

a. The council shall recommend to the commission a reasonable allocation of the moneys provided in section 455E.11, subsection 2, paragraph "a", subparagraph (1), subparagraph division (d), to eligible systems. In making its recommendation as to the allocation of moneys, the council shall adopt and use a set of reasonable criteria. The criteria shall conform to the goals and purposes of this chapter as described in section 455J.1 and shall be approved by the commission.

b. Notwithstanding any other provision of law to the contrary, the commission shall make a final allocation of the funds described in section 455E.11, subsection 2, paragraph "a", subparagraph (1), subparagraph division (d), to systems meeting the requirements of this chapter.

c. Moneys allocated pursuant to this subsection shall be used by systems to further compliance with any of the requirements of section 455J.3.

2008 Acts, ch 1109, §10; 2009 Acts, ch 41, §263

Referred to in §455D.3, 455E.11, 455J.2, 455J.3, 455J.5