

# House Study Bill 189

## Bill Text

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1 1 Section 1. Section [455B.310](#), Code 1997, is amended by  
1 2 adding the following new subsection:  
1 3 NEW SUBSECTION. 8. An operator of a sanitary landfill who  
1 4 is required to pay a tonnage fee under this section shall  
1 5 receive the refund specified per ton imposed if the operator  
1 6 has initiated any of the following programs:  
1 7 a. A refund of one dollar and fifty cents for establishing  
1 8 and operating a recycling program for the collection of  
1 9 recyclable materials from residences.  
1 10 b. A refund of seventy-five cents for establishing and  
1 11 operating a program to accept and process recyclable material  
1 12 from commercial and industrial businesses.  
1 13 c. A refund of twenty cents for establishing and operating  
1 14 a program for the disposal of rubble type material at a  
1 15 location separate from the solid waste disposal site.  
1 16 d. A refund of twenty cents for establishing and operating  
1 17 a program for the disposal of yard waste material at a  
1 18 location separate from the solid waste disposal site.  
1 19 e. A refund of ten cents for establishing and operating a  
1 20 recycling and off-site disposal program for used oil and lead  
1 21 acid batteries.  
1 22 f. A refund of ten cents for establishing and operating a  
1 23 scrap tire program which allows the deposit of scrap tires at  
1 24 a designated location for processing or disposal by the  
1 25 operator of the sanitary landfill.  
1 26 g. A refund of ten cents for establishing and operating a  
1 27 sharps program for the collection and disposal of used  
1 28 hypodermic needles.  
1 29 h. A refund of ten cents for establishing and operating a  
1 30 program for community cleanup grants which allow communities  
1 31 within the planning area to receive grants for the collection  
1 32 or disposal of waste collected during annual neighborhood  
1 33 cleanup events or partnerships that are aimed at diverting  
1 34 household hazardous waste away from landfills.  
1 35 i. A refund of twenty-five cents for sanitary landfill  
2 1 operators who have established subtitle D liners as defined in  
2 2 40 C.F.R. pt. 258, subpt. D, and who are in compliance with  
2 3 all federal requirements regarding the construction and  
2 4 operation of new sanitary landfills pursuant to 40 C.F.R. pt.  
2 5 258.  
2 6 j. A refund of twenty-five cents for establishing and  
2 7 operating community communication programs or activities  
2 8 including speakers bureaus, informational brochures, school  
2 9 programs, media relations, and advertising to increase  
2 10 awareness of the methods of waste volume reduction at the  
2 11 source and recycling.  
2 12 k. A refund of twenty-five cents for establishing and  
2 13 operating a community host fee program in which the operator  
2 14 of a sanitary landfill voluntarily pays an annual fee or  
2 15 property tax to the community in which it has located a  
2 16 facility such as a landfill, a composting center, a transfer  
2 17 station, or a regional collection center.  
2 18 l. A refund of twenty-five cents for establishing and  
2 19 operating regional centers for the collection and disposal of  
2 20 household hazardous material, as defined in section 455F.1.  
2 21 m. A refund of twenty-five cents for establishing and

2 22 operating an annual toxic cleanup day program for the  
2 23 collection and disposal of household hazardous material,  
2 24 pursuant to section 455F.8.  
2 25 Sec. 2. Section [455D.3](#), subsection 4, paragraph c, Code  
2 26 1997, is amended to read as follows:  
2 27 c. Develop draft ordinances which

~~shall~~

- ~~may~~ be voluntarily

2 28 used by local governments for establishing collection fees  
2 29 that are based on volume or on the number of containers used  
2 30 for disposal by residents.

2 31 EXPLANATION

2 32 This bill provides for a number of specified refunds on  
2 33 tonnage fees paid by operators of sanitary landfills. Under  
2 34 Code section 455B.310, an operator of a sanitary landfill  
2 35 shall pay a tonnage fee for each ton of solid waste received  
3 1 and disposed of at the sanitary landfill. The bill provides a  
3 2 refund per ton imposed for any of the following programs:

3 3 1. A refund of \$1.50 for establishing and operating a  
3 4 program for the collection of recyclable materials from  
3 5 residences.

3 6 2. A refund of \$0.75 for establishing and operating a  
3 7 program to accept and process recyclable material from  
3 8 commercial and industrial businesses.

3 9 3. A refund of \$0.20 for providing for the disposal of  
3 10 rubble type material at a site separate from the solid waste  
3 11 disposal site.

3 12 4. A refund of \$0.20 for providing for the disposal of  
3 13 yard waste material at a site separate from the solid waste  
3 14 disposal site.

3 15 5. A refund of \$0.10 for establishing and operating a  
3 16 recycling and off-site disposal program for used oil and lead  
3 17 acid batteries.

3 18 6. A refund of \$0.10 for establishing and operating a  
3 19 scrap tire program for the collection of scrap tires.

3 20 7. A refund of \$0.10 for establishing and operating a  
3 21 sharps program for the collection and disposal of used  
3 22 hypodermic needles.

3 23 8. A refund of \$0.10 for establishing and operating a  
3 24 program for community cleanup grants for the collection or  
3 25 disposal of waste collected during annual neighborhood cleanup  
3 26 events or partnerships that are aimed at diverting household  
3 27 hazardous material away from landfills.

3 28 9. A refund of \$0.25 for establishing subtitle D liners  
3 29 and complying with all federal requirements regarding the  
3 30 construction and operation of new sanitary landfills.

3 31 10. A refund of \$0.25 for establishing and operating  
3 32 community communication programs or activities.

3 33 11. A refund of \$0.25 for establishing and operating a  
3 34 community host fee program where the operator of a sanitary  
3 35 landfill voluntarily pays an annual fee or property tax to a  
4 1 community in which it has located a facility like a landfill,  
4 2 composting center, transfer station, or regional collection  
4 3 center.

4 4 12. A refund of \$0.25 for establishing and operating  
4 5 regional centers for the collection and disposal of household  
4 6 hazardous material.

4 7 13. A refund of \$0.25 for establishing and operating toxic  
4 8 cleanup day program for the collection and disposal of  
4 9 household hazardous material.

4 10 The bill provides that when a planning area fails to meet  
4 11 the 25 percent waste stream reduction goal, the planning area  
4 12 shall develop draft ordinances which may be voluntarily used  
4 13 by local governments for establishing collection fees that are  
4 14 based on volume or on the number of containers used for  
4 15 disposal by residents. Currently, local governments are

4 16 required to use the draft ordinances.

4 17 LSB 2286HC 77

4 18 tm/jj/8