

# House Study Bill 231

## Conference Committee Text

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1 1 Section 1. Section [455B.133B](#), subsection 1, Code 1995, is  
1 2 amended to read as follows:  
1 3 1. An air contaminant source fund is created in the office  
1 4 of the treasurer of state under the control of the department.  
1 5 Moneys received from the fees assessed pursuant to

~~sections~~

1 6

~~455B.133A and~~

~~section~~ 455B.133, subsection 8, shall be  
1 7 deposited in the fund. Moneys

~~collected pursuant to section~~

1 8

~~455B.133, subsection 8,~~

~~in the fund~~ shall be used solely to  
1 9 defray the costs related to the permit, monitoring, and  
1 10 inspection program, including the small business stationary  
1 11 source technical and environmental compliance assistance  
1 12 program required pursuant to the federal Clean Air Act  
1 13 Amendments of 1990, sections 502 and 507, Pub. L. No. 101-549.  
1 14 Notwithstanding section 8.33, any unexpended balance in the  
1 15 fund at the end of each fiscal year shall be retained in the  
1 16 fund. Notwithstanding section 12C.7, any interest and  
1 17 earnings on investments from money in the fund shall be  
1 18 credited to the fund.

1 19 Sec. 2. Section [455B.133B](#), subsection 2, Code 1995, is  
1 20 amended by striking the subsection.

1 21 Sec. 3. Section 455B.517, subsection 4, paragraph b, Code  
1 22 1995, is amended by striking the paragraph.

1 23 Sec. 4. Section [455B.133A](#), Code 1995, is repealed.

1 24 EXPLANATION

1 25 This bill repeals the temporary air toxics fee imposed  
1 26 under section 455B.133A. The temporary fee is an annual fee  
1 27 of \$25 per ton of hazardous air pollutants included in Title  
1 28 III of the federal Clean Air Act Amendments of 1990 and is  
1 29 based upon air emission as reported or estimated by the source  
1 30 in the previous calendar year. Current law states that the  
1 31 fee is to be imposed until such time as the operating permit  
1 32 fee is established by rule of the environmental protection  
1 33 commission and approved by the United States environmental  
1 34 protection agency under section 502(b) of the federal Clean  
1 35 Air Act Amendments of 1990.

2 1 LSB 2083HC 76

2 2 js/cf/24