

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

A BILL FOR

1 An Act relating to the level of fees imposed pursuant to the
2 land recycling program.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455H.107, subsection 2, Code 2018, is
2 amended to read as follows:

3 2. All participants shall enter into an agreement with
4 the department to reimburse the department for actual costs
5 incurred by the department in reviewing documents submitted
6 as a part of the enrollment of the site. This fee shall not
7 exceed seven thousand five hundred dollars per enrolled site
8 for sites enrolled prior to July 1, 2018. For sites enrolled
9 on or after July 1, 2018, the fee shall not exceed twenty-five
10 thousand dollars per enrolled site. An agreement entered
11 into under this subsection must allow the department access
12 to the enrolled site and must require a demonstration of the
13 participant's ability to carry out a response action reasonably
14 associated with the enrolled site.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 Currently, the department of natural resources operates a
19 land recycling program to address potentially contaminated
20 sites throughout the state. Pursuant to the program, an
21 owner of potentially affected real property may enter into
22 a voluntary agreement with the department to avoid possible
23 litigation and fines if the property poses certain health
24 or safety risks. Upon enrollment in the program, an owner
25 must agree to reimburse the department for the actual costs
26 it incurs in reviewing documents that the owner submitted to
27 enroll the site. The reimbursement amount shall not exceed
28 \$7,500 per enrolled site.

29 This bill increases the cap for reimbursement to the
30 department for reviewing submitted documents to \$25,000 per
31 enrolled site for sites enrolled on or after July 1, 2018. The
32 current limit of no more than \$7,500 per enrolled site remains
33 the same for sites enrolled prior to July 1, 2018.