

JAN 11 1996
ENVIRONMENTAL PROTECTION

HOUSE FILE 2048
BY CORMACK

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to obtaining a permit or variance for storing or
2 using waste tires.

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

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HF 2048

1 Section 1. Section 455D.11, subsection 5, Code 1995, is
2 amended to read as follows:

3 5. a. The department shall develop criteria for the
4 issuance of permits and shall issue permits to qualified
5 stockpiling facilities. The department shall inform the owner
6 or operator of a waste tire collection site or processing site
7 of the specific permit required for the waste tire collection
8 site or processing site and any variance possibilities.

9 b. The department shall specify in writing to a person who
10 applies for a permit or variance from the permit requirement
11 of this section the department's reasons for denying the
12 permit or variance. A person denied a permit or variance may
13 appeal the denial to the commission pursuant to chapter 17A.

14 c. The department shall process an application for a
15 permit or variance in a timely manner and shall issue a permit
16 or variance immediately upon determining that the person
17 applying for a permit or variance complies with the
18 requirements for obtaining the permit or variance.

19 EXPLANATION

20 This bill pertains to obtaining a permit or variance for
21 storing or using waste tires. The bill requires the
22 department of natural resources to inform the owner or
23 operator of a waste tire collection or processing site of the
24 specific permit required for the waste tire collection or
25 processing site and any variance possibilities. The bill
26 requires the department of natural resources to specify in
27 writing to a person who applies for a permit or variance,
28 currently contained in 567 I.A.C. § 117.2(2), the department's
29 reasons for denying the permit or variance. The bill requires
30 the department of natural resources to process an application
31 for a permit or variance in a timely manner and issue the
32 permit or variance when the applicant complies with the
33 requirements for obtaining the permit or variance.

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