

CHAPTER 1049**PORTABLE EQUIPMENT USED FOR POLLUTION CONTROL— REVENUE BONDS***S.F. 579*

AN ACT authorizing the issuance of industrial revenue bonds under chapter 419 for certain portable equipment used for pollution control.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 419.1, subsection 2, Code 1981, is amended to read as follows:

2. "Project" means all or any part of, or any interest in, (a) any land, buildings or improvements, whether or not in existence at the time of issuance of the bonds issued under authority of this chapter, which shall be suitable for the use of any voluntary nonprofit hospital, clinic or health care facility as defined in section 135C.1, subsection 4, or of any private college or university, or any state institution governed under chapter 262 whether for the establishment or maintenance of such college or university, or of any industry or industries for the manufacturing, processing or assembling of any agricultural or manufactured products, even though such processed products may require further treatment before delivery to the ultimate consumer, or of any commercial enterprise engaged in storing, warehousing or distributing products of agriculture, mining or industry including but not limited to barge facilities and riverfront improvements useful and convenient for the handling and storage of goods and products, or of a national, regional or divisional headquarters facility of a company that does multistate business, or of a beginning businessperson for any purpose or (b) pollution control facilities which shall be suitable for use by any industry, commercial enterprise or utility. "Pollution control facilities" means any land, buildings, structures, equipment, including portable equipment, pipes, pumps, dams, reservoirs, improvements, or other facilities useful for the purpose of reducing, preventing, or eliminating pollution of the water or air by reason of the operations of any industry, commercial enterprise or utility. "Improve", "improving" and "improvements" shall embrace any real property, personal property or mixed property of any and every kind that can be used or that will be useful in connection with a project, including, without limiting the generality of the foregoing, rights of way, roads, streets, sidings, trackage, foundations, tanks, structures, pipes, pipe lines, reservoirs, utilities, materials, equipment, fixtures, machinery, furniture, furnishings, improvements, instrumentalities and other real, personal or mixed property of every kind, whether above or below ground level.

Sec. 2. Section 419.1, subsection 5, Code 1981, is amended to read as follows:

5. "Equip" means to install or place on or in any building or improvements or the site thereof equipment of any and every kind, including, without limiting the generality of the foregoing, machinery, utility service connections, building service equipment, fixtures, heating equipment, and air conditioning equipment and including, in the case of portable equipment used for pollution control, all such machinery and equipment which maintains a substantial connection with the building or improvement or the site thereof where installed, placed, or primarily based.

Sec. 3. Section 419.2, subsection 1, Code 1981, is amended to read as follows:

1. To acquire, whether by construction, purchase, gift or lease, and to improve and equip, one or more projects. Such The projects shall be located within this state, may be located

within or near the municipality, but shall not be located more than eight miles outside the corporate limits of the municipality, provided that ancillary improvements necessary or useful in connection with the main project may be located more than eight miles outside the corporate limits of the municipality or, in the case of a project which includes portable equipment for pollution control, that the situs of the principal place of business of the owner of such portable equipment is located within the municipality or not more than eight miles outside of the corporate limits of the municipality.

Approved March 26, 1982

CHAPTER 1050

REFERENCES TO FEDERAL WATER POLLUTION CONTROL ACT

S.F. 2167

AN ACT to update references to the federal Water Pollution Control Act in chapter 455B.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 455B.30, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. "Federal Water Pollution Control Act" means the federal Water Pollution Control Act of 1972, Pub. L. 92-500, as published in 33 U.S.C. secs. 1251-1376, as amended through December 31, 1981.

Sec. 2. Section 455B.30, subsection 5, Code 1981, is amended to read as follows:

5. "Sewer system" means pipelines or conduits, pumping stations, force mains, vehicles, vessels, conveyances, injection wells, and all other constructions, devices and appliances appurtenant thereto used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal or disposal to any water of the state. To the extent that they are not subject to section 402 of the federal Water Pollution Control Act as amended, ditches, pipes, and drains that serve only to collect, channel, direct, and convey nonpoint runoff from precipitation are not considered as sewer systems for the purposes of this Act. (66GA, ch 1204)

Sec. 3. Section 455B.33, subsection 4, unnumbered paragraph 1, Code 1981, is amended to read as follows:

Approve or disapprove the plans and specifications for the construction of disposal systems or water supply distribution systems except for those sewer extensions and water supply distribution system extensions which are reviewed by a city or county public works department as set forth in section 455B.45. The director shall issue, revoke, suspend, modify or deny permits for the operation, installation, construction, addition to or modification of any disposal system or water supply distribution system except for sewer extensions and water supply distribution system extensions which are reviewed by a city or county public works department as set forth in section 455B.45. The director shall also issue, revoke, suspend, modify or deny permits for the discharge of any pollutant. ~~Such~~ The permits shall contain ~~such~~ conditions and schedules of compliance as are necessary to meet the requirements of this part of this division and the federal Water Pollution Control Act ~~amendments of 1972~~. A permit shall