

HSB 681

Rep. Brunkhorst, Chem.  
Cormack  
Stevens

ENVIRONMENTAL PROTECTION

SENATE/HOUSE FILE <sup>00</sup> <sup>00</sup> 02438  
BY (PROPOSED DEPARTMENT OF  
NATURAL RESOURCES BILL)

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

**A BILL FOR**

1 An Act extending a partial suspension of permitting requirements  
2 of facilities that deal with hazardous waste.

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

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1 Section 1. 1987 Iowa Acts, chapter 233, section 204,  
2 subsection 5, as amended by 1989 Iowa Acts, chapter 311,  
3 section 21, as amended by 1990 Iowa Acts, chapter 1260,  
4 section 20, as amended by 1994 Iowa Acts, chapter 1198,  
5 section 30, is amended to read as follows:

6 5. It is the intention of the general assembly in adopting  
7 the appropriation under subsection 1 and this subsection to  
8 cease funding for the department's implementation of the  
9 federal Resource Conservation and Recovery Act permit program  
10 for hazardous waste facilities in this state. Section  
11 455B.411, subsections 6, 9, and 10, section 455B.412,  
12 subsections 2 through 4, and sections 455B.413 through  
13 455B.421 are suspended and do not apply as they pertain to  
14 that permit program, but are not suspended and do apply as  
15 they pertain to abandoned and uncontrolled sites, used oil,  
16 and site licensing under chapter 455B, division IV, part 6.  
17 The suspension provided by this subsection begins July 1,  
18 1987, and ends ~~June-30-1999~~ when the department requests  
19 approval of delegation of the permit program.

20 EXPLANATION

21 This bill amends several Iowa Acts to extend a partial  
22 suspension of requirements for permitting of facilities that  
23 deal with hazardous waste until the department requests  
24 approval of delegation of the permitting program for hazardous  
25 waste.

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SB 681




DEPARTMENT OF NATURAL RESOURCES

THOMAS J. VILSACK, GOVERNOR  
SALLY J. PEDERSON, LT. GOVERNOR

PAUL W. JOHNSON, DIRECTOR

Memorandum

To: General Assembly

From: Paul W. Johnson, Director   
Iowa Department of Natural Resources

Date: February 1, 2000

Re: Suspension of Permitting Requirements for Hazardous Facilities

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When the state returned the federal hazardous waste RCRA program several years ago, the legislature suspended provisions of the law on the premise that they could be reinstated if the state regained delegation of the federal program. The suspension language was placed in session law annually until some time ago when it was extended for several years. The provision expired in 1999, without being amended. This bill proposes an amendment that would suspend the effectiveness of the provisions until such time as the department requests approval of delegation of the program. There is occasional consideration of the RCRA program, but so far the state has not decided to seek its return. Until it does, these provisions are not appropriate. The bill will resolve the issue and not require further action unless delegation is sought and legislative changes are required by EPA at that time.

FEB 24 2000  
Place On Calendar

REPRINTED

S-3/15/00 Int. 1.1  
& Envir.

2438

HOUSE FILE  
BY COMMITTEE ON ENVIRONMENTAL  
PROTECTION

(SUCCESSOR TO HSB 681)

Passed House, Date 3-15-00 (P. 771) Passed Senate, Date 3/27/00 (P. 848)  
Vote: Ayes 97 Nays 0 Vote: Ayes 46 Nays 0  
Approved April 7, 2000

A BILL FOR

1 An Act extending a partial suspension of permitting requirements  
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3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2438

H-8155

- 1 Amend House File 2438 as follows:
- 2 1. Page 1, by striking lines 18 and 19 and
- 3 inserting the following: "1987 and ends June 30,
- 4 1999."

By BRUNKHORST of Bremer  
HAHN of Muscatine

H-8155 FILED MARCH 2, 2000

*Adopted 3-15-00 (P. 771)*

HF 2438

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HOUSE FILE **2438**  
BY COMMITTEE ON ENVIRONMENTAL  
PROTECTION

(SUCCESSOR TO HSB 681)

(As Amended and Passed by the House, March 15, 2000)

Passed House, <sup>(p. 771)</sup> Date 3-15-00 Passed Senate, <sup>p. 848</sup> Date 3/27/00  
Vote: Ayes 97 Nays 0 Vote: Ayes 46 Nays 0  
Approved April 7, 2000

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House Amendments \_\_\_\_\_

HF 2438

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HOUSE FILE 2438

AN ACT

EXTENDING A PARTIAL SUSPENSION OF PERMITTING REQUIREMENTS  
OF FACILITIES THAT DEAL WITH HAZARDOUS WASTE.

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

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and site licensing under chapter 455B, division IV, part 6.

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 2438, Seventy-eighth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved *April 7*, 2000

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THOMAS J. VILSACK  
Governor