

Senate File 2078 - Introduced

SENATE FILE 2078
BY SODDERS

A BILL FOR

1 An Act relating to applications for major air contaminant
2 sources regulated by the department of natural resources by
3 providing for public participation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455B.134, subsection 3, Code 2009, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *h.* In providing for public participation
4 concerning an application involving prevention of significant
5 deterioration permits for the construction or modification of
6 a major stationary source as provided in 567 IAC 33.3, the
7 department shall provide that not more than thirty calendar
8 days be provided for public comment and for notification of a
9 public hearing. A public hearing shall be held in the county
10 impacted by the proposed source or modification. A subsequent
11 public hearing may only be held in such county or a contiguous
12 county. The department shall not reopen or extend the public
13 comment period for more than fifteen calendar days after the
14 department determines that the original comment period raised
15 substantial new issues concerning the permit. The reopened or
16 extended period for public comment shall be limited to only
17 the substantial new issues raised during the original comment
18 period.

19 EXPLANATION

20 This bill amends Code section 455B.134 which in part
21 authorizes the department of natural resources to grant permits
22 for the construction or operation of a major stationary source
23 of air contaminants, or the modification of a permit issued by
24 the department. This bill requires that the department provide
25 a period of time for written public comment and for a public
26 hearing concerning such an application in the county impacted
27 by the proposed major stationary source.

28 A major stationary source includes a number of industries
29 listed by departmental rule which may emit high concentrations
30 of pollutants, including a number of types of plants involved
31 in processing wood, minerals, metals, fuel, chemicals, and
32 refuse (See 567 IAC 33.3).