

Reprint 3/29

MAR 5 1982

Place On Calendar

HOUSE FILE 2425

BY COMMITTEE ON AGRICULTURE

(Formerly House File 2302)

Passed House, Date 3-25-82 (p. 1011) Passed Senate, Date 4-8-82 (p. 1109)

Vote: Ayes 96 Nays 1 Vote: Ayes 46 Nays 0

Approved 4-30-82

A BILL FOR

1 An Act relating to the use of municipal sewage sludge as
2 fertilizer.

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

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2425

1 Section 1. Section 455B.78, Code 1981, is amended by add-
2 ing the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules
4 that allow the use of wet or dry sludge from publicly-owned
5 treatment works for land application. An owner of a publicly-
6 owned treatment works which sells wet or dry sludge is not
7 subject to criminal liability for acts or omissions in
8 connection with a sale, and is not subject to any action to
9 recover damages for harm to person or property caused by
10 sludge that is delivered pursuant to a sale. Nothing in this
11 section shall provide immunity to any person from action by
12 the department pursuant to section 455B.82.

13 Sec. 2. The rules promulgated under section 1 of this
14 Act shall be generally consistent with those rules of the
15 department existing on January 1, 1982 regarding the land
16 application of municipal sewage sludge except that they may
17 provide for different methods of application for wet sludge
18 and dry sludge.

19 EXPLANATION

20 This bill allows the use of municipal sewage sludge as
21 fertilizer for residential and commercial application within
22 rules that may be prescribed by the environmental quality
23 commission. The rules will be generally consistent with those
24 rules of the department of environmental quality existing
25 on January 1, 1982 relating to the land application of sewage
26 sludge. This bill takes effect July 1 following enactment.

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HOUSE FILE 2425

H-5450

1 Amend House File 2425 as follows:

- 2 1. Page 1, line 5, by inserting after the word
3 "application." the words "A sale of wet or dry sludge
4 for the purpose of land application shall be
5 accompanied by a written agreement signed by both
6 parties which contains a general analysis of the
7 contents of the sludge. The heavy metal content of
8 the sludge shall not exceed that allowed by rules
55709 of the department."
10 2. Page 1, line 10, by inserting after the word
11 "sale" the words "unless it is a result of a violation
12 of the written agreement or if the heavy metal content
13 of the sludge exceeds that allowed by rules of the
55714 department".

H-5450 FILED

MARCH 17, 1982

Adopted as amended 3/25 (p. 1010)

BY DE GROOT of Lyon

BYERLY of Polk

HOUSE FILE 2425

H-5498

1 Amend House File 2425 as follows:

- 2 1. Page 1, line 8, by inserting after the word
3 "action" the words "by the purchaser".

H-5498 FILED

MARCH 19, 1982

Adopted 3/25 (p. 1010)

BY DE GROOT of Lyon

BYERLY of Polk

HOUSE FILE 2425

H-5570

1 Amend amendment H-5450 to House File 2425,
2 as follows:

- 3 1. Page 1, line 9, by striking the word
4 "department" and inserting in lieu thereof the
5 word "commission".
6 2. Page 1, line 14, by striking the word
7 "department" and inserting in lieu thereof the
8 word "commission".

H-5570 FILED MARCH 25, 1982 BY DE GROOT of Lyon

ADOPTED BY UNANIMOUS CONSENT *(p. 1010)*

Agriculture
Husak, Chair
Dreeszen
Vande Hoef

HOUSE FILE 2425

BY COMMITTEE ON AGRICULTURE

(As Amended and Passed by the House)

Passed House, Date 2-25-82 (p. 1011) Passed Senate, Date 4-8-82 (p. 1109)

Vote: Ayes 96 Nays 1 Vote: Ayes 46 Nays 0

Approved April 30, 1982

A BILL FOR

1 An Act relating to the use of municipal sewage sludge as
2 fertilizer.

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

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House Amendments _____

1 Section 1. Section 455B.78, Code 1981, is amended by add-
2 ing the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules
4 that allow the use of wet or dry sludge from publicly-owned
5 treatment works for land application. A sale of wet or dry
6 sludge for the purpose of land application shall be accompanied
7 by a written agreement signed by both parties which contains
8 a general analysis of the contents of the sludge. The heavy
9 metal content of the sludge shall not exceed that allowed
10 by rules of the commission. An owner of a publicly-owned
11 treatment works which sells wet or dry sludge is not subject
12 to criminal liability for acts or omissions in connection
13 with a sale, and is not subject to any action by the purchaser
14 to recover damages for harm to person or property caused by
15 sludge that is delivered pursuant to a sale unless it is a
16 result of a violation of the written agreement or if the heavy
17 metal content of the sludge exceeds that allowed by rules
18 of the commission. Nothing in this section shall provide
19 immunity to any person from action by the department pursuant
20 to section 455B.82.

21 Sec. 2. The rules promulgated under section 1 of this
22 Act shall be generally consistent with those rules of the
23 department existing on January 1, 1982 regarding the land
24 application of municipal sewage sludge except that they may
25 provide for different methods of application for wet sludge
26 and dry sludge.

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provide for different methods of application for wet sludge and dry sludge.

HOUSE FILE 2425

AN ACT
RELATING TO THE USE OF MUNICIPAL SEWAGE SLUDGE AS FERTILIZER.

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

Section 1. Section 455B.78, Code 1981, is amended by adding the following new unnumbered paragraph:
NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules that allow the use of wet or dry sludge from publicly-owned treatment works for land application. A sale of wet or dry sludge for the purpose of land application shall be accompanied by a written agreement signed by both parties which contains a general analysis of the contents of the sludge. The heavy metal content of the sludge shall not exceed that allowed by rules of the commission. An owner of a publicly-owned treatment works which sells wet or dry sludge is not subject to criminal liability for acts or omissions in connection with a sale, and is not subject to any action by the purchaser to recover damages for harm to person or property caused by sludge that is delivered pursuant to a sale unless it is a result of a violation of the written agreement or if the heavy metal content of the sludge exceeds that allowed by rules of the commission. Nothing in this section shall provide immunity to any person from action by the department pursuant to section 455B.82.

Sec. 2. The rules promulgated under section 1 of this Act shall be generally consistent with those rules of the department existing on January 1, 1982 regarding the land application of municipal sewage sludge except that they may

DELWYN STROMER
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2425, Sixty-ninth General Assembly.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Approved April 30, 1982

ROBERT D. RAY
Governor

H.F. 2425