

To: Honorable Governor Terry E. Branstad  
From: The Environmental Protection Commission  
Date: January 20, 2016  
Subject: 2015 Annual Report and Recommendations

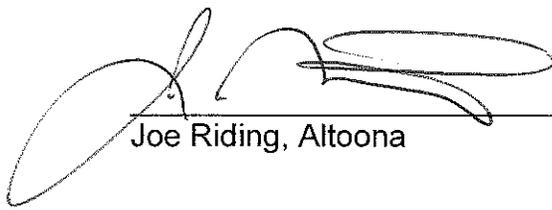
The Iowa Environmental Protection Commission respectfully submits its Annual Report and Recommendations to the Governor and General Assembly of Iowa pursuant to Iowa Code Section 455B.105(5). The report highlights what we consider the major activities and accomplishments of the Commission in 2015.

As specified in the statute, this report discusses the accomplishments and status of the programs administered by the Environmental Services Division of the Department of Natural Resources (DNR). The report also makes legislative recommendations for consideration by the Governor and General Assembly based on Commission observations regarding the state of the environment in the past year. The report also takes into account comments and concerns the Commission hears from Iowa citizens.

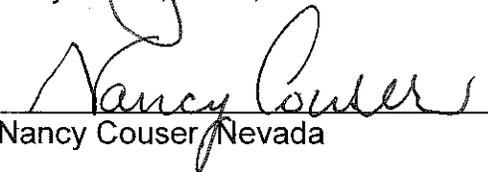
We thank you for your consideration of this report and its recommendations.



Mary Boote, Chair, Des Moines



Joe Riding, Altoona



Nancy Couser, Nevada

Absent from meeting  
Bob Sinclair, Sigourney

Absent from meeting

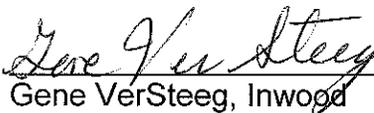
Cindy Greiman, Secretary, Garner



Ralph Lents, Menlo

Absent from meeting

LaQuanda Hoskins, Bettendorf



Gene VerSteeg, Inwood



Chad Ingels, Vice-Chair, Randalia

# Iowa Environmental Protection Commission Annual Report and Recommendations

## Summary and Recommendations

The Environmental Protection Commission recommends funding beyond the base budget request, with the goal being to maintain the services required to fulfill the commitments of the work plan agreement between EPA Region 7 and the DNR. Financial resources are necessary to maintain responsible and reliable environmental programs to protect and enhance lives of all Iowa citizens. The public is loud and clear on the priority of clean water in our state, it is also clear that this goal requires ongoing support and collaborative effort. The DNR can only hold up its end of the effort if it is funded to do so.

The \$700,000 in appropriations from the legislature for animal feeding operations assists the DNR with meeting the obligations of the work plan. Currently the DNR is at 40% completion of the 5 year commitment. New internet access training for Certified Manure Applicators is another example of continued improvement and progress.

The Commission supports Iowa's Nutrient Reduction Strategy and encourages increased legislative support including IDALS request for \$10 million for the Water Quality Initiative cost-sharing programs along with the collaborative efforts of IDNR and Iowa State University. As you know, DNR is responsible for the point-source side of regulation. Communities are being required to monitor and develop plans for nutrient reduction at a cost of \$15-40,000 just for the plan. Please support funding for these efforts as they present themselves.

The Commission thanks the Governor and the General Assembly for the opportunity to submit this report and invites further inquiry and conversation about these issues.

## Ongoing Environmental Accomplishments

In 2015 the Commission continued to have a significant role in supporting our state's efforts to improve water quality. Nearly every month we approve contracts for watershed improvement or water quality monitoring working through partnerships with the Iowa Department of Agriculture, the State Hygienic Laboratory, the Regent Universities, and the U.S. Geological Survey. On a quarterly basis we review state funding for Iowa communities and individuals for point and nonpoint water quality improvement projects. Progress continues to be made toward improved water quality through these efforts and the Iowa Nutrient Reduction Strategy, which supports the need for continued funding.

The Land Quality Bureau at the DNR is equipped to work with the public and business to provide financial and technical assistance resulting in cost-effective improvements, opportunities for increased productivity and positive environmental impacts. Through the "Change Our Ways, Change Our World" initiative, the DNR is partnering with local agencies to provide convenient, safe options for the management and disposal of household hazardous materials (HHMs).

The Commission approved revisions to State Implementation Plans (SIPs) to incorporate air emissions control strategies that will ensure that ambient air quality standards for lead and fine particulate matter are met on an ongoing basis in Council Bluffs and Muscatine, respectively. Monitored air quality levels of lead in Council Bluffs and fine particulate in Muscatine now show safe levels in the air. This has resulted from improved operating conditions at two Council Bluffs' facilities and three facilities in Muscatine.

# Iowa Environmental Protection Commission Annual Report and Recommendations

## Environmental Accomplishment through Stakeholder Groups

Stakeholder group recommendations in 2014 resulted in Jordan Aquifer protection, storm water general permit #2, and air quality fee structure rule packages that were approved by the Commission in 2015. The approach for gathering various view points from vested stakeholders and industry experts to collaborate on solutions and make recommendations assists the Commission with understanding the challenges and aids in our decision making.

## Environmental Accomplishment through Enforcement and Judicial Action

The department as a whole had assessed fines totaling \$255,685 (not including fish kill restitution) and 2 referrals to the Attorney General Office.

## Environmental Accomplishment through Rules of Substance

**Ch. 22, 23, 30 31 and 33 – Air Quality Program Application Fees** – Establishes application fees for construction and operation of air pollution emitting equipment and fees for asbestos notifications

**Ch. 20, 21, 22, 23, 25, 26, 27, 28, 31 and 33 – Air Quality 5-Year Rule Review** – Rescissions of unnecessary rules and updating other rules to reduce regulatory requirements.

**Ch. 50, 52 and 53 – Water Allocation and Use – Jordan Aquifer** – Revisions were made to provide for early warning of diminishing water levels within the Jordan Aquifer to allow time to identify and implement options to maintain sufficiently available water resources.

**Ch. 64 – NPDES General Permit No. 2 (GP2)** – Revisions were made to the topsoil retention provisions in storm water general permit #2 for construction activities. The changes are intended to provide greater flexibility for maintaining compliance with the soil retention requirements of the permit.

**Ch. 64 – NPDES General Permit No. 6** – General permit #6, related to discharges during well construction, was renewed for an additional 5-year period.

**Ch. 61 – Water Quality Standards; Surface Water Classification; Batch 4** – Stream designations for identified stream segments were revised to reflect the designated uses confirmed during field assessments of the streams.

**Ch. 209 – Landfill Alternative Financial Assistance** – Reviewed as part of the five year rule review per Iowa Code section 17A.7(2) and determined that rules for the administration of the legislatively created Derelict Building Grant Program needed to be developed.

**Ch. 107 – Beverage Container Deposits – Phase 1; Ch. 110 – Hydrogeologic Investigation and Monitoring Requirements; Ch. 112 – Sanitary Landfills: Biosolids Monofills; Ch. 210 – Beautification Grant Program; and Ch. 218 – Waste Tire Stockpile Abatement Program** -- All of these items were identified as being obsolete and their rescission will have no impact to current programs or to public health, safety or the environment. Removing this unused verbiage will simplify and streamline the overall Administrative Code.

**Ch. 81 – Operator Certification: PWS Systems and Wastewater Treatment Systems** – Revisions made to clarify the process by which the DNR provides credit toward certification qualifications for military service, education and training, and the procedures for reciprocal certification for veterans who are certified water or wastewater operators in another state.