

FEB 21 2003

NATURAL RESOURCES

HOUSE FILE 257

BY HUSEMAN and FREEMAN

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to recycling waste oil filters, establishing
2 fees, and making an appropriation.

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

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HF 257

1 Section 1. Section 455D.13, Code 2003, is amended to read
2 as follows:

3 455D.13 LAND DISPOSAL OF WASTE OIL PROHIBITED --
4 COLLECTION.

5 1. A sanitary landfill shall not accept waste oil for
6 final disposal ~~beginning July 17, 1990~~. Beginning July 1,
7 2003, a sanitary landfill shall not accept waste oil filters
8 or oil-contaminated material for final disposal.

9 2. A person offering for sale or selling oil or oil
10 filters at retail in the state shall do the following:

11 a. Accept at the point of sale, waste oil, waste oil
12 filters, and oil-contaminated material from customers, or post
13 notice of locations where a customer may dispose of waste oil,
14 waste oil filters, and oil-contaminated material.

15 b. Post written notice that it is unlawful to dispose of
16 waste oil, waste oil filters, or oil-contaminated material in
17 a sanitary landfill.

18 3. As used in this section, "oil-contaminated material"
19 means the same as defined in section 455D.13A.

20 Sec. 2. NEW SECTION. 455D.13A WASTE OIL FILTER
21 RECYCLING.

22 1. As used in this section, unless the context otherwise
23 requires:

24 a. "Collection site" means a vendor, waste oil filter
25 generator, waste oil collector, waste oil filter collector,
26 waste oil filter recycler, sanitary landfill, or salvage yard
27 that accepts waste oil filters from a person.

28 b. "Oil-contaminated material" means material, containing
29 or otherwise contaminated by waste oil, from which the waste
30 oil has been properly drained or removed to the extent that no
31 visible signs of free-flowing oil remain on the material.

32 c. "Recycling" means any process by which waste, or
33 materials which would otherwise become waste, are collected,
34 separated, or processed and revised or returned to use in the
35 form of raw materials or products.

1 d. "Vendor" means a person offering for sale or selling
2 oil or oil filters.

3 e. "Waste oil collector" means a person who accepts waste
4 oil or waste oil filters from a collection site, waste oil
5 filter generator, or waste oil filter collector, extracts
6 waste oil, and delivers the waste oil filters to a waste oil
7 filter recycler, sanitary landfill, or salvage yard.

8 f. "Waste oil filter collector" means a person who
9 collects waste oil filters from collection sites for transport
10 to a salvage yard, waste oil filter recycler, or waste oil
11 collector.

12 g. "Waste oil filter generator" means a person whose
13 activities produce waste oil filters.

14 h. "Waste oil filter recycler" means a person who
15 processes waste oil filters by dismantling or compacting and
16 cleaning away oil residue by a chemical or pyrolysis process
17 and recycles the component materials.

18 2. A waste oil filter collector or waste oil collector
19 that collects waste oil filters shall do all of the following:

20 a. Identify in writing any waste oil collector, waste oil
21 filter recycler, or salvage yard to which the oil filters are
22 delivered.

23 b. Provide a bill of lading for any waste oil filter
24 collected which shall include a statement identifying any end
25 buyer of waste oil filters or the recycled oil filter
26 components including the waste oil.

27 3. A vendor and a collection site shall post written
28 notice identifying all waste oil filter collectors and waste
29 oil filter recyclers servicing the vendor or collection site.

30 4. A waste oil collector or waste oil filter recycler
31 shall report annually to the department any buyer of waste oil
32 filters or recycled components.

33 5. A bill of lading document shall be kept on file by a
34 vendor, waste oil collector, waste oil filter collector, or
35 waste oil filter recycler for a period of five years.

1 6. A collection site shall be registered through a
2 permitting process administered by the department. The
3 department may charge a permitting fee not to exceed fifty
4 dollars per year. The department shall retain the permitting
5 fees received by the department under this subsection and such
6 fees are appropriated to the department for administration and
7 enforcement of this section and educational activities related
8 to oil filter recycling.

9 7. A collection site may charge a recycling fee not to
10 exceed one dollar and fifty cents per waste oil filter
11 received by the collection site.

12 8. A vendor, waste oil filter generator, waste oil
13 collector, waste oil filter collector, or waste oil filter
14 recycler shall comply with all rules and regulations of the
15 commission relating to the collection, transportation,
16 storage, and handling of waste oil and waste oil filters.

17 9. A collection site, waste oil filter generator, waste
18 oil collector, waste oil filter collector, or waste oil filter
19 recycler shall give preference to an Iowa-based business when
20 the price for waste oil filter-related goods and services is
21 within ten percent of the price offered by a business based
22 outside the state.

23 10. The commission shall adopt rules pursuant to chapter
24 17A necessary to carry out the provisions of this section.

25 EXPLANATION

26 This bill relates to the recycling of waste oil filters.

27 The bill prohibits the land disposal of waste oil filters
28 beginning July 1, 2003. The bill also provides that the
29 notice and collection requirements for waste oil filters are
30 the same as for waste oil.

31 The bill provides that a waste oil filter collector or
32 waste oil collector that collects waste oil filters shall
33 identify in writing any waste oil collector, waste oil filter
34 recycler, or salvage yard to which the oil filters are
35 delivered and provide a bill of lading for any waste oil

1 filter collected which shall include a statement identifying
2 any end buyer of waste oil filters or the recycled oil filter
3 components including the waste oil. The bill provides that a
4 bill of lading document shall be kept on file by a vendor,
5 waste oil collector, waste oil filter collector, or waste oil
6 filter recycler for a period of five years.

7 The bill provides that a vendor and a collection site shall
8 post written notice identifying all waste oil filter
9 collectors and waste oil filter recyclers servicing the vendor
10 or collection site. The bill provides that a waste oil
11 collector or waste oil filter recycler shall report annually
12 to the department of natural resources any buyer of waste oil
13 filters or recycled components.

14 The bill provides for a permitting process administered by
15 the department of natural resources to register collection
16 sites. The bill provides that the department may charge a
17 permitting fee not to exceed \$50 per year. The bill provides
18 that the permitting fees shall be retained by the department
19 and are appropriated to the department for administration and
20 enforcement of the waste oil filter recycling provisions and
21 educational activities related to oil filter recycling.

22 The bill provides that a collection site may charge a
23 recycling fee not to exceed \$1.50 per waste oil filter
24 received by the collection site.

25 The bill provides that a collection site, waste oil filter
26 generator, waste oil collector, waste oil filter collector, or
27 waste oil filter recycler shall give preference to an Iowa-
28 based business when the price for waste oil filter-related
29 goods and services is within 10 percent of the price offered
30 by a business based outside the state.

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