

JAN 13 1998

HOUSE FILE 2021
BY CORMACK

ENVIRONMENTAL PROTECTION

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

A BILL FOR

1 An Act relating to financial assurance requirements for waste
2 tire collection or processing sites.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HF 2021

1 Section 1. Section 455D.11C, subsection 1, Code 1997, is
2 amended to read as follows:

3 1. A waste tire management fund is created within the
4 state treasury. Moneys received from each five dollar
5 surcharge on the issuance of a certificate of title shall be
6 deposited as provided in section 321.52A, subsection 2.
7 Notwithstanding section 8.33, any unexpended balance in the
8 fund at the end of each fiscal year shall be retained in the
9 fund. Notwithstanding section 12C.7, any interest or earnings
10 on investments from moneys in the fund shall be credited to
11 the fund. Moneys from the fund that are expended by the
12 department in closing or bringing into compliance a waste tire
13 collection site pursuant-to-section-455B-11A and later
14 recouped by the department shall be credited to the fund.
15 Sec. 2. Section 455D.11A, Code Supplement 1997, is
16 repealed.

17 EXPLANATION

18 This bill repeals Code section 455D.11A which relates to
19 financial assurance requirements for owners and operators of
20 waste tire collection or processing sites. The Code section
21 requires owners and operators to provide the department of
22 natural resources with a financial assurance instrument prior
23 to the initial approval of a permit and prior to the renewal
24 of a permit. The financial instrument is to be used to
25 provide for closure of the facility. The Code section
26 provides the department with powers related to the
27 implementation of the financial assurance requirements, the
28 acceptable forms of financial assurance, requirements when the
29 financial assurance is in the form of a surety bond, the
30 required amounts of financial assurance, prohibitions against
31 assigning the financial assurance instrument and using the
32 instrument to pay a final judgment against the permit holder,
33 and an exception to all of the financial assurance
34 requirements for sites operated by a city or county, or
35 operated in conjunction with a sanitary landfill.