

Chapter 69 Proposed Changes as of 10/21/2019

Changes and reasons for changes in blue

Sections that don't need changes in purple

Amend rule **567—69.1 (455B)**, definition of “Packed bed media filter,” as follows:

“*Packed bed media filter*” means a watertight structure filled with uniformly sized media that is normally placed over an underdrain system. The wastewater is dosed onto the surface of the media through a distribution network and is allowed to percolate through the media to the underdrain system. The underdrain collects the filtrate and discharges the final effluent.

Reasons for changes:

We are proposing to remove the word “normally” to add specificity to the rule. “Normally” implies that there are situations where watertight structures with media are not placed over an underdrain system, and this is not true.

Amend subrules **567—69.5(2)** as follows:

69.5(1) All private sewage disposal systems that discharge above the ground surface shall be annually inspected to ensure proper operation.

69.5(2) Private sewage disposal systems that require a maintenance contract shall be inspected by a ~~manufacturer's certified technician~~ trained individual familiar with the operation and maintenance of the system.

69.5(3) Private sewage disposal systems that do not require a maintenance contract shall be visually inspected by a person with knowledge of the system for any malfunction and shall have the septic tank opened, inspected, and pumped if needed. A record of the inspection and any tank pumping shall be maintained and be made available to the administrative authority upon request.

69.5(4) No private sewage disposal system shall discharge to a state-owned natural or artificial lake, an outstanding Iowa water or an outstanding national water as defined in 567—subrule 61.2(2) unless authorized by an individual NPDES permit.

Reasons for changes:

69.5(1), (3) and (4) do not need to be changed. The changes to 69.5(2) implement Senate File 511 (SF511), which was never signed into law. SF511 states in the bill explanation that: The bill prohibits the commission from adopting rules that require an owner of a peat moss biofilter system, a recirculating textile filter system, or an aerobic treatment unit to enter into a maintenance contract. However, the bill requires an owner of a peat moss biofilter system, a recirculating textile filter system, or an aerobic treatment unit to have the system inspected and, if necessary, have maintenance performed by a technician at least once every three years. In addition, a variance has been granted to allow trained individuals to perform maintenance. When the rule was originally written, these technologies were new, and only certified technicians had any knowledge of the systems. Now, the technologies are no longer new, and more people have knowledge of the systems, thus trained individuals are able to inspect and maintain systems.

Amend paragraph 69.13(6)“d” as follows:

d. Maintenance contract. Prior ~~to installation~~ the use of a peat moss biofilter system, a maintenance contract for the proper monitoring and servicing of the entire treatment system shall be established between the owner of the system and a ~~certified technician~~ trained individual familiar with the operation and maintenance of the system. A maintenance contract is required for the life of the system. All monitoring and servicing of the system shall be performed by ~~a manufacturer's certified technician~~ the trained individual. ~~Manufacturers are responsible for ensuring that an adequate number of certified technicians are available to service all peat moss biofilters at the specified intervals.~~ The ~~certified technician~~ trained individual shall perform the required maintenance and reporting to the owner of the system and to the administrative

authority. The certified technician-trained individual shall also report any discontinuance of maintenance of the peat moss biofilter system to the administrative authority. Unless otherwise required by this chapter, peat moss biofilter systems shall be inspected at least once annually every two years by the certified technician-trained individual. A copy of the maintenance contract shall be on file in the office of the administrative authority.

Reasons for changes:

This implements SF511 for peat moss biofilters (see above). The change from “to installation” to “the use of” and “annually” to “every two years” is based on recommendations made during the 2019 legislative session. The new language “Unless otherwise required by this chapter” allows for compliance with 69.5(1).

Amend paragraph 69.13(7)“e” as follows:

e. Maintenance contract. Prior to installation of a recirculating textile filter system, a maintenance contract for the proper monitoring and servicing of the entire treatment system shall be established between the owner of the system and a certified technician-trained individual familiar with the operation and maintenance of the system. A maintenance contract is required for the life of the system. All monitoring and servicing of the system shall be performed by a manufacturer’s certified technician the trained individual. ~~Manufacturers are responsible for ensuring that an adequate number of certified technicians are available to service all recirculating textile filters at the specified intervals.~~ The certified technician-trained individual shall perform the required maintenance and reporting to the owner of the system and to the administrative authority. The certified technician shall also report any discontinuance of maintenance of the system to the administrative authority. Recirculating textile filter systems shall be inspected at least once annually by the certified technician-trained individual. A copy of the maintenance contract shall be on file in the office of the administrative authority.

Reasons for changes:

This implements SF511 for recirculating textile filters (see above). Inspection frequency not changed.

Amend subrule 69.14(6) as follows:

69.14(6) *Maintenance contract.* Prior to installation of an aerobic treatment unit, a maintenance contract for the proper monitoring and servicing of the entire treatment system shall be established between the owner of the system and certified technician-trained individual familiar with the operation and maintenance of the system. A maintenance contract is required for the life of the system. All monitoring and servicing shall be performed by a manufacturer’s certified technician the trained individual. ~~Manufacturers are responsible for ensuring that an adequate number of certified technicians are available to service all aerobic treatment units at the specified intervals.~~ Notwithstanding other requirements in this chapter, aerobic ~~Aerobic~~ treatment units shall be inspected for proper operation at least twice a year at six-month intervals by the certified technician.

Reasons for changes:

This implements SF511 for aerobic treatment units (see above). Inspection frequency not changed. The new language “Notwithstanding other requirements in this chapter” allows for compliance with 69.5(1).