

House File 2327 - Introduced

HOUSE FILE 2327
BY COMMITTEE ON ENVIRONMENTAL
PROTECTION

(SUCCESSOR TO HSB 656)

A BILL FOR

- 1 An Act relating to the Iowa comprehensive petroleum underground
- 2 storage tank fund.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455B.474, subsection 1, paragraph f,
2 subparagraph (7), Code Supplement 2009, is amended to read as
3 follows:

4 (7) An owner or operator may elect to proceed with
5 additional corrective action on the site. However, any action
6 taken in addition to that required pursuant to this paragraph
7 "f" shall be solely at the expense of the owner or operator
8 and shall not be considered corrective action for purposes
9 of section 455G.9, unless approved by the board pursuant to
10 section 455G.9, subsection 7.

11 Sec. 2. Section 455G.9, subsection 7, Code 2009, is amended
12 to read as follows:

13 7. *Expenses of cleanup not required.* When an owner or
14 operator who is eligible for benefits under this chapter is
15 allowed by the department of natural resources to monitor in
16 place, the expenses incurred for cleanup beyond the level
17 required by the department of natural resources ~~are not~~ may
18 be covered under any of the accounts established under the fund
19 only if approved by the board as cost-effective relative to the
20 department accepted monitoring plan. ~~The~~ Any cleanup expenses
21 incurred for work completed beyond what is ~~required~~ approved
22 pursuant to this subsection is the responsibility of the person
23 contracting for the excess cleanup.

24 Sec. 3. REPEAL. 1989 Iowa Acts, chapter 131, section 63,
25 as amended by 2009 Iowa Acts, chapter 184, section 39, is
26 repealed.

27 EXPLANATION

28 This bill relates to the Iowa comprehensive petroleum
29 underground storage tank fund.

30 Currently, for eligible owners and operators of petroleum
31 underground storage tanks who are allowed to monitor in place,
32 expenses incurred for cleanup beyond the level required by
33 the department of natural resources are not covered under
34 any of the accounts established under the Iowa comprehensive
35 petroleum underground storage tank fund. The bill allows

1 such owners and operators to receive moneys from the accounts
2 if the Iowa comprehensive petroleum underground storage tank
3 fund board determines the expenses are cost-effective relative
4 to the monitoring plan accepted by the department of natural
5 resources. The bill makes conforming amendments.

6 Currently, Code sections 455G.6 and 455G.7, relating to
7 the powers and duties of the Iowa comprehensive petroleum
8 underground storage tank fund board and the establishment by
9 the Iowa finance authority of certain capital reserve funds to
10 secure bonds issued for the fund, are repealed with certain
11 exceptions, effective July 1, 2010. The bill eliminates the
12 future repeal.