

455D.3 Goals for waste stream reduction — procedures — reductions and increases in fees.

1. Waste reduction goals.

a. The goal of the state is to reduce the amount of materials in the waste stream, existing as of July 1, 1988, by an intermediate goal of twenty-five percent, and by a final goal of at least fifty percent, through the practice of waste volume reduction at the source and through recycling. For the purposes of [this section](#), “waste stream” means the disposal of solid waste as “solid waste” is defined in [section 455B.301](#).

b. Notwithstanding [section 455D.1, subsection 5](#), facilities which employ combustion of solid waste with energy recovery and refuse-derived fuel, which are included in an approved comprehensive plan, may include these processes in the definition of recycling for the purpose of meeting the state goal if at least thirty-five percent of the fifty percent waste reduction goal is met through volume reduction at the source and recycling and reuse, as established pursuant to [section 455B.301A, subsection 1](#), paragraphs “a” and “b”.

2. Departmental monitoring.

a. If at any time the department determines that a planning area has met or exceeded the twenty-five percent goal, but has not met or exceeded the fifty percent goal, a planning area shall subtract sixty cents from the total amount of the tonnage fee imposed pursuant to [section 455B.310](#). If at any time the department determines that a planning area has met or exceeded the fifty percent goal, a planning area shall subtract fifty cents from the total amount of the tonnage fee imposed pursuant to [section 455B.310](#). The reduction in tonnage fees pursuant to this paragraph shall be taken from that portion of the tonnage fees which would have been allocated for funding alternatives to landfills pursuant to [section 455E.11, subsection 2](#), paragraph “a”, subparagraph (1).

b. If the department determines that a planning area has failed to meet the twenty-five percent goal, the planning area shall remit fifty cents per ton to the department. The moneys shall be deposited in the groundwater protection fund created in [section 455E.11, subsection 2](#), paragraph “a”, and credited to the solid waste account of the fund to be used for funding alternatives to landfills pursuant to [section 455E.11, subsection 2](#), paragraph “a”, subparagraph (1). Moneys shall continue to be remitted pursuant to this paragraph until such time as evidence of attainment of the twenty-five percent goal is documented in subsequent plans submitted to the department.

c. If at any time the department determines that a planning area has met or exceeded the fifty percent goal, the planning area shall subtract fifty cents from the total amount of the tonnage fee imposed pursuant to [section 455B.310](#). This amount shall be in addition to any amount subtracted pursuant to paragraph “a”. The reduction in tonnage fees pursuant to this paragraph shall be taken from that portion of the tonnage fees which would have been allocated to funding alternatives to landfills pursuant to [section 455E.11, subsection 2](#), paragraph “a”, subparagraph (1). A planning area failing to meet the fifty percent goal is not required to remit any additional tonnage fees to the department.

3. Environmental management systems. A planning area designated as an environmental management system pursuant to [section 455J.7](#) is exempt from the waste stream reduction goals of [this section](#).

89 Acts, ch 272, §3; 92 Acts, ch 1213, §2; 94 Acts, ch 1177, §4; 95 Acts, ch 80, §2; 95 Acts, ch 209, §25; 98 Acts, ch 1193, §3; 2001 Acts, ch 124, §2, 6; 2006 Acts, ch 1063, §2; 2008 Acts, ch 1109, §2; 2011 Acts, ch 25, §108; 2013 Acts, ch 12, §14, 15

Referred to in §455B.306, 455B.310, 455J.5