

House File 228 - Introduced

HOUSE FILE 228

BY WATTS

A BILL FOR

1 An Act relating to greenhouse gas emissions by deleting
2 specific references to such emissions.

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

1 Section 1. Section 455B.104, subsections 3 and 4, Code 2011,
2 are amended to read as follows:

3 3. The department may periodically forward recommendations
4 to the commission designed to encourage the reduction of
5 statewide ~~greenhouse~~ gas emissions.

6 4. By December 31 of each year, the department shall submit
7 a report to the governor and the general assembly regarding
8 the ~~greenhouse~~ gas emissions in the state during the previous
9 calendar year and forecasting trends in such emissions. The
10 first submission by the department shall be filed by December
11 31, 2011, for the calendar year beginning January 1, 2010.

12 Sec. 2. Section 455B.131, subsection 7, Code 2011, is
13 amended by striking the subsection.

14 Sec. 3. Section 455B.134, subsection 3, paragraph d,
15 subparagraph (2), Code 2011, is amended to read as follows:

16 (2) In applications for conditional permits for electric
17 power generating facilities, the applicant shall quantify the
18 potential to emit ~~greenhouse~~ gas emissions due to the proposed
19 project.

20 Sec. 4. Section 455B.134, subsection 3, paragraph g, Code
21 2011, is amended to read as follows:

22 g. All applications for construction permits or prevention
23 of significant deterioration permits shall quantify the
24 potential to emit ~~greenhouse~~ gas emissions due to the proposed
25 project.

26 Sec. 5. Section 455B.152, Code 2011, is amended to read as
27 follows:

28 ~~455B.152 Greenhouse gas~~ Gas inventory and registry.

29 ~~1. Definitions. For purposes of this section, "greenhouse~~
30 ~~gas" means carbon dioxide, methane, nitrous oxide,~~
31 ~~hydrofluorocarbons, perfluorocarbons, or sulfur hexafluoride.~~

32 ~~2. 1. Greenhouse gas~~ Gas inventory.

33 a. ~~By January 1, 2008, the~~ The department shall establish a
34 method for collecting data from producers of ~~greenhouse~~ gases
35 regarding generated ~~greenhouse~~ gases. The data collection

1 method shall provide for mandatory reporting to collect
2 information from affected entities individually and shall
3 include information regarding the amount and type of ~~greenhouse~~
4 gases generated, the type of source, and other information
5 deemed relevant by the department in developing a baseline
6 measure of ~~greenhouse~~ gases produced in the state.

7 *b.* The department may allow a series of reporting
8 requirements to be phased in over a period of time and may
9 provide for phasing in by producer sector, geographic area,
10 size of producer, or other factors. The reporting requirements
11 shall apply to the departments, agencies, boards, and
12 commissions of the state, in addition to any other entities
13 subject to the reporting requirements established by the
14 department.

15 *c.* The department shall coordinate the data collection
16 with the United States environmental protection agency upon
17 the enactment of a federal mandatory ~~greenhouse~~ gas emission
18 reporting rule.

19 ~~3.~~ 2. ~~Greenhouse gas~~ Gas registry.

20 *a.* The department shall establish a voluntary ~~greenhouse~~
21 gas registry for purposes of cooperating with other states in
22 tracking, managing, and crediting entities in the state that
23 reduce their generation of ~~greenhouse~~ gases or that provide
24 increased energy efficiency.

25 *b.* The department shall develop a mechanism to coordinate
26 the information obtained in the ~~greenhouse~~ gas inventory with
27 the ~~greenhouse~~ gas registry.

28 ~~4.~~ 3. *Availability.* By January 1, ~~2009~~ 2013, the
29 ~~greenhouse~~ gas registry shall be made available on an internet
30 website.

31 Sec. 6. Section 455B.199A, subsection 1, Code 2011, is
32 amended to read as follows:

33 1. The department may allow schedules of compliance to
34 be included in permits whenever authorized by federal law
35 or regulations. Such schedules shall be established to

1 maximize benefits and minimize local financial impact while
2 improving water quality, where such opportunities arise. If
3 information is provided showing that the anticipated costs of
4 compliance with a schedule have no reasonable relationship to
5 environmental or public health needs or benefits, or may result
6 in other detrimental environmental impacts, such as significant
7 ~~greenhouse~~ gas emissions, the projects may be deferred, in
8 whole or in part as determined appropriate by the department,
9 and a variance granted, as consistent with applicable federal
10 law or regulations.

11 Sec. 7. Section 455J.1, subsection 2, paragraph d, Code
12 2011, is amended to read as follows:

13 *d.* Environmental management systems mitigate the climate
14 change impacts of solid waste disposal by reducing the amount
15 of ~~greenhouse~~ gases released into the atmosphere. In addition,
16 environmental management systems improve water quality by
17 limiting and treating the impacts of leachate disposal and
18 by providing positive examples of sustainable water resource
19 management.

20 Sec. 8. Section 455J.3, subsections 4 and 6, Code 2011, are
21 amended to read as follows:

22 4. ~~Greenhouse gas~~ Gas reduction. Implement a ~~greenhouse~~ gas
23 reduction program designed to prevent the release of ~~greenhouse~~
24 gases into the atmosphere. Such a program may include but is
25 not limited to the following activities:

26 *a.* Generating electricity or producing other fuels through
27 the collection of landfill gas, such as a methane gas recovery
28 or minimization system.

29 *b.* Collecting and managing food and other organic waste from
30 households and from industrial and commercial establishments,
31 or attempting to recover energy from the reuse of biomass.

32 *c.* Implementing programs that encourage the efficient use of
33 energy and promote the use of renewable fuels.

34 *d.* Discouraging the uncontrolled burning of solid waste and
35 yard waste.

1 e. Setting recycling goals to measure energy savings and
2 quantify the level of success of greenhouse gas mitigation
3 efforts.

4 f. Collection and recycling services targeted at waste
5 generated by industrial and commercial facilities such as
6 cardboard, paper, construction, and demolition waste.

7 6. *Environmental education.* Plan and implement programs
8 educating the public on environmental stewardship. These
9 programs may include components designed to prevent illegal
10 dumping, reduce greenhouse gas emissions, improve water
11 quality, reduce waste generation, increase recycling and reuse,
12 or any other environmental objective that furthers the purpose
13 and goals of this chapter.

14 Sec. 9. Section 469.4, subsection 2, Code 2011, is amended
15 to read as follows:

16 2. The plan shall provide cost-effective options and
17 strategies for reducing the state's consumption of energy,
18 dependence on foreign sources of energy, use of fossil fuels,
19 and greenhouse gas emissions. The options and strategies
20 developed in the plan shall provide for achieving energy
21 independence from foreign sources of energy by the year 2025.
22 The plan shall include a review of a range of energy sources
23 including nuclear power.

24 Sec. 10. Section 469.4, subsection 4, paragraph f, Code
25 2011, is amended to read as follows:

26 f. Reduce greenhouse gas emissions, both on an aggregate and
27 per capita basis.

28 Sec. 11. Section 469.6, subsection 1, paragraph e, Code
29 2011, is amended to read as follows:

30 e. Seven members appointed by the governor subject
31 to confirmation by the senate. All appointees shall
32 represent nonpublic organizations or businesses, or research
33 institutions, and must demonstrate experience or expertise
34 in one or more of the fields of renewable energy, renewable
35 fuels, agribusiness, energy efficiency, greenhouse gas

1 reductions, utility operations, research and development of new
2 technologies, commercialization of new technologies, economic
3 development, and finance.

4 Sec. 12. Section 469.9, subsection 2, Code 2011, is amended
5 to read as follows:

6 2. The fund shall be used to further the goals of
7 increasing the research, development, production, and use of
8 biofuels and other sources of renewable energy, improving
9 energy efficiency, and reducing greenhouse gas emissions,
10 and shall encourage, support, and provide for research,
11 development, commercialization, and the implementation of
12 energy technologies and practices. The technologies and
13 practices should reduce this state's dependence on foreign
14 sources of energy and fossil fuels. The research, development,
15 commercialization, implementation, and distribution of
16 such technologies and practices are intended to sustain the
17 environment and develop business in this state as Iowans market
18 these technologies and practices to the world.

19 Sec. 13. Section 469.9, subsection 4, paragraph b,
20 subparagraph (3), Code 2011, is amended to read as follows:

21 (3) Reduction of greenhouse gas emissions and carbon
22 sequestration.

23 Sec. 14. Section 473.7, subsection 1, paragraph e, Code
24 2011, is amended to read as follows:

25 e. The impact of meeting Iowa's energy needs on the
26 environment of the state, including the impact of energy
27 production and use on greenhouse gas emissions.

28 EXPLANATION

29 This bill deletes Code references to "greenhouse gas"
30 or "greenhouse gases" with respect to the monitoring and
31 regulation of greenhouse gas emissions, substituting instead
32 the more generic "gas" or "gases" with respect to such
33 emissions, with regard to references not otherwise subject
34 to repeal effective July 1, 2011. The bill changes the date
35 by which what is currently referred to as a greenhouse gas

H.F. 228

1 registry, and is changed in the bill to a gas registry, is to
2 be made available on an internet website from January 1, 2009,
3 to January 1, 2013.