

FEB 18 2005
ENVIRONMENTAL PROTECTION

HOUSE FILE 354
BY DE BOEF

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the retention of solid waste tonnage fees by
2 sanitary landfills for purposes of regional collection centers
3 and third parties providing services similar to regional
4 collection centers.

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

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HF-354

1 Section 1. Section 455B.310, subsection 3, Code 2005, is
2 amended to read as follows:

3 3. a. If a sanitary landfill required to pay a tonnage
4 fee under this section has an updated comprehensive plan
5 approved by the department, the sanitary landfill operator
6 shall retain, in addition to the ninety-five cents retained
7 pursuant to subsection 4, twenty-five cents of the tonnage fee
8 per ton of solid waste in the fiscal year beginning July 1,
9 1998, and every year thereafter. In the fiscal year beginning
10 July 1, 1999, and every year thereafter, any planning area
11 which meets the statewide average, as determined by the
12 department on July 1, 1999, shall retain, in addition to the
13 twenty-five cents retained pursuant to this subsection, ten
14 cents of the tonnage fee per ton of solid waste regardless of
15 whether the planning area subsequently fails to meet the
16 statewide average. Any tonnage fees retained pursuant to this
17 subsection paragraph shall be used for waste reduction,
18 recycling, or small business pollution prevention purposes.
19 Any tonnage fee retained pursuant to this subsection shall be
20 taken from that portion of the tonnage fee which would have
21 been allocated to funding alternatives to landfills pursuant
22 to section 455E.11, subsection 2, paragraph "a", subparagraph
23 (1).

24 b. A sanitary landfill that provides waste to a regional
25 collection center through the operation of a regional
26 collection center, through a third-party contract that
27 provides services similar to regional collection centers, or
28 through an agreement with another sanitary landfill shall
29 retain, in addition to the amounts provided in paragraph "a",
30 twenty cents of the tonnage fee per ton of solid waste. Any
31 tonnage fee retained pursuant to this paragraph shall be used
32 for support of the regional collection center used by the
33 sanitary landfill retaining the tonnage fee or for support of
34 the third party providing services similar to a regional
35 collection center. Fifteen cents of any tonnage fee retained

1 pursuant to this paragraph shall be taken from that portion of
2 the tonnage fee which would have been allocated for regional
3 collection centers pursuant to section 455E.11, subsection 2,
4 paragraph "a", subparagraph (2), subparagraph subdivision (d),
5 and five cents shall be taken from that portion of the tonnage
6 fee which would have been allocated for toxic cleanup days
7 pursuant to section 455E.11, subsection 2, paragraph "a",
8 subparagraph (2), subparagraph subdivision (f).

9 EXPLANATION

10 This bill relates to solid waste tonnage fees retained by
11 sanitary landfills for purposes of regional collection
12 centers.

13 Currently, the operator of a sanitary landfill is required
14 to pay a tonnage fee to the department of natural resources
15 for each ton of solid waste received and disposed of at the
16 sanitary landfill. The tonnage fees received by the
17 department are deposited in the solid waste account of the
18 groundwater protection fund. A portion of the tonnage fee is
19 retained by sanitary landfills if certain requirements are
20 met.

21 The bill requires a sanitary landfill that provides waste
22 to a regional collection center through the operation of a
23 regional collection center, through a third-party contract
24 that provides services similar to regional collection centers,
25 or through an agreement with another sanitary landfill to
26 retain 20 cents of the tonnage fee. The bill provides that
27 the tonnage fee retained shall be used for support of the
28 regional collection center used by the sanitary landfill
29 retaining the tonnage fee or for support of the third party
30 providing services similar to a regional collection center.
31 The bill provides that 15 cents of the retained tonnage fee
32 shall be taken from that portion of the tonnage fee which
33 would have been allocated for regional collection centers
34 under the groundwater protection fund and 5 cents shall be
35 taken from that portion of the tonnage fee which would have

1 been allocated for toxic cleanup days under the groundwater
2 protection fund.

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