

See Appropriations 4/10, Pass per 3.588 4/12

FILED APR 4 1975

SENATE FILE 426

By COMMITTEE ON APPROPRIATIONS

Passed Senate, Date 4-8-75 (858) Passed House, Date 4-23-75 (1307)

Vote: Ayes 48 Nays 0 Vote: Ayes 78 Nays 8

Approved 5-12-75

Passed Senate as amended by House

5-2-75 (1195)

42-0

A BILL FOR

1 An Act making an appropriation to the department of environ-
2 mental quality.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. There is appropriated from the general fund
2 of the state to the department of environmental quality for
3 the fiscal year beginning July 1, 1975 the sum of one million
4 five hundred three thousand five hundred fifty-eight
5 (1,503,558) dollars, or so much thereof as is necessary, to
6 be used for salaries, support, maintenance, and miscellaneous
7 purposes.

8 Sec. 2. The funds appropriated by section one (1) of this
9 Act shall be used to pay salaries and for support for a table
10 of organization of not more than one hundred twenty-nine
11 permanent full-time positions.

12 Sec. 3. All federal grants to and the federal receipts
13 of the agencies appropriated funds under this Act are
14 appropriated for the purposes set forth in such federal grants
15 or receipts.

16 Sec. 4. Notwithstanding the provisions of section eight
17 point thirty-three (8.33) of the Code, all unencumbered or
18 unobligated balances of appropriations made by this Act for
19 the fiscal year beginning July 1, 1975 and ending June 30,
20 1976 shall revert to the general fund on August 31, 1976.
21 In all other respects the provisions of section eight point
22 thirty-three (8.33) of the Code shall apply to this Act.

23 EXPLANATION

24 This bill appropriates \$1,503,558 to the department of
25 environmental quality. It will provide salaries and support
26 for 129 full-time permanent positions. This is the same
27 number of employees as authorized for the 1974-75 fiscal year.
28 This will not restrict or preclude adding additional employees
29 in response to new federal funding for new programs. Included
30 in this appropriation is \$23,800 for radiation emergency
31 equipment.

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LSB 1815
sg/cw/4

S-3618

1 Amend Senate File 426 as follows:

2 1. Page 1, by inserting after line 22 the
3 following:

4 "Sec. _____. Section four hundred fifty-five B point
5 eighty-two (455B.82), subsection one (1), Code 1975,
6 is amended to read as follows:

7 1. Commencing July 1, 1975, it shall be unlawful
8 for any private agency or public agency to dump or
9 deposit or permit the dumping or depositing of any
10 solid waste at any place other than a sanitary dis-
11 posal project approved by the executive director.
12 This section shall not prohibit a private agency
13 or public agency from dumping or depositing solid
14 waste resulting from its own residential, farming,
15 manufacturing, mining or commercial activities on
16 land owned or leased by it if such action does not
17 violate any statute of this state or rules promulgated
18 by the commission or local boards of health, or
19 local ordinances, or rules issued by the air quality
20 commission or water quality commission of the de-
21 partment. ~~A violation of this subsection shall be~~
22 ~~a misdemeanor.~~ The executive director may issue
23 temporary permits for dumping or disposal of solid
24 waste at disposal sites for which an application
25 for a permit to operate a sanitary disposal project
26 has been made and which have not met all of the re-
27 quirements of part one (1) of this division and the
28 rules adopted by the commission if a compliance
29 schedule has been submitted by the applicant
30 specifying how and when the applicant will meet
31 the requirements for an operational sanitary dis-
32 posal project and the executive director determines
33 the public interest will be best served by granting
34 such temporary permit.

35 Sec. _____. Section four hundred fifty-five B point
36 eighty-two (455B.82), Code 1975, is amended by add-
37 ing the following new subsection:

38 NEW SUBSECTION. Any person who violates any
39 provision of part one (1) of this division or any
40 rule or any order promulgated or the conditions of
41 any permit or order issued pursuant to part one (1)
42 of this division shall be subject to a civil penalty
43 not to exceed five hundred dollars for each day of
44 such violation."

45 2. By numbering sections to conform to this
46 amendment.

47 3. Amend the title, line 2, by inserting after
48 the word "quality" the words ", providing for the
49 issuance of temporary permits for certain solid
50 waste disposal sites, and providing a civil penalty

Page 2

1 for violations".

S-3618 FILED
APRIL 25. 1975

RECEIVED FROM THE HOUSE

Senate concurred 5/2 (1195)

H-3588

1 Amend Senate File 426 as follows:

2 1. Page 1, by inserting after line 22 the
3 following:

4 "Sec. ____ . Section four hundred fifty-five B point
5 eighty-two (455B.82), subsection one (1), Code 1975,
6 is amended to read as follows:

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11 posal project approved by the executive director.
12 This section shall not prohibit a private agency
13 or public agency from dumping or depositing solid
14 waste resulting from its own residential, farming,
15 manufacturing, mining or commercial activities on
16 land owned or leased by it if such action does not
17 violate any statute of this state or rules promulgated
18 by the commission or local boards of health, or
19 local ordinances, or rules issued by the air quality
20 commission or water quality commission of the de-
21 partment. ~~A violation of this subsection shall be~~
22 ~~a misdemeanor.~~ The executive director may issue
23 temporary permits for dumping or disposal of solid
24 waste at disposal sites for which an application
25 for a permit to operate a sanitary disposal project
26 has been made and which have not met all of the re-
27 quirements of part one (1) of this division and the
28 rules adopted by the commission if a compliance
29 schedule has been submitted by the applicant
30 specifying how and when the applicant will meet
31 the requirements for an operational sanitary dis-
32 posal project and the executive director determines
33 the public interest will be best served by granting
34 such temporary permit.

35 Sec. ____ . Section four hundred fifty-five B point
36 eighty-two (455B.82), Code 1975, is amended by add-
37 ing the following new subsection:

38 NEW SUBSECTION. Any person who violates any
39 provision of part one (1) of this division or any
40 rule or any order promulgated or the conditions of
41 any permit or order issued pursuant to part one (1)
42 of this division shall be subject to a civil penalty
43 not to exceed five hundred dollars for each day of
44 such violation."

45 2. By numbering sections to conform to this
46 amendment.

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48 the word "quality" the words ", providing for the
49 issuance of temporary permits for certain solid
50 waste disposal sites, and providing a civil penalty

Page 2
H-3588

1 for violations".

H-3588 FILED - *adopted 4/30 (1304)*
APRIL 18, 1975

BY COMMITTEE ON APPROPRIATIONS
DUNTON of Keokuk, Chairman

SENATE FILE 426

AN ACT

MAKING AN APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY, PROVIDING FOR THE ISSUANCE OF TEMPORARY PERMITS FOR CERTAIN SOLID WASTE DISPOSAL SITES, AND PROVIDING A CIVIL PENALTY FOR VIOLATIONS.

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

Section 1. There is appropriated from the general fund of the state to the department of environmental quality for the fiscal year beginning July 1, 1975 the sum of one million five hundred three thousand five hundred fifty-eight (1,503,558) dollars, or so much thereof as is necessary, to be used for salaries, support, maintenance, and miscellaneous purposes.

Sec. 2. The funds appropriated by section one (1) of this Act shall be used to pay salaries and for support for a table of organization of not more than one hundred twenty-nine permanent full-time positions.

Sec. 3. All federal grants to and the federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in such federal grants or receipts.

Sec. 4. Notwithstanding the provisions of section eight point thirty-three (8.33) of the Code, all unencumbered or unobligated balances of appropriations made by this Act for the fiscal year beginning July 1, 1975 and ending June 30, 1976 shall revert to the general fund on August 31, 1976.

In all other respects the provisions of section eight point thirty-three (8.33) of the Code shall apply to this Act.

Sec. 5. Section four hundred fifty-five B point eighty-two (455B.82), subsection one (1), Code 1975, is amended to read as follows:

1. Commencing July 1, 1975, it shall be unlawful for any private agency or public agency to dump or deposit or permit the dumping or depositing of any solid waste at any place other than a sanitary disposal project approved by the executive director. This section shall not prohibit a private agency or public agency from dumping or depositing solid waste resulting from its own residential, farming, manufacturing, mining or commercial activities on land owned or leased by it if such action does not violate any statute of this state or rules promulgated by the commission or local boards of health, or local ordinances, or rules issued by the air quality commission or water quality commission of the department. ~~A violation of this subsection shall be a misdemeanor.~~ The executive director may issue temporary permits for dumping or disposal of solid waste at disposal sites for which an application for a permit to operate a sanitary disposal project has been made and which have not met all of the requirements of part one (1) of this division and the rules adopted by the commission if a compliance schedule has been submitted by the applicant specifying how and when the applicant will meet the requirements for an operational sanitary disposal project and the executive director determines the public interest will be best served by granting such temporary permit.

Sec. 6. Section four hundred fifty-five B point eighty-two (455B.82), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Any person who violates any provision of part one (1) of this division or any rule or any order promulgated or the conditions of any permit or order issued pursuant to part one (1) of this division shall be subject to a civil penalty not to exceed five hundred dollars for each day of such violation.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 426, Sixty-sixth General Assembly.

CLARK R. RASMUSSEN
Secretary of the Senate

Approved  1975

ROBERT D. RAY
Governor