

FEB 6 1997  
Agriculture

HOUSE FILE 175  
BY TEIG and ARNOLD

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act prohibiting the construction or expansion of earthen  
2 manure storage basins having a certain capacity and attached  
3 to a confinement feeding operation confining swine.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 175

1 Section 1. Section 455B.171, Code 1997, is amended by  
2 adding the following new subsections:

3 NEW SUBSECTION. 1A. "Anaerobic lagoon" means the same as  
4 defined in section 455B.161.

5 NEW SUBSECTION. 7A. "Earthen manure storage basin" means  
6 the same as defined in section 455B.161.

7 Sec. 2. Section 455B.201, Code 1997, is amended by adding  
8 the following new subsections:

9 NEW SUBSECTION. 5. A person shall not construct or expand  
10 an earthen manure storage basin used in conjunction with a  
11 confinement feeding operation in which swine are confined, if  
12 the earthen manure storage basin as constructed or expanded  
13 would have a capacity to store more than two million gallons  
14 of waste discharge.

15 NEW SUBSECTION. 6. The department shall adopt rules as  
16 necessary to provide that manure from the site of an animal  
17 feeding operation does not enter into a drainage system. The  
18 rules shall provide for inspecting the site of an anaerobic  
19 lagoon or earthen manure storage basin; examining records of  
20 known drainage tiles serving the site; and removing,  
21 rerouting, capping, or plugging tile lines near the site. The  
22 rules shall apply regardless of the date that the anaerobic  
23 lagoon or earthen manure storage basin was constructed.

24 EXPLANATION

25 This bill prohibits the construction or expansion of an  
26 earthen manure storage basin used in conjunction with a  
27 confinement feeding operation in which swine are confined, if  
28 the earthen manure storage basin as constructed or expanded  
29 would have a capacity to store more than 2,000,000 gallons of  
30 waste discharge.

31 This bill also requires that the department of natural  
32 resources adopt rules as necessary to provide that manure from  
33 the site of an animal feeding operation does not enter into a  
34 drainage system. The bill requires that the rules provide for  
35 inspecting the site of an anaerobic lagoon or earthen manure

1 storage basin; examining records of known drainage tiles  
2 serving the site; and removing, rerouting, capping, or  
3 plugging tile lines near the site. The bill provides that the  
4 rules shall apply regardless of the date that the anaerobic  
5 lagoon or earthen manure storage basin was constructed.

6 A person violating this section is subject to a civil  
7 penalty of up to \$5,000 as provided in Code section 455B.191.

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