

1 Section 1. MORATORIUM -- GRAIN STORAGE FACILITIES -- CLEAN
2 AIR OPERATING PERMIT REQUIREMENTS.

3 1. Notwithstanding section 455B.133, a moratorium is
4 established during which the department of natural resources
5 shall not require persons to complete or submit to the
6 department any form, application, or information relating to
7 the control of emissions of dust or other particulate matter
8 in, on, or around facilities used for the storage of grain, to
9 the extent that the form, application, or information is
10 related to the administration or enforcement of the clean air
11 operating permit program as may be delegated to the state
12 pursuant to 42 U.S.C. § 7661a through 7661d.

13 2. The moratorium shall expire on the date that the state
14 is delegated authority by the United States to administer and
15 enforce the clean air operating permit program as provided by
16 42 U.S.C. § 7661a through 7661d.

17 3. During the moratorium period, the department shall
18 adopt forms and procedures as required pursuant to chapter
19 17A, which ensure that persons involved in the storage of
20 grain may conveniently, simply, and inexpensively comply with
21 the program requirements administered and enforced by the
22 department. The department shall also conduct a statewide
23 education project in order to assist persons involved in the
24 storage of grain in complying with the requirements, including
25 completing and submitting to the department any necessary
26 form, application, or information. The department shall
27 cooperate with the agribusiness association of Iowa in
28 carrying out this subsection.

29 4. The department shall periodically report progress in
30 carrying out this Act to the chairpersons, vice chairpersons,
31 and ranking members of the standing committees on agriculture
32 of the senate and house of representatives. A report shall be
33 made at least once each three months.

34 EXPLANATION

35 This bill establishes a moratorium during which the

1 department of natural resources is prohibited from requiring
2 persons to complete or submit to the department any form,
3 application, or information relating to the control of /
4 emissions of dust or other particulate matter in, on, or
5 around facilities used for the storage of grain, to the extent
6 that it is related to the administration or enforcement of the
7 clean air operating permit program as regulated under the
8 federal Clean Air Act Amendments of 1990. The moratorium
9 expires upon the date that the state is delegated authority by
10 the United States to administer and enforce the clean air
11 operating permit program. The bill provides that the
12 department is required to adopt forms and procedures which
13 ensure that persons involved in grain storage may
14 conveniently, simply, and inexpensively comply with the
15 program's requirements. The department is also required to
16 conduct a statewide program in order to assist persons in
17 complying with the requirements. The department must
18 periodically report progress in carrying out the provisions of
19 the bill to the chairpersons, vice chairpersons, and ranking
20 members of the standing committees on agriculture of the
21 senate and house of representatives.

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24 storage of grain in complying with the requirements, including
25 completing and submitting to the department any necessary
26 form, application, or information. The department shall
27 cooperate with the agribusiness association of Iowa in
28 carrying out this subsection.

29 4. The department shall periodically report progress in
30 carrying out this Act to the chairpersons, vice chairpersons,
31 and ranking members of the standing committees on agriculture
32 of the senate and house of representatives. A report shall be
33 made at least once each three months.

34 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
35 immediate importance, takes effect upon enactment.

HOUSE AMENDMENT TO
SENATE FILE 37

S-3036

1 Amend Senate File 37, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 455B.133, subsection 8, Code
6 1995, is amended by adding the following new
7 paragraph:

8 NEW PARAGRAPH. c. Adopt rules for the issuance of
9 a single general permit, after notice and opportunity
10 for a public hearing. The single general permit shall
11 cover numerous sources to the extent that the sources
12 are representative of a class of facilities which can
13 be identified and conditioned by a single permit."

14 2. Page 1, by inserting after line 28 the
15 following:

16 "A permit shall not be required for the operation
17 of a grain elevator for one hundred twenty days
18 following the expiration of the moratorium or the date
19 that departmental rules relating to the administration
20 or enforcement of the clean air operating permit
21 program become effective, whichever occurs earlier."

22 3. Title page, line 3, by inserting after the
23 word "resources," the following: "providing for the
24 issuance of a single permit,".

RECEIVED FROM THE HOUSE

S-3036 FILED FEBRUARY 8, 1995

Senate Concurred 2/9/95
(p. 301)

Priebe - Chair
McLaren
Husak

SSB-17

Agriculture

Succeeded P.
SENATE FILE 37

BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON PRIEBE)

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

A BILL FOR

1 An Act relating to the control of emissions from grain storage
2 facilities, by imposing a moratorium upon the department of
3 natural resources.

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

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2 AIR OPERATING PERMIT REQUIREMENTS.

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4 established during which the department of natural resources
5 shall not require persons to complete or submit to the
6 department any form, application, or information relating to
7 the control of emissions of dust or other particulate matter
8 in, on, or around facilities used for the storage of grain, to
9 the extent that the form, application, or information is
10 related to the administration or enforcement of the air
11 operating permit program as may be delegated to the state
12 pursuant to 42 U.S.C. § 7661a through 7661d.

13 2. The moratorium shall expire on the date that the state
14 is delegated authority by the United States to administer and
15 enforce the air operating permit program as provided by 42
16 U.S.C. § 7661a through 7661d.

17 3. During the moratorium period, the department shall
18 adopt forms and procedures as required pursuant to chapter
19 17A, which ensure that persons involved in the storage of
20 grain may conveniently, simply, and inexpensively comply with
21 the program requirements administered and enforced by the
22 department. The department shall also conduct a statewide
23 education project in order to assist persons involved in the
24 storage of grain in complying with the requirements, including
25 completing and submitting to the department any necessary
26 form, application, or information. The department shall
27 cooperate with the agribusiness association of Iowa in
28 carrying out this subsection.

29 4. The department shall periodically report progress in
30 carrying out this Act to the chairpersons, vice chairpersons,
31 and ranking members of the standing committees on agriculture
32 of the senate and house of representatives. A report shall be
33 made at least once each three months.

34 EXPLANATION

35 This bill establishes a moratorium during which the

1 department of natural resources is prohibited from requiring
2 persons to complete or submit to the department any form,
3 application, or information relating to the control of
4 emissions of dust or other particulate matter in, on, or
5 around facilities used for the storage of grain, to the extent
6 that it is related to the administration or enforcement of the
7 air operating permit program as regulated under the federal
8 Clean Air Act Amendments of 1990. The moratorium expires upon
9 the date that the state is delegated authority by the United
10 States to administer and enforce the air operating permit
11 program. The bill provides that the department is required to
12 adopt forms and procedures which ensure that persons involved
13 in grain storage may conveniently, simply, and inexpensively
14 comply with the program's requirements. The department is
15 also required to conduct a statewide program in order to
16 assist persons in complying with the requirements. The
17 department must periodically report progress in carrying out
18 the provisions of the bill to the chairpersons, vice
19 chairpersons, and ranking members of the standing committees
20 on agriculture of the senate and house of representatives.

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SENATE FILE 37

AN ACT

RELATING TO THE CONTROL OF EMISSIONS FROM GRAIN STORAGE FACILITIES, BY IMPOSING A MORATORIUM UPON THE DEPARTMENT OF NATURAL RESOURCES, PROVIDING FOR THE ISSUANCE OF A SINGLE PERMIT, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 455B.133, subsection 8, Code 1995, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. Adopt rules for the issuance of a single general permit, after notice and opportunity for a public hearing. The single general permit shall cover numerous sources to the extent that the sources are representative of a class of facilities which can be identified and conditioned by a single permit.

Sec. 2. MORATORIUM -- GRAIN STORAGE FACILITIES -- CLEAN AIR OPERATING PERMIT REQUIREMENTS.

1. Notwithstanding section 455B.133, a moratorium is established during which the department of natural resources shall not require persons to complete or submit to the

department any form, application, or information relating to the control of emissions of dust or other particulate matter in, on, or around facilities used for the storage of grain, to the extent that the form, application, or information is related to the administration or enforcement of the clean air operating permit program as may be delegated to the state pursuant to 42 U.S.C. § 7661a through 7661d.

2. The moratorium shall expire on the date that the state is delegated authority by the United States to administer and enforce the clean air operating permit program as provided by 42 U.S.C. § 7661a through 7661d.

3. During the moratorium period, the department shall adopt forms and procedures as required pursuant to chapter 17A, which ensure that persons involved in the storage of grain may conveniently, simply, and inexpensively comply with the program requirements administered and enforced by the department. The department shall also conduct a statewide education project in order to assist persons involved in the storage of grain in complying with the requirements, including completing and submitting to the department any necessary form, application, or information. The department shall cooperate with the agribusiness association of Iowa in carrying out this subsection.

A permit shall not be required for the operation of a grain elevator for one hundred twenty days following the expiration of the moratorium or the date that departmental rules relating to the administration or enforcement of the clean air operating permit program become effective, whichever occurs earlier.

4. The department shall periodically report progress in carrying out this Act to the chairpersons, vice chairpersons, and ranking members of the standing committees on agriculture of the senate and house of representatives. A report shall be made at least once each three months.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

LEONARD L. BOSWELL
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 37, Seventy-sixth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved Feb. 17th, 1995

TERRY E. BRANSTAD
Governor