

Senate File 328 - Introduced

SENATE FILE _____
BY BLACK

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

A BILL FOR

1 An Act relating to plans and financial assurance requirements for
2 sanitary landfill projects.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2615SS 82
5 tm/gg/14

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1 1 Section 1. Section 455B.301, subsection 8, Code 2007, is
1 2 amended to read as follows:
1 3 8. "Financial assurance instrument" means an instrument
1 4 submitted by an applicant to ensure the operator's financial
1 5 capability to provide reasonable and necessary response during
1 6 the lifetime of the project and for ~~the thirty years a~~
1 7 specified period of time following closure as required by
1 8 rules adopted by the commission, and to provide for the
1 9 closure of the facility and postclosure care required by rules
1 10 adopted by the commission in the event that the operator fails
1 11 to correctly perform closure and postclosure care
1 12 requirements. ~~The form may include the establishment of~~
1 13 financial capability may be demonstrated through the use of a
1 14 secured trust fund, use of a cash or surety bond, or a
1 15 corporate financial test as provided by the department, the
1 16 obtaining of an irrevocable letter of credit, or an
1 17 alternative method as provided by the department.

1 18 Sec. 2. Section 455B.306, Code 2007, is amended by adding
1 19 the following new subsection:
1 20 NEW SUBSECTION. 12. This section shall not apply to a
1 21 sanitary landfill project owned by a private agency when the
1 22 sanitary landfill project is used to dispose of solid waste
1 23 generated by the private agency on property owned by the
1 24 private agency.

EXPLANATION

1 26 This bill relates to plans and financial assurance
1 27 requirements for sanitary landfill projects.
1 28 The bill modifies the defined term "financial assurance
1 29 instrument" to provide that instruments shall be for a period
1 30 specified by the environmental protection commission.
1 31 Currently, such instruments must be for a term of 30 years.
1 32 The bill also modifies the term by allowing new forms that
1 33 financial assurance may take.
1 34 The bill exempts sanitary landfill projects owned by a
1 35 private agency when the sanitary landfill project is used to
2 1 dispose of solid waste generated by the private agency on
2 2 property owned by the private agency from certain
2 3 comprehensive planning requirements for sanitary landfill
2 4 projects.
2 5 LSB 2615SS 82
2 6 tm:nh/gg/14