

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

not be issued to operate or discharge from any disposal system unless the conditions of the permit assure that any discharge from the disposal system meets or will meet all applicable state and federal water quality standards and effluent standards and the issuance of the permit is not otherwise prohibited by the federal Water Pollution Control Act amendments of 1972. All applications for discharge permits shall be are subject to public notice and opportunity for public participation including public hearing as the commission may by rule require. The executive director shall promptly notify the applicant in writing of ~~his~~ the director's action and, if the permit is denied, state the reasons for denial. The applicant may appeal to the commission from the denial of a permit or from any condition in any permit if ~~he or she~~ the applicant files notice of appeal with the executive director within thirty days of the notice of denial or issuance of the permit. The executive director shall notify the applicant within thirty days of the time and place of the hearing.

Sec. 4. Section 455B.36, subsection 1, Code 1981, is amended to read as follows:

1. The general assembly finds and declares that because the federal Water Pollution Control Act amendments of 1972, Public Law 92-500, ~~provide,~~ provides for a permit system to regulate the discharge of pollutants into the waters of the United States and ~~provide~~ provides that permits may be issued by states which are authorized to implement the ~~provisions of that Act,~~ it is in the interest of the people of Iowa to enact the ~~provisions of this Act (66GA, ch 1204)~~ in order to authorize the state to implement the ~~provisions of the federal Water Pollution Control Act amendments of 1972 and Acts amendatory or supplementary thereto,~~ and federal regulations and guidelines issued pursuant to that Act.

Sec. 5. Section 455B.67, subsections 1 and 5, Code 1981, are amended to read as follows:

1. "Treatment works" means any plant, disposal field, lagoon, holding or flow-regulating basin, pumping station, interceptor sewer, or other works installed for the purpose of treating, stabilizing, or disposing of sewage, industrial waste, or other wastes, which qualify for federal grants pursuant to the federal ~~water pollution Act of 1956,~~ as amended Water Pollution Control Act as defined in section 455B.30, or any other federal Act or program.

5. "Federal pollution abatement assistance" means funds available to a municipality, either directly or through allocation by the state, from the federal government as grants for construction of sewage treatment works pursuant to the federal ~~water pollution Act of 1956 as amended~~ Water Pollution Control Act as defined in section 455B.30.

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