

Reprinted 2/25/86

FEB 17 1986

HOUSE FILE 2301

Place On Calendar

BY COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

(Formerly House Study Bill 520)

Passed House, Date 2-24-86 (p. 438) Passed Senate, Date 3-25-86 (p. 871)
Vote: Ayes 84 Nays 9 Vote: Ayes 50 Nays 0
Approved July 2, 1986

A BILL FOR

- 1 An Act relating to sanitary disposal projects.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2301

H-5147

- 1 Amend House File 2301 as follows:
- 2 1. Page 1, lines 4 and 5, by striking the words
- 3 "at a sanitary disposal project." and inserting
- 4 "in a sanitary landfill."

H-5147 FILED FEBRUARY 24, 1986 BY JOHNSON of Winneshiek
ADOPTED BY UNANIMOUS CONSENT
(p. 428)

HF 2301

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1 Section 1. Section 455B.304, Code Supplement 1985, is
2 amended by adding the following new unnumbered paragraph:

51473 NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules
4 prohibiting the disposal of uncontained liquid waste at a
5 sanitary disposal project.

6 Sec. 2. Section 455B.304, unnumbered paragraph 1, Code
7 Supplement 1985, is amended to read as follows:

8 The commission shall establish rules for the proper
9 administration of this part 1 of division IV which shall
10 reflect and accommodate as far as is reasonably possible the
11 current and generally accepted methods and techniques for
12 treatment and disposition of solid waste which will serve the
13 purposes of this part ~~1-of-this-division~~, and which shall take
14 into consideration the factors, including others which it
15 deems proper, such as existing physical conditions,
16 topography, soils and geology, climate, transportation, and
17 land use, and which shall include but are not limited to rules
18 relating to the establishment and location of sanitary
19 disposal projects, sanitary practices, inspection of sanitary
20 disposal projects, collection of solid waste, disposal of
21 solid waste, pollution controls, the issuance of permits,
22 approved methods of private disposition of solid waste, the
23 general operation and maintenance of sanitary disposal
24 projects, and the implementation of this part ~~1-of-this~~
25 ~~division. The rules shall require that each sanitary disposal~~
26 ~~project has a sufficient number of water wells to adequately~~
27 ~~monitor the quality of ground water adjacent to the sanitary~~
28 ~~disposal project site. -- Prior to issuance of rules or~~
29 ~~amendments to rules, the commission shall hold at least one~~
30 ~~public hearing on the proposed rules or amendments, and shall~~
31 ~~give notice of the hearing at least thirty days in advance by~~
32 ~~publishing notice in a newspaper of general circulation in the~~
33 ~~state.~~

34 Sec. 3. Section 455B.304, Code Supplement 1985, is amended
35 by adding the following new unnumbered paragraphs:

HOUSE FILE 2301

BY COMMITTEE ON ENERGY AND
ENVIRONMENTAL PROTECTION

Substituted for SF 2110 3/16

(As Amended and Passed by the House February 24, 1986)

Sp Passed House, Date 4-10-86 (p. 1385) Passed Senate, Date 3-25-86 (p. 871)

Vote: Ayes 89 Nays 6 Vote: Ayes 50 Nays 0

Approved May 2, 1986 (p. 2320)

A BILL FOR

- 1 An Act relating to sanitary disposal projects.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2301

S-5304

- 1 Amend House File 2301 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 2, by inserting after line 29 the
- 4 following:
- 5 "NEW UNNUMBERED PARAGRAPH. The commission shall
- 6 adopt rules which may require the installation of
- 7 shafts to relieve the accumulation of gas in a
- 8 sanitary disposal project."

S-5304 Filed March 11, 1986

BY JENSEN, MURPHY

Adopted 3/25 (p. 871)

SENATE AMENDMENT TO HOUSE FILE 2301

H-5574

- 1 Amend House File 2301 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 2, by inserting after line 29 the
- 4 following:
- 5 "NEW UNNUMBERED PARAGRAPH. The commission shall
- 6 adopt rules which may require the installation of
- 7 shafts to relieve the accumulation of gas in a
- 8 sanitary disposal project."

H-5574 FILED MARCH 27, 1986 RECEIVED FROM THE SENATE

House concurred 4/16 (p. 1384)

HF 2301

dsb/pk/25

1 Section 1. Section 455B.304, Code Supplement 1985, is
2 amended by adding the following new unnumbered paragraph:
3 NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules
4 prohibiting the disposal of uncontained liquid waste in a
5 sanitary landfill.

6 Sec. 2. Section 455B.304, unnumbered paragraph 1, Code
7 Supplement 1985, is amended to read as follows:

8 The commission shall establish rules for the proper
9 administration of this part 1 of division IV which shall
10 reflect and accommodate as far as is reasonably possible the
11 current and generally accepted methods and techniques for
12 treatment and disposition of solid waste which will serve the
13 purposes of this part 1-of-this-division, and which shall take
14 into consideration the factors, including others which it
15 deems proper, such as existing physical conditions,
16 topography, soils and geology, climate, transportation, and
17 land use, and which shall include but are not limited to rules
18 relating to the establishment and location of sanitary
19 disposal projects, sanitary practices, inspection of sanitary
20 disposal projects, collection of solid waste, disposal of
21 solid waste, pollution controls, the issuance of permits,
22 approved methods of private disposition of solid waste, the
23 general operation and maintenance of sanitary disposal
24 projects, and the implementation of this part 1-of-this
25 division. The-rules-shall-require-that-each-sanitary-disposal
26 project-has-a-sufficient-number-of-water-wells-to-adequately
27 monitor-the-quality-of-ground-water-adjacent-to-the-sanitary
28 disposal-project-site.--Prior-to-issuance-of-rules-or
29 amendments-to-rules,-the-commission-shall-hold-at-least-one
30 public-hearing-on-the-proposed-rules-or-amendments,-and-shall
31 give-notice-of-the-hearing-at-least-thirty-days-in-advance-by
32 publishing-notice-in-a-newspaper-of-general-circulation-in-the
33 state.

34 Sec. 3. Section 455B.304, Code Supplement 1985, is amended
35 by adding the following new unnumbered paragraphs:

1 NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules
2 requiring that each sanitary disposal project established
3 pursuant to section 455B.302 and permitted pursuant to section
4 455B.305 install and maintain a sufficient number of
5 groundwater monitoring wells to adequately determine the
6 quality of the groundwater and the impact the sanitary
7 disposal project, if any, is having on the groundwater
8 adjacent to the sanitary disposal project site.

9 NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules
10 requiring a schedule of monitoring of the quality of
11 groundwater adjacent to the sanitary disposal project from the
12 groundwater monitoring wells installed in accordance with this
13 section during the period the sanitary disposal project is in
14 use. Schedules of monitoring may be varied in consideration
15 of the types of sanitary disposal practices, hydrologic and
16 geologic conditions, construction and operation
17 characteristics, and volumes and types of wastes handled at
18 the sanitary disposal project site.

19 NEW UNNUMBERED PARAGRAPH. The commission shall, by rule,
20 require continued monitoring of groundwater pursuant to this
21 section for a period of twenty years after the sanitary
22 disposal project is closed. The commission may prescribe a
23 lesser period of monitoring duration and frequency in
24 consideration of the potential or lack thereof for groundwater
25 contamination from the sanitary disposal project. The
26 commission may extend the twenty-year monitoring period on a
27 site-specific basis by adopting rules specifically addressing
28 additional monitoring requirements for each sanitary disposal
29 project for which the monitoring period is to be extended.

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House
2301

HSB 520

ENERGY AND ENVIRONMENTAL PROTECTION

HOUSE/SENATE FILE 2301

BY (PROPOSED INTERIM STUDY

COMMITTEE ON HAZARDOUS

WASTE DISPOSAL SITE BILL)

Study Bill 520

Energy and Environmental Protection: Johnson, Chair; Hughes, Mullins, Osterberg and Paulin.

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to sanitary disposal projects.

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

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1 Section 1. Section 455B.304, Code Supplement 1985, is
2 amended by adding the following new unnumbered paragraph:
3 NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules
4 prohibiting the disposal of uncontained liquid waste at a
5 sanitary disposal project.

6 Sec. 2. Section 455B.304, unnumbered paragraph 1, Code
7 Supplement 1985, is amended to read as follows:

8 The commission shall establish rules for the proper
9 administration of this part 1 of division IV which shall
10 reflect and accommodate as far as is reasonably possible the
11 current and generally accepted methods and techniques for
12 treatment and disposition of solid waste which will serve the
13 purposes of this part 1-of-this-division, and which shall take
14 into consideration the factors, including others which it
15 deems proper, such as existing physical conditions,
16 topography, soils and geology, climate, transportation, and
17 land use, and which shall include but are not limited to rules
18 relating to the establishment and location of sanitary
19 disposal projects, sanitary practices, inspection of sanitary
20 disposal projects, collection of solid waste, disposal of
21 solid waste, pollution controls, the issuance of permits,
22 approved methods of private disposition of solid waste, the
23 general operation and maintenance of sanitary disposal
24 projects, and the implementation of this part 1-of-this
25 division. The rules shall require that each sanitary disposal
26 project has a sufficient number of water wells to adequately
27 monitor the quality of ground water adjacent to the sanitary
28 disposal project site and to require that the monitoring
29 continue for twenty years after the project's closure. Prior
30 to issuance of rules or amendments to rules, the commission
31 shall hold at least one public hearing on the proposed rules
32 or amendments, and shall give notice of the hearing at least
33 thirty days in advance by publishing notice in a newspaper of
34 general circulation in the state.

35 Sec. 3. The requirement of monitoring provided in section

1 2 of this Act applies to all sanitary disposal projects in
2 operation and those which have been in operation during the
3 twenty years prior to the effective date of this Act.

4 EXPLANATION

5 This bill prohibits the disposal of free liquids at
6 sanitary disposal projects and requires monitoring of
7 groundwater for twenty years after the project's closure. The
8 latter requirement is retroactive.

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HOUSE FILE 2301

AN ACT
RELATING TO SANITARY DISPOSAL PROJECTS.

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

Section 1. Section 455B.304, Code Supplement 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules prohibiting the disposal of uncontained liquid waste in a sanitary landfill.

Sec. 2. Section 455B.304, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The commission shall establish rules for the proper administration of this part 1 of division IV which shall reflect and accommodate as far as is reasonably possible the current and generally accepted methods and techniques for treatment and disposition of solid waste which will serve the purposes of ~~this part 1 of this division~~, and which shall take into consideration the factors, including others which it deems proper, such as existing physical conditions, topography, soils and geology, climate, transportation, and land use, and which shall include but are not limited to rules relating to the establishment and location of sanitary disposal projects, sanitary practices, inspection of sanitary disposal projects, collection of solid waste, disposal of solid waste, pollution controls, the issuance of permits, approved methods of private disposition of solid waste, the general operation and maintenance of sanitary disposal projects, and the implementation of ~~this part 1 of this division~~. ~~The rules shall require that each sanitary disposal project has a sufficient number of water wells to adequately monitor the quality of ground water adjacent to the sanitary disposal project site. Prior to issuance of rules or~~

~~amendments to rules, the commission shall hold at least one public hearing on the proposed rules or amendments, and shall give notice of the hearing at least thirty days in advance by publishing notice in a newspaper of general circulation in the state.~~

Sec. 3. Section 455B.304, Code Supplement 1985, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules requiring that each sanitary disposal project established pursuant to section 455B.302 and permitted pursuant to section 455B.305 install and maintain a sufficient number of groundwater monitoring wells to adequately determine the quality of the groundwater and the impact the sanitary disposal project, if any, is having on the groundwater adjacent to the sanitary disposal project site.

NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules requiring a schedule of monitoring of the quality of groundwater adjacent to the sanitary disposal project from the groundwater monitoring wells installed in accordance with this section during the period the sanitary disposal project is in use. Schedules of monitoring may be varied in consideration of the types of sanitary disposal practices, hydrologic and geologic conditions, construction and operation characteristics, and volumes and types of wastes handled at the sanitary disposal project site.

NEW UNNUMBERED PARAGRAPH. The commission shall, by rule, require continued monitoring of groundwater pursuant to this section for a period of twenty years after the sanitary disposal project is closed. The commission may prescribe a lesser period of monitoring duration and frequency in consideration of the potential or lack thereof for groundwater contamination from the sanitary disposal project. The commission may extend the twenty-year monitoring period on a site-specific basis by adopting rules specifically addressing additional monitoring requirements for each sanitary disposal project for which the monitoring period is to be extended.

NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules which may require the installation of shafts to relieve the accumulation of gas in a sanitary disposal project.

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 2301, Seventy-first General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 2, 1986

TERRY E. BRANSTAD
Governor