

**455J.7 Designation of environmental management systems.**

1. *Consideration of plans.* The department shall consider solid waste management plans submitted by solid waste planning or service areas and make recommendations for designation as an environmental management system to the commission. All system designations recommended by the department are subject to approval by the commission. Any solid waste planning or service area may submit a plan to the department and seek designation as a system.

a. By October 1 each year, the department may recommend the designation of any additional planning or service areas as systems, provided those areas meet the requirements of [section 455J.3](#).

b. In recommending the designation of a planning or service area as a system, the department shall make a determination as to whether the area meets the requirements of [section 455J.3](#). The department shall not recommend the designation of a planning or service area as a system unless the planning or service area meets the requirements of [section 455J.3](#).

c. The commission shall consider the plans submitted to the department and shall review the department's recommendations on those plans. The commission shall approve or reject each plan and shall make publicly available its reasons for doing so.

2. *System review.*

a. By January 1 each year, the department shall review the annual reports of all designated systems and determine whether those systems remain in compliance with [section 455J.3](#). If the department determines that a planning or service area is no longer in compliance, the department may recommend to the commission the revocation of the planning or service area's system designation.

b. The department may review and monitor the progress of those planning or service areas that have not been designated as a system and shall coordinate with other statewide boards, task forces, and other entities in order to achieve the goals and objectives of [this chapter](#).

3. *Allocation of funds.*

a. The department shall recommend to the commission a reasonable allocation of the moneys provided in [section 455E.11, subsection 2](#), paragraph "a", subparagraph (1), subparagraph division (c), to eligible systems. In making its recommendation as to the allocation of moneys, the department shall adopt and use a set of reasonable criteria. The criteria shall conform to the goals and purposes of [this chapter](#) as described in [section 455J.1](#) and shall be approved by the commission.

b. Notwithstanding any other provision of law to the contrary, the commission shall make a final allocation of the funds described in [section 455E.11, subsection 2](#), paragraph "a", subparagraph (1), subparagraph division (c), to systems meeting the requirements of [this chapter](#).

c. Moneys allocated pursuant to [this subsection](#) shall be used by systems to further compliance with any of the requirements of [this chapter](#).

4. The department shall prepare an annual report citing the results and costs of the program for submittal to the commission by January 1, 2018, and by January 1 each year thereafter.

[2008 Acts, ch 1109, §10; 2009 Acts, ch 41, §263; 2017 Acts, ch 45, §9](#)

Referred to in [§455D.3, 455E.11, 455J.2, 455J.3, 455J.5](#)