

House File 287 - Introduced

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BY SEXTON

A BILL FOR

1 An Act providing that a qualified confinement feeding operation
2 may utilize an anaerobic digester system to treat manure,
3 and making penalties applicable.

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

1 Section 1. Section 459.206, subsection 2, Code 2021, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. c. A qualified confinement feeding operation
4 that treats manure using an anaerobic digester system. The
5 anaerobic digester system must include components that process
6 plant or animal materials based on the absence of oxygen and
7 produce methane or other biogas used to generate electricity,
8 hydrogen fuel, or heat for a commercial purpose.

9 EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 GENERAL. This bill amends provisions in Code chapter 459,
13 the "Animal Agriculture Compliance Act" (Act) (Code section
14 459.101) and specifically subchapter II which regulates
15 air quality. The department of natural resources (DNR)
16 regulates confinement feeding operations (operations) including
17 associated structures. The bill provides that a qualified
18 confinement feeding operation (qualified operation) may treat
19 manure from the qualified operation using an anaerobic digester
20 system (digester). The digester would be an alternative to the
21 current requirement that a qualified operation must utilize a
22 manure storage structure that (1) employs bacterial action,
23 (2) is maintained by the utilization of air or oxygen, and (3)
24 includes aeration equipment (amended Code section 459.206).
25 A digester is used to produce methane or other biogas for
26 purposes of generating electricity, hydrogen fuel, or heat for
27 a commercial purpose.

28 SPECIAL TERMS. An operation is a roofed area in which
29 animals used in agricultural production are kept for 45 days or
30 more in any 12-month period (Code section 459.102(4) and (14)).
31 A qualified operation refers to an operation meeting a certain
32 animal unit (AU) capacity (AUC) threshold (e.g., for a swine
33 farrow-to-finish operation, 5,400 or more AUs and for a cattle
34 operation, 8,500 or more AUs) (Code section 459.102(46)). In
35 calculating the AU, a special equivalency factor is assigned

1 for each classification of confined animal (Code section
2 459.102(6) and (7)). For example, swine weighing more than 55
3 pounds equal .40 AU each and slaughter or feeder cattle equal
4 1.00 AU each.

5 ENFORCEMENT AND APPLICABLE CIVIL PENALTIES. Compliance with
6 a statutory regulation under the Act includes compliance with a
7 rule adopted by DNR (Code section 459.103). A civil penalty
8 assessed for an air quality violation of the Act (Code section
9 459.602) cannot exceed \$10,000 for each violation (Code section
10 455B.109).