

FEB 11 1998
Agriculture

HOUSE FILE 2228
BY SCHERRMAN

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

A BILL FOR

1 An Act providing for the monitoring of confinement feeding
2 operations by environmental health specialists.

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

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HF 2228

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

3 NEW SUBSECTION. 32A. "Unformed manure storage structure"
4 means a covered or uncovered animal feeding operation
5 structure, other than a formed manure storage structure, which
6 is used to store manure from a confinement feeding operation,
7 including but not limited to an earthen manure storage basin
8 or anaerobic lagoon.

9 Sec. 2. NEW SECTION. 455B.205 ENVIRONMENTAL HEALTH
10 SPECIALISTS.

11 1. The department shall contract with local boards of
12 health serving a county or district as provided in chapter 137
13 in order to carry out this section. The department shall
14 enter into a contract with a local board of health, if the
15 agreement for the services is cost-effective and the quality
16 of the services provided ensures compliance with requirements
17 of this chapter, including rules adopted by the department.
18 If a local board of health is acting in a manner that is
19 inconsistent with the provisions of this chapter or the
20 contract, the department may revoke the contract.

21 2. A local board of health which is a party to a contract
22 with the department shall designate environmental health
23 specialists who shall monitor confinement feeding operations
24 and the application of manure on land within the board's
25 jurisdiction, according to procedures consistent with
26 departmental requirements. In conducting monitoring
27 operations, the environmental health specialists shall do all
28 of the following:

29 a. Ensure compliance with manure management plans as
30 provided in section 455B.203.

31 b. Inspect unformed manure storage structures. An
32 inspection shall include a visual determination regarding a
33 structure's freeboard level, seepage of manure from the
34 structure, erosion, adequate vegetation cover, and the
35 presence of an opening allowing manure to drain from the

1 structure.

2 c. Test drinking water wells which may be contaminated by
3 animal feeding operation structures.

4 3. An environmental health specialist shall be deemed to
5 be an agent of the department for the purpose of carrying out
6 duties under the contract, including the inspection of
7 premises. An environmental health specialist shall have the
8 same authority under this chapter provided to the department,
9 unless the contract specifies otherwise. In order to conduct
10 monitoring, the environmental health specialist must comply
11 with standard biosecurity requirements customarily required by
12 the confinement feeding operation.

13 EXPLANATION

14 This bill amends Code chapter 455B regulating confinement
15 feeding operations. The bill requires the department of
16 natural resources to contract with local boards of health
17 serving a county or district in order to monitor confinement
18 feeding operations, when the department determines that it is
19 cost-effective and the quality of the service ensures
20 compliance with requirements of the chapter. The bill
21 provides that in conducting monitoring operations,
22 environmental health specialists must ensure compliance with
23 manure management plans, inspect unformed manure storage
24 structures, and test local drinking water wells. The bill
25 provides that an environmental health specialist is deemed to
26 be an agent of the department for the purpose of carrying out
27 duties under the contract, including the inspection of
28 premises.

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**HOUSE FILE 2228
FISCAL NOTE**

A fiscal note for House File 2228 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2228 requires the Department of Natural Resources (DNR) to contract with local or county boards of health to monitor confinement feeding operations.

BACKGROUND

House File 2228 requires the DNR to contract with local boards of health to monitor confinement feeding operations. The inspectors would ensure manure management plans are in compliance, test local drinking water wells, and inspect unformed manure storage structures. The contract employee acts as an agent of the Department of Natural Resources.

ASSUMPTIONS

1. The Department of Natural Resources would contract with local boards of health (99 counties x \$20,000 annually = \$1,980,000).
2. The Department of Natural Resources would add 2.0 FTE positions (2.0 FTEs x \$55,000 annually = \$110,000) for program coordination and training.
3. Equipment and support for this program would cost \$25,000.

FISCAL IMPACT

The fiscal impact of House File 2228 would be approximately \$2.1 million annually.

SOURCE

Department of Natural Resources

(LSB 3796hh, DFK)

FILED FEBRUARY 25, 1998

BY DENNIS PROUTY, FISCAL DIRECTOR