

House File 2313 - Introduced

HOUSE FILE 2313

BY MADISON

A BILL FOR

1 An Act relating to the discharge of toxic pollutants associated
2 with coal ash into water sources.

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

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1 Section 1. NEW SECTION. **455B.200 Coal ash pollution.**

2 1. It is the intent of the general assembly to protect
3 communities, drinking water, groundwater, and the air from the
4 toxic pollutants in coal ash. Coal ash contains mercury,
5 arsenic, cadmium, and other contaminants associated with cancer,
6 kidney and liver damage, and other serious health effects. Water
7 pollution from the toxic metals in coal ash is avoidable with
8 current technology. It is the intent of the general assembly to
9 prevent electric power generating facilities fueled by coal from
10 discharging toxic pollutants into the water to the best extent
11 technology allows.

12 2. An electric power generating facility fueled by coal or a
13 coal ash landfill shall not discharge toxic pollutants from flue
14 gas desulfurization wastewater, bottom ash transport water, or
15 combustion residual leachate into water sources.

16 3. An electric power generating facility fueled by coal or
17 a coal ash landfill in operation before July 1, 2026, shall
18 comply with subsection 2 as soon as possible, but not later
19 than December 31, 2029. All other electric power generating
20 facilities fueled by coal or coal ash landfills shall comply with
21 subsection 2 before commencing operation.

22 4. The department shall promulgate rules necessary to
23 implement this section.

24 **EXPLANATION**

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

27 This bill relates to the discharge of toxic pollutants
28 associated with coal ash into water sources.

29 The bill states the intent of the general assembly is to
30 protect communities, drinking water, groundwater, and air quality
31 from avoidable toxic pollutants contained in coal ash.

32 The bill prohibits electric power generating facilities fueled
33 by coal and coal ash landfills from discharging toxic pollutants
34 from flue gas desulfurization wastewater, bottom ash transport
35 water, or combustion residual leachate into water sources.

1 The bill establishes compliance timelines for the prohibition.
2 Electric power generating facilities fueled by coal and coal ash
3 landfills that are in operation before July 1, 2026, are required
4 to comply with the prohibition as soon as possible, but no later
5 than December 31, 2029. Electric power generating facilities
6 fueled by coal and coal ash landfills that begin operation on or
7 after July 1, 2026, are required to comply with the prohibition
8 prior to commencing operation.

9 The bill directs the department to adopt rules necessary to
10 implement the bill.

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