

Draft Proposed Legislation

New Section: 455B.133C Air quality fund created.

An air quality fund is created in the office of the treasurer of state under the control of the department.

1. Moneys received from the fees assessed pursuant to section 455B.134, subsection 15, shall be deposited in the fund.
2. Moneys in the fund shall be used solely to defray the costs related to program implementation as provided in Title I of the federal Clean Air Act Amendments of 1990 (42 USC § 7401-7515) as amended November 15, 1990, and in section 455B.134, subsection 15.
3. Notwithstanding section 8.33, any unexpended balance in the fund at the end of each fiscal year shall be retained in the fund. Notwithstanding section 12C.7, any interest and earnings on investments from money in the fund shall be credited to the fund.
4. The following accounts are created within the air quality fund.
 - a. An asbestos account. Moneys received from the asbestos notification fee imposed under section [455B.134(15)] shall be deposited in the asbestos account. Moneys shall be allocated solely for the administration of the asbestos program.
 - b. A major source account. Moneys received from fees imposed under section [455B.134(15)] shall be deposited in the major source account. Moneys shall be allocated for the direct and indirect cost to implement programs to grant, modify, suspend, terminate, revoke, reissue or deny permits for the construction or operation of new, modified, or existing major air contaminant sources and for related control equipment.
 - c. A minor source account. Moneys received from the minor source construction permit application fees imposed under section [455B.134(15)] shall be deposited in the minor source account. Moneys shall be allocated for the direct and indirect cost to implement programs to grant, modify, suspend, terminate, revoke, reissue or deny permits for the construction or operation of new, modified, or existing minor air contaminant sources and for related control equipment.

455B.134 Director — duties — limitations – new subsection 15.

The director shall:

New Subsection 15

15. The commission may impose application, notification, and registration fees in an amount sufficient to cover costs associated with the above activities in conformance with the federal Clean Air Act Amendments of 1990. The fees collected pursuant to this subparagraph shall be deposited in the air quality fund created pursuant to section 455B.133C, and shall be utilized solely to cover all reasonable costs required to develop and administer the programs required by Title I of the federal Clean Air Act Amendments of 1990 (42 USC § 7401-7515).