

Rep. Jeff Elgin, Chm.
Rep. Huseman
Rep. Mascher

~~NATURAL RESOURCES~~

SENATE/HOUSE FILE# 0267
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

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

A BILL FOR

1 An Act renaming the waste management assistance division of the
2 department of natural resources.

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

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1 Section 1. Section 15A.1, subsection 3, paragraph b, Code
2 2001, is amended to read as follows:

3 b. If the business generates solid or hazardous waste,
4 that the business conducts in-house audits and management
5 plans to reduce the amount of the waste and to safely dispose
6 of the waste. For purposes of this paragraph, a business may,
7 in lieu of conducting in-house audits, authorize the land
8 quality and waste management assistance division of the
9 department of natural resources or the Iowa waste reduction
10 center established under section 268.4 to provide the audits.

11 Sec. 2. Section 173.16, unnumbered paragraph 2, Code 2001,
12 is amended to read as follows:

13 In order to efficiently administer facilities and events on
14 the state fairgrounds, and to promote Iowa's conservation
15 ethic, the Iowa state fair board shall handle or dispose of
16 waste generated on the state fairgrounds under supervision of
17 the land quality and waste management assistance division
18 established under section 455B.483.

19 Sec. 3. Section 455A.7, subsection 1, paragraph h, Code
20 2001, is amended to read as follows:

21 h. ~~Waste~~ Land quality and waste management assistance
22 division which has is responsible for programs related to
23 solid waste, hazardous waste, and land quality in addition to
24 the responsibilities provided in chapter 455B, division IV,
25 part 9, and division VII.

26 Sec. 4. Section 455B.480, Code 2001, is amended to read as
27 follows:

28 455B.480 SHORT TITLE.

29 This part may be cited as the "Land Quality and Waste
30 Management Assistance Division Act".

31 Sec. 5. Section 455B.481, subsection 2, Code 2001, is
32 amended to read as follows:

33 2. It is also the intent of the general assembly that a
34 comprehensive waste management plan be established by the land
35 quality and waste management assistance division which

1 includes: the determination of need and adequate regulatory
 2 controls prior to the initiation of site selection; the
 3 process for selecting a superior site determined to be
 4 necessary; the establishment of a process for a site community
 5 to submit or present data, views, or arguments regarding the
 6 selection of the operator and the technology that best ensures
 7 proper facility operation; the prohibition of shallow land
 8 burial of hazardous and low-level radioactive wastes; the
 9 establishment of a regulatory framework for a facility; and
 10 the establishment of provisions for the safe and orderly
 11 development, operation, closure, postclosure, and long-term
 12 monitoring and maintenance of the facility.

13 Sec. 6. Section 455B.482, subsection 15, Code 2001, is
 14 amended to read as follows:

15 15. "~~Waste~~ Land quality and waste management assistance
 16 division" means the land quality and waste management
 17 assistance division established within the department of
 18 natural resources.

19 Sec. 7. Section 455B.483, Code 2001, is amended to read as
 20 follows:

21 455B.483 LAND QUALITY AND WASTE MANAGEMENT ASSISTANCE
 22 DIVISION CREATED.

23 A land quality and waste management assistance division is
 24 created within the department of natural resources for the
 25 purpose of carrying out the provisions of this part. The land
 26 quality and waste management assistance division is under the
 27 immediate direction and supervision of the director of the
 28 department of natural resources.

29 Sec. 8. Section 455B.484, subsection 2, Code 2001, is
 30 amended to read as follows:

31 2. Seek, receive, and accept funds in the form of
 32 appropriations, grants, awards, wills, bequests, endowments,
 33 and gifts for deposit into the land quality and waste
 34 management assistance division trust fund to be used for
 35 programs relating to the duties of the division under this

1 part.

2 Sec. 9. Section 455B.484, subsection 13, paragraph c, Code
3 2001, is amended to read as follows:

4 c. In solicitation of proposals for the implementation of
5 the comprehensive plan, the land quality and waste management
6 assistance division shall give preference to cooperative
7 proposals which incorporate and utilize the participation of
8 the universities under the control of the state board of
9 regents.

10 Sec. 10. Section 455B.485, subsections 3, 4, and 5, Code
11 2001, is amended to read as follows:

12 3. Approve the budget request for the land quality and
13 waste management assistance division prior to submission to
14 the department of management. The commission may increase,
15 decrease, or strike any proposed expenditure within the land
16 quality and waste management assistance division budget
17 request before granting approval.

18 4. Recommend legislative action which may be required for
19 the safe and proper management of waste, for the acquisition
20 or operation of a facility, for the funding of a facility, to
21 enter into interstate agreements for the management of a
22 facility, and to improve the operation of the land quality and
23 waste management assistance division.

24 5. Approve all contracts and agreements, in excess of
25 twenty-five thousand dollars, under this part between the land
26 quality and waste management assistance division and other
27 public or private persons or agencies.

28 Sec. 11. Section 455B.516, subsection 3, Code 2001, is
29 amended to read as follows:

30 3. "Division" means the land quality and waste management
31 assistance division created pursuant to section 455B.483.

32 Sec. 12. Section 455B.517, unnumbered paragraph 1, Code
33 2001, is amended to read as follows:

34 The land quality and waste management assistance division
35 shall do all of the following:

1 Sec. 13. Section 455E.11, subsection 2, paragraph a,
2 subparagraph (1), subparagraph subdivision (b), Code 2001, is
3 amended to read as follows:

4 (b) Sixty-five thousand dollars to the land quality and
5 waste management assistance division of the department to be
6 used for the by-products and waste search service at the
7 university of northern Iowa.

8 Sec. 14. Section 455E.11, subsection 2, paragraph a,
9 subparagraph (2), subparagraph subdivision (a), subparagraph
10 subdivision part (iv), Code 2001, is amended to read as
11 follows:

12 (iv) The land quality and waste management assistance
13 division of the department.

14 EXPLANATION

15 This bill changes the name of the waste management
16 assistance division of the department of natural resources to
17 the land quality and waste management assistance division.

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HSB 43



DEPARTMENT OF NATURAL RESOURCES

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

LYLE W. ASELL, INTERIM DIRECTOR

To: General Assembly
From: Lyle Asell, Interim Director
Iowa Department of Natural Resources

Asell (for)

JAN 17 2001

Date: January 18, 2001
Re: Renaming of the Waste Management Assistance Division

The attached bill changes the name of the Waste Management Assistance Division of the Department of Natural Resources to the Land Quality and Waste Management Assistance Division. The name change is being requested as a result of merging the Land Quality Bureau, formerly part of the Environmental Protection Division, with the Waste Management Division. This merge was done to align land and waste issues in one Division to provide better service to Iowans.

Substitutes for SF124

2/28/01

(P. 459)

FEB 14 2001

Place On Calendar

HOUSE FILE 267

BY COMMITTEE ON ENVIRONMENTAL
PROTECTION

(SUCCESSOR HSB 43)

Passed House, Date (P.462) 2/21/01 Passed Senate, Date (P.459) 2/28/01
 Vote: Ayes 99 Nays 0 Vote: Ayes 49 Nays 0
 Approved March 5, 2001

A BILL FOR

1 An Act renaming the waste management assistance division of the
2 department of natural resources.

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HF 267

1 Section 1. Section 15A.1, subsection 3, paragraph b, Code
2 2001, is amended to read as follows:

3 b. If the business generates solid or hazardous waste,
4 that the business conducts in-house audits and management
5 plans to reduce the amount of the waste and to safely dispose
6 of the waste. For purposes of this paragraph, a business may,
7 in lieu of conducting in-house audits, authorize the land
8 quality and waste management assistance division of the
9 department of natural resources or the Iowa waste reduction
10 center established under section 268.4 to provide the audits.

11 Sec. 2. Section 173.16, unnumbered paragraph 2, Code 2001,
12 is amended to read as follows:

13 In order to efficiently administer facilities and events on
14 the state fairgrounds, and to promote Iowa's conservation
15 ethic, the Iowa state fair board shall handle or dispose of
16 waste generated on the state fairgrounds under supervision of
17 the land quality and waste management assistance division
18 established under section 455B.483.

19 Sec. 3. Section 455A.7, subsection 1, paragraph h, Code
20 2001, is amended to read as follows:

21 h. ~~Waste~~ Land quality and waste management assistance
22 division which ~~has~~ is responsible for programs related to
23 solid waste, hazardous waste, and land quality in addition to
24 the responsibilities provided in chapter 455B, division IV,
25 part 9, and division VII.

26 Sec. 4. Section 455B.480, Code 2001, is amended to read as
27 follows:

28 455B.480 SHORT TITLE.

29 This part may be cited as the "Land Quality and Waste
30 Management Assistance Division Act".

31 Sec. 5. Section 455B.481, subsection 2, Code 2001, is
32 amended to read as follows:

33 2. It is also the intent of the general assembly that a
34 comprehensive waste management plan be established by the land
35 quality and waste management assistance division which

1 includes: the determination of need and adequate regulatory
2 controls prior to the initiation of site selection; the
3 process for selecting a superior site determined to be
4 necessary; the establishment of a process for a site community
5 to submit or present data, views, or arguments regarding the
6 selection of the operator and the technology that best ensures
7 proper facility operation; the prohibition of shallow land
8 burial of hazardous and low-level radioactive wastes; the
9 establishment of a regulatory framework for a facility; and
10 the establishment of provisions for the safe and orderly
11 development, operation, closure, postclosure, and long-term
12 monitoring and maintenance of the facility.

13 Sec. 6. Section 455B.482, subsection 15, Code 2001, is
14 amended to read as follows:

15 15. "Waste Land quality and waste management assistance
16 division" means the land quality and waste management
17 assistance division established within the department of
18 natural resources.

19 Sec. 7. Section 455B.483, Code 2001, is amended to read as
20 follows:

21 455B.483 LAND QUALITY AND WASTE MANAGEMENT ASSISTANCE
22 DIVISION CREATED.

23 A land quality and waste management assistance division is
24 created within the department of natural resources for the
25 purpose of carrying out the provisions of this part. The land
26 quality and waste management assistance division is under the
27 immediate direction and supervision of the director of the
28 department of natural resources.

29 Sec. 8. Section 455B.484, subsection 2, Code 2001, is
30 amended to read as follows:

31 2. Seek, receive, and accept funds in the form of
32 appropriations, grants, awards, wills, bequests, endowments,
33 and gifts for deposit into the land quality and waste
34 management assistance division trust fund to be used for
35 programs relating to the duties of the division under this

1 part.

2 Sec. 9. Section 455B.484, subsection 13, paragraph c, Code
3 2001, is amended to read as follows:

4 c. In solicitation of proposals for the implementation of
5 the comprehensive plan, the land quality and waste management
6 assistance division shall give preference to cooperative
7 proposals which incorporate and utilize the participation of
8 the universities under the control of the state board of
9 regents.

10 Sec. 10. Section 455B.485, subsections 3, 4, and 5, Code
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15 decrease, or strike any proposed expenditure within the land
16 quality and waste management assistance division budget
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18 4. Recommend legislative action which may be required for
19 the safe and proper management of waste, for the acquisition
20 or operation of a facility, for the funding of a facility, to
21 enter into interstate agreements for the management of a
22 facility, and to improve the operation of the land quality and
23 waste management assistance division.

24 5. Approve all contracts and agreements, in excess of
25 twenty-five thousand dollars, under this part between the land
26 quality and waste management assistance division and other
27 public or private persons or agencies.

28 Sec. 11. Section 455B.516, subsection 3, Code 2001, is
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31 assistance division created pursuant to section 455B.483.

32 Sec. 12. Section 455B.517, unnumbered paragraph 1, Code
33 2001, is amended to read as follows:

34 The land quality and waste management assistance division
35 shall do all of the following:

HOUSE FILE 267

AN ACT

RENAMING THE WASTE MANAGEMENT ASSISTANCE DIVISION OF THE
DEPARTMENT OF NATURAL RESOURCES.

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

Section 1. Section 15A.1, subsection 3, paragraph b, Code 2001, is amended to read as follows:

b. If the business generates solid or hazardous waste, that the business conducts in-house audits and management plans to reduce the amount of the waste and to safely dispose of the waste. For purposes of this paragraph, a business may, in lieu of conducting in-house audits, authorize the land quality and waste management assistance division of the department of natural resources or the Iowa waste reduction center established under section 268.4 to provide the audits.

Sec. 2. Section 173.16, unnumbered paragraph 2, Code 2001, is amended to read as follows:

In order to efficiently administer facilities and events on the state fairgrounds, and to promote Iowa's conservation ethic, the Iowa state fair board shall handle or dispose of waste generated on the state fairgrounds under supervision of the land quality and waste management assistance division established under section 455B.483.

Sec. 3. Section 455A.7, subsection 1, paragraph h, Code 2001, is amended to read as follows:

h. Waste Land quality and waste management assistance division which ~~has~~ is responsible for programs related to solid waste, hazardous waste, and land quality in addition to the responsibilities provided in chapter 455B, division IV, part 9, and division VII.

Sec. 4. Section 455B.480, Code 2001, is amended to read as follows:

455B.480 SHORT TITLE.

This part may be cited as the "Land Quality and Waste Management Assistance Division Act".

Sec. 5. Section 455B.481, subsection 2, Code 2001, is amended to read as follows:

2. It is also the intent of the general assembly that a comprehensive waste management plan be established by the land quality and waste management assistance division which includes: the determination of need and adequate regulatory controls prior to the initiation of site selection; the process for selecting a superior site determined to be necessary; the establishment of a process for a site community to submit or present data, views, or arguments regarding the selection of the operator and the technology that best ensures proper facility operation; the prohibition of shallow land burial of hazardous and low-level radioactive wastes; the establishment of a regulatory framework for a facility; and the establishment of provisions for the safe and orderly development, operation, closure, postclosure, and long-term monitoring and maintenance of the facility.

Sec. 6. Section 455B.482, subsection 15, Code 2001, is amended to read as follows:

15. "Waste "Land quality and waste management assistance division" means the land quality and waste management assistance division established within the department of natural resources.

Sec. 7. Section 455B.483, Code 2001, is amended to read as follows:

455B.483 LAND QUALITY AND WASTE MANAGEMENT ASSISTANCE DIVISION CREATED.

A land quality and waste management assistance division is created within the department of natural resources for the purpose of carrying out the provisions of this part. The land quality and waste management assistance division is under the immediate direction and supervision of the director of the department of natural resources.

Sec. 8. Section 455B.484, subsection 2, Code 2001, is amended to read as follows:

2. Seek, receive, and accept funds in the form of appropriations, grants, awards, wills, bequests, endowments, and gifts for deposit into the land quality and waste management assistance division trust fund to be used for programs relating to the duties of the division under this part.

Sec. 9. Section 455B.484, subsection 13, paragraph c, Code 2001, is amended to read as follows:

c. In solicitation of proposals for the implementation of the comprehensive plan, the land quality and waste management assistance division shall give preference to cooperative proposals which incorporate and utilize the participation of the universities under the control of the state board of regents.

Sec. 10. Section 455B.485, subsections 3, 4, and 5, Code 2001, are amended to read as follows:

3. Approve the budget request for the land quality and waste management assistance division prior to submission to the department of management. The commission may increase, decrease, or strike any proposed expenditure within the land quality and waste management assistance division budget request before granting approval.

4. Recommend legislative action which may be required for the safe and proper management of waste, for the acquisition or operation of a facility, for the funding of a facility, to enter into interstate agreements for the management of a facility, and to improve the operation of the land quality and waste management assistance division.

5. Approve all contracts and agreements, in excess of twenty-five thousand dollars, under this part between the land quality and waste management assistance division and other public or private persons or agencies.

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Sec. 12. Section 455B.517, unnumbered paragraph 1, Code 2001, is amended to read as follows:

The land quality and waste management assistance division shall do all of the following:

Sec. 13. Section 455E.11, subsection 2, paragraph a, subparagraph (1), subparagraph subdivision (b), Code 2001, is amended to read as follows:

(b) Sixty-five thousand dollars to the land quality and waste management assistance division of the department to be used for the by-products and waste search service at the university of northern Iowa.

Sec. 14. Section 455E.11, subsection 2, paragraph a, subparagraph (2), subparagraph subdivision (a), subparagraph subdivision part (iv), Code 2001, is amended to read as follows:

(iv) The land quality and waste management assistance division of the department.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 267, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 3/5, 2001

THOMAS J. VILSACK
Governor