

*Revised 2/9*

FEB 28 1984

HOUSE FILE **2393**

BY COMMITTEE ON ENERGY

Place On Calendar

(Formerly Study Bill 545)

Passed House, Date 3-7-84 (p. 776) Passed Senate, Date 3-27-84  
Vote: Ayes 96 Nays 0 Vote: Ayes 42 Nays 0  
Approved April 30, 1984

### A BILL FOR

1 An Act relating to the authority of the department of water,  
2 air and waste management over used oil.

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

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HF 2393

HOUSE FILE 2393

H-5428

1 Amend House File 2393 as follows:  
2 1. Page 1, line 26, by inserting after the word  
3 "control." the following: "This analysis shall be  
4 for polychlorinated biphenyl, flashpoints, and lead."

BY HUGHES of Union  
VAN CAMP of Scott

H-5428 FILED MARCH 6, 1984  
*Adopted 3/7 (p. 776)*

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1 Section 1. Section 455B.411, Code 1983, is amended by  
2 adding the following new subsections:

3 NEW SUBSECTION. 6. "Lubricating oil" means the fraction  
4 of crude oil or re-refined oil which is sold for purposes  
5 of reducing friction in an industrial or mechanical device.

6 NEW SUBSECTION. 7. "Recycled oil" means used oil which  
7 is reused, following its original use, for any purpose,  
8 including the purpose for which the oil was originally used.  
9 Recycled oil includes oil which is refined, reclaimed, burned,  
10 or reprocessed.

11 NEW SUBSECTION. 8. "Re-refined oil" means used oil from  
12 which the physical and chemical contaminants acquired through  
13 previous use have been removed through a refining process.

14 NEW SUBSECTION. 9. "Used oil" means oil which has been  
15 refined from crude oil, has then been used, and as a result  
16 of the use, is contaminated by physical or chemical impurities.

17 Sec. 2. Section 455B.412, Code 1983, is amended by adding  
18 the following new subsection:

19 NEW SUBSECTION. 5. Notwithstanding section 455B.420,  
20 adopt rules regulating the use of recycled oil for the purpose  
21 of road oiling, dust control, or weed control necessary to  
22 protect public health and the environment. The rules adopted  
23 shall be limited to addressing the following:

24 a. Analysis of oils by those persons supplying the oils  
25 prior to their use for road oiling, dust control or weed  
26 control.

27 b. Notification by the person supplying the oils of the  
28 results of analysis required to the person to whom the oils  
29 are supplied or delivered and the department at the time of  
30 delivery or prior to application of oils for road oiling,  
31 dust control or weed control.

32 c. Establishing maximum levels of contaminants allowed  
33 in oils used for the purpose of road oiling, dust control  
34 or weed control and prohibiting the use of oils containing  
35 contaminants in excess of maximum allowable levels for such

1 purposes.

2 d. Requirements for persons supplying oils for the  
3 mitigation and clean-up of contamination posing a threat to  
4 public health and the environment resulting from oils applied  
5 for road oiling, dust control or weed control.

6 EXPLANATION

7 This bill would authorize the water, air and waste manage-  
8 ment commission to adopt rules regarding the handling, use,  
9 and disposal of used oil. The bill takes effect July 1  
10 following its enactment.

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En Energy 3/12 D. Pass 3/14 (p. 821)

HOUSE FILE 2393

BY COMMITTEE ON ENERGY

(As Amended and Passed by the House)

Passed House, Date 3-7-84 (p. 776) Passed Senate, Date 3-27-84 (p. 1069)

Vote: Ayes 96 Nays 0 Vote: Ayes 42 Nays 0

Approved April 30, 1984

# A BILL FOR

1 An Act relating to the authority of the department of water,  
2 air and waste management over used oil.

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

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House Amendments \_\_\_\_\_

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2 adding the following new subsections:

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4 of crude oil or re-refined oil which is sold for purposes  
5 of reducing friction in an industrial or mechanical device.

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12 which the physical and chemical contaminants acquired through  
13 previous use have been removed through a refining process.

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15 refined from crude oil, has then been used, and as a result  
16 of the use, is contaminated by physical or chemical impurities.

17 Sec. 2. Section 455B.412, Code 1983, is amended by adding  
18 the following new subsection:

19 NEW SUBSECTION. 5. Notwithstanding section 455B.420,  
20 adopt rules regulating the use of recycled oil for the purpose  
21 of road oiling, dust control, or weed control necessary to  
22 protect public health and the environment. The rules adopted  
23 shall be limited to addressing the following:

24 a. Analysis of oils by those persons supplying the oils  
25 prior to their use for road oiling, dust control or weed  
26 control. This analysis shall be for polychlorinated biphenyl,  
27 flashpoints, and lead.

28 b. Notification by the person supplying the oils of the  
29 results of analysis required to the person to whom the oils  
30 are supplied or delivered and the department at the time of  
31 delivery or prior to application of oils for road oiling,  
32 dust control or weed control.

33 c. Establishing maximum levels of contaminants allowed  
34 in oils used for the purpose of road oiling, dust control  
35 or weed control and prohibiting the use of oils containing

1 contaminants in excess of maximum allowable levels for such  
2 purposes.

3 d. Requirements for persons supplying oils for the  
4 mitigation and clean-up of contamination posing a threat to  
5 public health and the environment resulting from oils applied  
6 for road oiling, dust control or weed control.

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HOUSE FILE 2393

AN ACT

RELATING TO THE AUTHORITY OF THE DEPARTMENT OF WATER, AIR AND WASTE MANAGEMENT OVER USED OIL.

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

Section 1. Section 455B.411, Code 1983, is amended by adding the following new subsections:

NEW SUBSECTION. 6. "Lubricating oil" means the fraction of crude oil or re-refined oil which is sold for purposes of reducing friction in an industrial or mechanical device.

NEW SUBSECTION. 7. "Recycled oil" means used oil which is reused, following its original use, for any purpose, including the purpose for which the oil was originally used. Recycled oil includes oil which is refined, reclaimed, burned, or reprocessed.

NEW SUBSECTION. 8. "Re-refined oil" means used oil from which the physical and chemical contaminants acquired through previous use have been removed through a refining process.

NEW SUBSECTION. 9. "Used oil" means oil which has been refined from crude oil, has then been used, and as a result of the use, is contaminated by physical or chemical impurities.

Sec. 2. Section 455B.412, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Notwithstanding section 455B.420, adopt rules regulating the use of recycled oil for the purpose of road oiling, dust control, or weed control necessary to protect public health and the environment. The rules adopted shall be limited to addressing the following:

a. Analysis of oils by those persons supplying the oils prior to their use for road oiling, dust control or weed control. This analysis shall be for polychlorinated biphenyl, flashpoints, and lead.

b. Notification by the person supplying the oils of the results of analysis required to the person to whom the oils

are supplied or delivered and the department at the time of delivery or prior to application of oils for road oiling, dust control or weed control.

c. Establishing maximum levels of contaminants allowed in oils used for the purpose of road oiling, dust control or weed control and prohibiting the use of oils containing contaminants in excess of maximum allowable levels for such purposes.

d. Requirements for persons supplying oils for the mitigation and cleanup of contamination posing a threat to public health and the environment resulting from oils applied for road oiling, dust control or weed control.

.....  
DONALD D. AVENSON  
Speaker of the House

.....  
ROBERT T. ANDERSON  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2393, Seventieth General Assembly.

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JOSEPH O'HERR  
Chief Clerk of the House

Approved *April 30*, 1984

.....  
TERRY E. BRANSTAD  
Governor

H.F. 2393