

House File 2642

H-8143

1 Amend House File 2642 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 455B.171, Code 2026, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 18A. *"On-site native distillery operation"*
7 means land where there is located an operating native
8 distillery issued a class "A" native distilled spirits license
9 by the department of revenue pursuant to section 123.43A.

10 Sec. 2. NEW SECTION. **455B.172B On-site native distillery**
11 **operations.**

12 1. The department shall adopt by rule pursuant to chapter
13 17A standards for the disposal of wastewater from an on-site
14 native distillery operation. These standards shall provide for
15 but are not limited to disposal by all of the following:

16 a. By land application if all of the following apply:

17 (1) The volume of wastewater produced by the on-site native
18 distillery operation is less than one thousand five hundred
19 gallons per day.

20 (2) The application rate does not exceed thirty thousand
21 gallons per acre per year.

22 (3) The application rate does not exceed one thousand five
23 hundred gallons per acre per day.

24 (4) The standards for land application are consistent with
25 the rules for land application of septage adopted to implement
26 section 455B.172.

27 b. At a publicly owned treatment works or other wastewater
28 treatment system with the permission of the owner of the
29 treatment works.

30 c. Through a subsurface absorption system in conformance
31 with applicable regulations of the United States environmental
32 protection agency.

33 d. Through a disposal system that meets all of the following
34 requirements:

35 (1) The disposal system is located on the same site as the

1 on-site native distillery operation.

2 (2) The disposal system is constructed in conformance with a
3 permit issued by the department.

4 (3) For a disposal system that discharges wastewater
5 into a water of the United States, the system is operated in
6 conformance with a national pollutant discharge elimination
7 system permit issued by the department under section 455B.197.

8 Sec. 3. Section 455B.261, subsection 4, Code 2026, is
9 amended by striking the subsection.

10 Sec. 4. Section 455B.265, subsection 1, Code 2026, is
11 amended to read as follows:

12 1. In its consideration of applications for permits, the
13 department shall give priority in processing to persons in
14 the order that the applications are received, except where
15 when the application of this processing priority system
16 prevents the prompt approval of routine applications or
17 ~~where~~ when the public health, safety, or welfare will be
18 threatened by delay. If the department determines after
19 investigation that the diversion, storage, or withdrawal is
20 consistent with the principles and policies of beneficial
21 use and ensuring conservation, the department shall grant a
22 permit. The determination of beneficial use shall not be
23 based on categories of uses. An application for a permit
24 shall be approved or denied within ninety days from the date
25 that the department receives the complete application. A
26 renewal permit shall be approved or denied by the department
27 within thirty days from the date that the department receives a
28 complete application for renewal. If the applicant requests an
29 extension of the time allotted, the department may approve the
30 request to allow the applicant more time to submit additional
31 information to resolve a contested or complex application.
32 Regardless of the request in the application, and subject
33 to appeal, the director or the department may determine the
34 duration and frequency of withdrawal and the quantity of
35 water to be diverted, stored, or withdrawn pursuant to the

1 permit. Each permit granted after July 1, 1986, shall include
2 conditions requiring routine conservation practices, and
3 requiring implementation of emergency conservation measures
4 after notification by the department.

5 Sec. 5. Section 455B.267, subsection 4, Code 2026, is
6 amended to read as follows:

7 4. A permit to divert, store, or withdraw water shall not
8 be issued or continued if it will unreasonably impair the
9 long-term availability of water from a surface or groundwater
10 source in terms of quantity ~~or quality, or otherwise adversely~~
11 ~~affect the public health or welfare.~~

12 2. Title page, line 1, by striking <certain liquids> and
13 inserting <water>

14 3. Title page, line 3, by striking <liquid waste> and
15 inserting <wastewater>

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