

2. The rules adopted by the commission under subsection 1 shall provide that only fuel derived from paper and paperboard products which are not recyclable due to contamination, including contamination from blood or egg, which occurred at the time of the use of the product for its originally intended purpose, or products which are not recyclable due to composition of the product, such as wax-coated cardboard, are included in the calculation.

Approved May 19, 1992

CHAPTER 1214

WASTE REDUCTION ASSISTANCE PROGRAMS — CONFIDENTIALITY

H.F. 681

AN ACT relating to the confidentiality of certain information relating to waste reduction.

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

Section 1. NEW SECTION. 455B.484A CONFIDENTIALITY FOR ASSISTANCE PROGRAMS.

1. As used in this section:

a. "Applicant" means a person, acting in good faith, who seeks the services of an assistance program.

b. "Assistance information" means all information voluntarily supplied to or obtained by an assistance program for the sole purpose of providing assistance to an applicant and which constitutes information not otherwise available to an assistance program.

c. "Assistance program" means the waste reduction assistance program of the department or of the Iowa waste reduction center for safe and economic management of solid waste and hazardous substances conducted pursuant to section 268.4.

2. Assistance information in the possession of an assistance program or an employee or agent of an assistance program is privileged and confidential, is not subject to discovery, subpoena, or other means of legal compulsion and is not admissible evidence in an administrative or judicial proceeding. However, assistance information discoverable from sources other than an assistance program or prohibited from being made confidential pursuant to federal or state law does not become privileged or confidential merely because it has been made available to or is in the custody of an assistance program or an employee or agent of an assistance program.

3. Assistance information shall not be used by an employee or agent of the state in determining whether to initiate an enforcement action or investigation by the state.

Approved May 19, 1992