

CHAPTER 68 EO10 DRAFT - V.1, 11/16/2023

CHAPTER 68
COMMERCIAL SEPTIC TANK CLEANERS

567—68.1(455B) Purpose and applicability. The purpose of this chapter is to implement Iowa Code subsection 455B.172(5) and (6) and 2. Iowa Code section 455B.172A by providing standards for the commercial cleaning of and the disposal of waste from private sewage disposal systems and toilet units, and wastewater from on-farm food processing operations and by providing licensing requirements and procedures. These rules govern the commercial cleaning of and the disposal of wastes from private sewage disposal systems and on farm food processing operations.
[ARC 0208C, IAB 7/11/12, effective 8/15/12]

- Commented [1]:** 68.1 - add reference to 455B.172(6), as this chapter covers toilet units.
- Commented [2]:** 68.1 - "and toilet units"; added for clarity; are NOT adding new requirements for toilet units.
- Commented [3]:** 68.1, "These rules govern..." - striking repetitive sentence.

567—68.2(455B) Definitions. For purposes of this chapter, the following definitions apply terms shall have the meanings indicated:

Commented [4]: 68.2, "definitions apply..." changed to match text in Chapter 60.

"Cleaning" means removal of waste from private sewage disposal systems and other actions incidental to that removal.

"Commercial septic tank cleaner" means a person or firm engaged in the business of cleaning and disposing of waste from private sewage disposal systems, including a person or firm that owns and rents or leases portable toilets.

"Department" means the Iowa department of natural resources.

Commented [5]: "Department" - is defined in Chapter 60.

"Food commodity" is defined in Iowa Code subsection 455B.171(8), means any commodity that is derived from an agricultural animal or crop, both as defined in Iowa Code section 717A.1, which is intended for human consumption in its raw or processed state.

Commented [6]: "Food commodity" - replace with reference to Iowa Code.

1. A food commodity in its raw state for processing includes, but is not limited to, milk, eggs, vegetables, fruits, nuts, syrup, and honey.

2. A food commodity in its processed state includes, but is not limited to, dairy products, pastries, pies, and meat or poultry products.

"Holding tank for waste" is defined in 567—subrule 69.1(2), means any receptacle for the retention or storage of waste pending removal for further treatment or disposal.

Commented [7]: "Holding tank for waste" - defined in Chapter 69.

"On-farm processing operation" is defined in Iowa Code subsection 455B.171(18), means any place located on a farm where the form or condition of a food commodity originating from that farm or another farm is changed or packaged for human consumption, including but not limited to a dairy, creamery, winery, distillery, cannery, bakery, or meat or poultry processor. "On-farm processing operation" does not include food commodities processed by a person exclusively for use by the person and members of the person's household and the person's nonpaying guests and employees.

Commented [8]: "On-farm processing operation" - add reference to Iowa Code.

"Private sewage disposal system" means a system which provides for the treatment or disposal of domestic sewage from four or fewer dwelling units or the equivalent of fewer than 16 individuals on a continuing basis, including domestic waste, whether residential or nonresidential, but not including industrial waste of any flow rate except as provided for in 567—68.11(455B). "Private sewage disposal system" includes, but is not limited to, septic tanks as defined in 567—subrule 69.1(2); holding tanks for waste; and impervious vault toilets, portable toilets, and chemical toilets as described in 567—69.15(455B).

Commented [9]: "Private sewage disposal system" - defined in Chapter 60.

"Septage" means the liquid and solid material pumped from a septic tank, cesspool, or similar domestic sewage treatment system, or from a holding tank, when the system is cleaned or maintained.

Commented [10]: "Septage" - has been added to Chapter 60 as an Iowa Code reference.

"Tank" means any container which is placed on a vehicle to transport waste removed from a private waste facility.

"Toilet unit" is defined in Iowa Code subsection 455B.171(37), means a portable or fixed tank or vessel holding untreated human waste without secondary wastewater treatment which is emptied for disposal. "Toilet unit" does not include a portable or fixed tank or vessel holding untreated human waste that is part of a recreational vehicle or marine vessel.

Commented [11]: Toilet unit" - replace with reference to Iowa Code.

"Vehicle" means a device used to transport a tank, including a trailer.

"Waste" means human or animal excreta, water, scum, sludge, septage, and grease solids from private sewage disposal systems or toilet units.
[ARC 0208C, IAB 7/11/12, effective 8/15/12]

Commented [12]: "Waste" definition, "systems or toilet units" - adding text to clarify the definition; existing requirement.

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567—68.3(455B) ~~1-Commercial septic tank and toilet unit cleaner~~ licensing requirements and procedures.

68.3(1) Commercial septic tank ~~and toilet unit~~ cleaners must annually apply for and obtain a license from the department before engaging in the commercial cleaning of and disposal of septage from any private sewage disposal system ~~or the commercial cleaning and disposal of wastes from any toilet unit~~ in the state of Iowa. The license period will run from July 1 to June 30 of the following year. The owner of a septic tank may clean ~~their~~ the owner's own tank without being licensed if all other requirements of this chapter are met.

567—68.4(455B) Licensing procedures.

68.34(2) *Application for license.* A commercial septic tank ~~or toilet unit~~ cleaner must apply for a license by completing a ~~department~~ form ~~provided by the department~~ and submitting it ~~to the department~~ with an annual ~~septage disposal~~ waste management plan (SDMP) and the license fee ~~to the Department of Natural Resources, License Bureau, Henry A. Wallace Building, 502 E. 9th Street, Des Moines, Iowa 50319.~~ In the case of a commercial septic tank cleaner which is a corporation, partnership, association, or any other business entity, the entity itself must apply as provided in this rule. The entity shall designate one person, such as a partner, officer, manager, supervisor, or other full-time employee, to act as its representative for the purpose of applying for a license. Individuals employed by a commercial septic tank ~~or toilet unit~~ cleaner business are not required to be licensed, but each cleaning unit (vehicle or tank) must ~~display~~ have the ~~business~~ license number (except for the year) ~~displayed~~ and a copy of the current license ~~must be kept~~ with ~~each~~ the cleaning unit.

68.34(3) *Septage disposal/Waste management plan (SDMP).* ~~An~~The applicant must submit ~~as a part of the application~~ a ~~septage disposal management plan~~SDMP with a license application. ~~A SDMP~~The plan must also be submitted to the county board of health in each county where septage is to be land-applied.

a. ~~The plan~~An SDMP shall include:

~~(1) a.~~ **(1)** A list of vehicles to be registered for use by the licensee.

~~(2) b.~~ **(2)** The volume of septage expected to be collected from private sewage disposal facilities ~~or toilet units.~~

~~(3) For disposal to another system, including a publicly-owned treatment works (POTW), other permitted wastewater treatment system, a permitted septage lagoon or septage drying bed, or a permitted sanitary landfill:~~

~~1.~~ **1.** The volume of septage ~~or waste~~ to be taken to ~~each system, permitted publicly owned treatment works and~~

~~e-2.~~ **e-2.** A letter of acceptance from ~~the owner of each system~~any publicly operated treatment works where ~~septage or waste~~ is proposed to be disposed.

~~(4) a.~~ **(4)** *For septage disposal by land application:*

~~1.~~ **1.** The location and area of all sites where septage is to be land-applied;

~~e-2.~~ **e-2.** The anticipated volume of septage applied to each site;

~~f-3.~~ **f-3.** The type of crop to be planted on each site and when the crop is to be planted; and

~~g-4.~~ **g-4.** The type of ~~land~~ application to be used at each site.

~~h.~~ **h.** A list of vehicles to be registered.

~~i.~~ **i.** ~~Repealed IAB 7/11/12, effective 8/15/12.~~

~~b.~~ **b.** Allowance may be made in ~~a SDMP~~the plan for septage application on the property of the owner of the tank being pumped as long as ~~the~~ disposal standards of this chapter are met.

~~c.~~ **c.** A license will be issued only after ~~departmental~~ approval of the ~~SDMP~~waste management plan. If the ~~SDMP~~plan is not approved ~~by the department~~, it must be modified and resubmitted.

68.3(4) *SDMP alteration.* ~~An amended SDMP must be submitted to the department and the county before septage is land applied to any new property not listed in the existing SDMP, or septage is taken to a system not listed in the SDMP.~~

68.34(35) License fees.

a. Renewal fees. The ~~renewal~~ application fee is \$150 per year for the first registered vehicle and \$50 for each additional vehicle. If ~~an~~the applicant intends to ~~land~~ apply any septage during the year, there will be an additional application fee of \$7 per 1,000 gallons of septage to be ~~land~~ applied per year. Land application fees shall be based on the previous year's records.

b. New license fees. ~~New license applicants will be charged the following fees.~~

~~(1) First-time~~ **(1)** Applicants ~~who propose to land apply~~ shall pay a ~~prorated~~ \$300 annual ~~land application~~ fee

Commented [13]: New 68.3 - Combined old 68.3 (requirements) & 68.4 (procedures) into 1 rule.

Commented [14]: 68.3, "or the commercial..." - existing requirement from 455B.172(6) ; new text added for clarification.

Commented [15]: 68.3(2), end of paragraph - Clarification changes.

Commented [16]: 68.3(3), "SDMP" - This is the terminology used in 455B.172(5). All references to "waste management plan have been changed to SDMP.

Commented [17]: New 68.3(3)"a" - Existing text; placed in new paragraph "a". The SDMP items are in 455B.172(5), but this rule is more specific, so are proposing to keep.

Commented [18]: 68.3(3)"a"(1), "a list of vehicles..." - moved up from old "h" for clarity and because it also applies to toilet units.

Commented [19]: 68.3(3)"a"(2), "or toilet units" - added as septage can also be collected from toilet units.

Commented [20]: New 68.3(3)"a"(3), "For disposal to..." - existing requirements; added all types of other systems, as POTWs aren't the only system that can accept septage, and condensed text in old 68.4(2)"b" & "c".

Commented [21]: New 68.3(3)"a"(4), "For septage disposal..." - added new catchphrase & changed old 68.4(2)"d" thru "g" to subparagraphs 1-4 as they all concern land application.

Commented [22]: Old 68.4(2)"h" - moved up to new 68.3(3)"a"(1) for clarity.

Commented [23]: New 68.3(3)"b" - Existing paragraph has been split into new "b" and "c".

Commented [24]: 68.3(8), "to the department and the county" - new text detailing where an SDMP alternation needs to be sent.

Commented [25]: New 68.3(4) - Existing text; clarified & moved from old 68.4(7) so the SDMP requirements are in the same place.

Commented [26]: New 68.3(5), License fees - Existing text; Dept. is authorized to establish these fees in 455B.172(5).

Commented [27]: New 68.3(5)"a", Renewal fees" - added catchphrase text for clarification.

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until the next June 30 if they propose to land apply.

~~(2) New license applicants will be charged fees of \$150 for the first registered vehicle and \$50 for each additional vehicle monthly prorated fees until the next June 30.~~

~~68.34(64) License renewal.~~ In order to remain valid, a ~~commercial septic tank cleaner~~ license must be renewed by June 30 of each year. Renewal applications must be made on a form provided by the department ~~meet the requirements of this rule~~ and must be received by the department or postmarked at least 30 days prior to the expiration date.

~~68.34(75) Change in Ownership change.~~ Within 30 days of ~~the~~ change in ownership of any commercial septic tank or toilet unit cleaner, the new owner shall furnish the department with the following information:

- a. Name of ~~B~~business name and license number;
- b. Name, address, email address, and telephone number of new owner; and
- c. Date the change in ownership took place; and
- d. Any change in the SDMP waste management plan.

The license will transfer with the ownership with no additional fee due until the next renewal date.

~~68.34(86) Change in Address change.~~ Within 30 days of any change in the address or location of a commercial septic tank or toilet unit cleaning the business, information regarding such change must be reported to the department.

~~68.4(7) Alteration of waste management plan.~~ An amended waste management plan must be submitted before any new property for land application not listed on the existing plan is used or waste is taken to a publicly operated treatment works not listed on the plan.

[ARC 0208C, IAB 7/11/12, effective 8/15/12]

567—68.45(455B) License suspension, revocation and denial of license.

~~68.45(1) Basis for suspension, revocation, and denial.~~ The department may suspend, revoke, or deny a commercial septic tank or toilet unit cleaner license for any of the following reasons:

- a. A material misstatement of facts in a license application.
- b. Failure to provide the adequate license fee.
- c. Failure to provide and adhere to an approved waste management plan.
- d. Failure to satisfy the obligations of a commercial septic tank cleaner and the requirements of this chapter standards as provided in rules 567—68.6(455B), 567—68.9(455B), and 567—68.10(455B).
- e. Failure to pay any fines assessed under subrule 68.45(2).

~~68.45(2) Civil penalties.~~ The department may assess civil penalties pursuant to Iowa Code section 455B.172 not to exceed \$250 for violations of this rule. Each day that the violation continues constitutes a separate offense.

~~68.45(3) Appeal.~~ A commercial septic tank or toilet unit cleaner may appeal the suspension, revocation, or denial of a license under the provisions of 567—Chapter 7.

~~68.45(4) Reinstatement.~~ In the case of a denial, revocation, or suspension pursuant to paragraph 68.45(1) "b" or "e," the department may immediately reinstate or issue a license after receipt of the requisite fee or fine and confirmation that the commercial septic tank or toilet unit cleaner is fulfilling the requirements of rules 567—68.56(455B) and 567—68.79(455B). In case of a denial, revocation or suspension pursuant to paragraphs 68.45(1) "a," "c," or "d," the department may reinstate or issue a license no sooner than 60 days after the denial, revocation, or suspension if the department is satisfied that the commercial septic tank or toilet unit cleaner has corrected the deficiency and will comply with departmental rules in the future.

567—68.56(455B) Licensee and county's obligations.

~~68.56(1) Licensee obligations. Supervision.~~ The licensee shall:

a. Supervise ~~provide supervision for~~ the removal and disposal of septage from private sewage disposal systems or waste from toilet units;

b. ~~68.6(2) Standards.~~ The licensee shall meet the standards established in this chapter for the cleaning of and disposal of septage from private sewage disposal systems or waste from toilet units; and

c. ~~68.6(3) Records.~~ The licensee shall record the location of all maintained records of cleaned private sewage disposal systems or toilet units cleaned and the location, the method of septage or waste disposal, and the volume

Commented [28]: New 68.3(5)"b", New license fees" - added catchphrase text & modified existing text for clarification.

Commented [29]: 68.3(6), "be made on a..." - clarified text; the use of a department form is already required in new 68.3(2).

Commented [30]: "due until the next renewal date" - redundant.

Commented [31]: New 68.3(8), "a commercial septic..." - added clarifying text.

Commented [32]: Old 68.4(7) - moved to new 68.3(4) so the SDMP requirements are in the same place.

Commented [33]: New 68.4(1)"d", "requirements of this chapter..." - simplification of existing requirements.

Commented [34]: New 68.4(2), "pursuant to Iowa Code..." - changed existing requirement to an Iowa Code reference.

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of septage or waste disposed of for each trip. Such records shall be maintained for a period of five years and shall be made readily available upon request by anthe administrative authority.

[ARC 0208C, IAB 7/11/12, effective 8/15/12]

~~567—68.7(455B)~~ **68.5(2)** *County obligations.* The county boards of health shall enforce the standards and licensing requirements contained in this chapter and other referenced rules relating to the cleaning of private sewage disposal systems and disposal of septage from such facilities.

~~567—68.6(455B)~~ **Application sites and equipment inspections.** All land application sites specified on the SDMP waste management plan shall be inspected annually by a department-approved ~~an agent approved by the department~~ to ensure that the sites meet the requirements for septage disposal and are properly managed. All vehicles, tanks, trucks and related storage and handling facilities for septage shall be inspected annually to ensure compliance with these rules. The department may contract with other entities, such as the ~~local~~ county boards of health, department to carry out ~~the~~ inspections. However, the department shall retain concurrent authority to determine inspection requirements.

~~567—68.7(455B)~~ **Standards for commercial cleaning of private sewage disposal systems and toilet units.**

68.7(1) Vehicles, tanks, and equipment. For all vehicles, tanks, and equipment used in the commercial cleaning of private sewage disposal systems and toilet units, the licensee shall:

a. Prevent the dripping, falling, spilling, leaking, or discharging of septage or waste onto roads, rights-of-way or other public properties;

b. Provide the necessary equipment ~~necessary for to~~ properly cleaning of private sewage disposal systems or toilet units, and to sufficiently agitate and disperse solids, sludge and scum into the liquid for cleaning;

c. Install pumps and associated piping with watertight connections to prevent leakage;

d. Ensure proper construction and repair of cleaning equipment can easily be cleaned and is maintained to allow easy cleaning and maintenance in an essentially rust-free and sanitary condition and appearance;

e. If septage is to be land-applied, provide a mechanism for properly mixing lime with the septage, or a means to incorporate or inject the septage; and-

f. Prominently display the license number and name of the commercial septic tank or toilet unit cleaner on the side of all vehicles or tanks in letters and numbers at least three inches high.

~~68.9(2) Septic tank cleaning.~~ Tanks shall be emptied of all waste. Sludge may be loosened by pumping liquid back into the tank or adding dilution water. The tank does not have to be washed out with fresh water; however, no more than four inches of waste shall be left in the bottom.

~~68.7(23)~~ **Miscellaneous.**

a. Any tanks or equipment used for hauling septage or waste ~~from private sewage disposal systems~~ shall not be used:

(1) used to haul hazardous or toxic wastes as defined in 567—Chapter 131;

(2) used to haul or other wastes detrimental to land application or wastewater treatment plants;

(3) and shall not be used in a manner that would contaminate a potable water supply; or

(4) used in a manner that would or endanger the food chain or public health.

~~b. Pumps and associated piping shall be installed with watertight connections to prevent leakage.~~

~~c. Agitation capability for use in cleaning private sewage disposal systems to disperse sludge and scum into the liquid for proper cleaning shall be provided.~~

~~d. All vehicles shall display the license number (except for the year) assigned to the commercial septic tank cleaner with three inch or larger letters and numbers on the side of the tank or vehicle.~~

~~e. The name and address of the license holder shall be prominently displayed on the side of the tank or vehicle in letters at least three inches high.~~

h. A direct connection shall not be made between a potable water source and athe tank or equipment on athe vehicle.

~~567—68.8(455B)~~ **Standards for septage and waste disposal.** ~~Disposal of~~ Septage from private sewage disposal systems and on-farm processing operations and waste from toilet units and holding tanks shall be disposed of ~~carried out~~ in accordance with this rule ~~the rules established by the department.~~

Commented [35]: New 68.6(2), "related to the cleaning..." - text is redundant.

Commented [36]: New 68.5, Licensee and county obligations - combined old 68.6 and 68.7 (old county obligations) into 1 rule, as both rules deal with obligations.

Commented [37]: New 68.7(1)"b", "and to sufficiently..." - existing requirement; moved from old 68.9(3)"c" so all equipment requirements are together.

Commented [38]: New 68.7(1)"c", "Install pumps and..." - Existing requirement; moved from old 68.9(3)"b" so all equipment requirements are together.

Commented [39]: New 68.7(1)"f", "Prominently display..." - Existing requirement; moved from old 68.9(3)"d" & "e" so the vehicle requirements are together. Addresses are not required to be on vehicles per Iowa Code.

Commented [40]: Old 68.9(2) Septic tank cleaning - no longer needed; is a restatement of 68.8(1)"b", and there are other methods for loosening sludge.

Commented [41]: New 68.7(2)"a"(1) to (4) - clarification of existing text.

Commented [42]: Old 68.9(3) - Moved to the equipment section in new 68.7(1)"b" & "c" above, as these are equipment requirements.

Commented [43]: Old 68.9(3)"d" & "e" - Combined and moved to new 68.7(1)"f" above, because it's a requirement for the vehicles & tanks.

Commented [44]: New 68.8 - added text to clarify existing requirements.

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~~68.8(1)~~ Waste from toilet units and holding tanks shall be disposed of by discharge, with owner approval, to a POTW publicly owned treatment works or other permitted wastewater treatment system ~~with the treatment works owner's approval~~. Land application of wastes from toilet units or holding tanks is prohibited.

~~68.8(2)~~ Septage from septic tanks or other types of private sewage disposal systems that normally discharge effluent for further treatment ~~(such as mechanical/aerobic treatment tanks, siphon tanks or distribution boxes)~~ shall be disposed of by utilizing one or more of the following methods:

a. Septage ~~may~~ shall be discharged, with system owner approval, to any of the following systems:

~~(1) To a POTW~~ publicly owned treatment works or other permitted wastewater treatment system ~~with the treatment works owner's approval.~~

~~(2) b. Septage shall be discharged to~~ To permitted septage lagoons or septage drying beds ~~with the septage system owner's approval.~~

~~(3) To a permitted sanitary landfill in accordance with 567—Chapters 102 and 103 and the following requirements:~~

~~1. Septage shall be stabilized by adding and thoroughly mixing sufficient lime to produce a mixture with a pH of 12.~~

~~2. A minimum of 30 minutes of contact time shall be provided after mixing the lime with the septage prior to discharging to the landfill.~~

~~b.e. Septage from private sewage disposal systems and on-farm processing operations may~~ shall be land- applied when such applications are conducted in accordance with the following requirements:

(1) Land application rate. The maximum application rate is 30,000 gallons of septage per acre of cropland per 365-day period. The nitrogen application rate shall be no more than is utilized by the crop. A crop capable of using the nitrogen applied must be grown and harvested from the site after application of the maximum annual allocation or, at a minimum, every third year.

(2) Land application site restrictions. ~~The following site restrictions shall be met when septage is land applied to land:~~

~~1. Septage shall not be applied to a lawn or a home garden.~~

~~2. Septage shall not be applied to land where there is a bedrock layer or seasonal high water table within 3 feet of the soil surface. Determination of these confining layers may be ascertained by consulting the soil types noted in the county USDA soil surveys.~~

~~3. Land application sites~~ shall have soil pH maintained above 6.0, unless crops prefer soils with lower pH conditions. If the soil pH is below 6.0, ~~it is acceptable to use~~ agricultural lime may be used to increase the pH to an acceptable level. Soil pH shall be measured and reported in as part of the annual SDMP waste management plan.

~~4. The septage shall not be applied to ground that has greater than 9 percent slope.~~

~~5. If application on frozen or snow-covered ground is necessary, it shall be limited to land areas of less than 5 five percent slope and application rates of less than 2,500 gallons per acre per day.~~

~~36. Septage shall not be applied to land that is 35 feet or less from an open waterway. If septage is land applied within 200 feet upgradient of a stream, lake, sinkhole, or tile line surface intake located downgradient of the land application site, it shall be injected or applied to the surface and mechanically incorporated into the soil within 48 hours of application.~~

~~47. If the septage is land applied to land in a floodplain with a ten year magnitude subject to flooding more frequently than once in ten years, it the septage shall be injected or shall be applied to the surface and mechanically incorporated into the soil within 48 hours. Information on which land is in a floodplain with a ten year magnitude subject to flooding more frequently than once in ten years is available from the department.~~

~~5. Septage shall not be applied to any of the following sites:~~

~~• To a lawn or a home garden.~~

~~• To ground that has a slope greater than nine percent.~~

~~• To land that is 35 feet or less from an open waterway.~~

~~• To land where there is a bedrock layer or seasonal high water table within three feet of the soil surface, as noted in the county USDA soil surveys.~~

~~• 8. Septage shall not be applied wWithin 500 feet of a well or within 750 feet of an occupied residence,~~

Commented [45]: New 68.8(1), "with owner approval..." - simplified.

Commented [46]: New 68.8(1), "Land app of wastes from..." - new text is being added to spell out the existing restriction in Iowa Code 455B.172(6).

Commented [47]: Old 68.10(2), "(such as mechanical/aerobic..." - example text is not needed.

Commented [48]: New 68.8(2)"a" - Combined all "may be discharged" text in one place under one header.

Commented [49]: New 68.8(2)"a"(3), "To a permitted..." - moved existing text from old 68.10(2)"d" so all discharge options are in one place.

Commented [50]: New 68.8(2)"b", "Septage from..." - expanded to include on-farm (required by Iowa code), & clarify that these are the requirements when land app is the chosen disposal option.

Commented [51]: New 68.8(2)"b"(2) - Existing text. Added catchphrase & reorganized so allowed sites are first & restricted sites are in 1 spot at the end. No text was changed; just reorganized.

Commented [52]: "The following site..." - sentence not needed; already stated in header ("b") & each subparagraph has its own "shall".

Commented [53]: Old 68.10(2)"c"(2)(1) - Moved to new "shall not" subrule 68.9(2)"b"(2)(5) below, so all "shall nots" are together.

Commented [54]: Old 68.10(2)"c"(2)(2) - Moved to new "shall not" subrule 68.9(2)"b"(2)(5) below, so all "shall nots" are together.

Commented [55]: Old 68.10(2)"c"(2)(4) - Moved to new "shall not" subrule 68.8(2)"b"(2)(5) below, so all "shall nots" are together.

Commented [56]: Old 68.10(2)"c"(2)(6) - Moved to new "shall not" subrule 68.8(2)"b"(2)(5) below, so all "shall nots" are together.

Commented [57]: "upgradient" - new term replaces "located downgradient..." later in sentence.

Commented [58]: "in a floodplain..." - correctly restating floodplain text.

Commented [59]: New 68.8(2)"b"(2)(5) - Combines all "shall not" requirements into one subparagraph.

Commented [60]: "To a lawn..." - moved from old 68.10(2)"c"(2)(1)

Commented [61]: "To ground that..." - moved from old 68.10(2)"c"(2)(4)

Commented [62]: "To land that..." - moved from old 68.10(2)"c"(2)(6)

Commented [63]: "To land where..." - moved from old 68.10(2)"c"(2)(2).

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except for the residence of the owner of the septic tank that was pumped, nor within 500 feet of a well.

~~(3) Land application cCrop harvesting restrictions. After a septage application:~~

1. Food crops with harvested parts that touch the septage/soil mixture and are totally above ground shall not be harvested for 14 months after application of domestic septage.

2. Food crops with harvested parts below the land surface of the land shall not be harvested for 38 months after application of domestic septage.

3. Animal feed, fiber, and those food crops with harvested parts that do not touch the soil surface shall not be harvested for 30 days after application of the domestic septage.

4. Animals shall not be allowed to graze on the land for 30 days after application of septage.

~~(34) Land application vector attraction reduction requirements.~~ One of the following vector attraction reduction requirements shall be met when septage is land applied to land:

1. Septage may shall be injected below the surface of the land. No significant amount of the septage shall be present on the land surface within one hour of after the septage injection is injected.

2. Septage may be applied to the land surface shall be incorporated into the soil within six hours after application to or placement on the land.

3. Septage may shall be stabilized by adding and thoroughly mixing sufficient alkaline material such as hydrated or quick lime to produce a mixture with a pH of 12. For example, adding and thoroughly mixing approximately 50 pounds of lime with each 1,000 gallons of septage is usually sufficient to bring the pH to 12 for 30 minutes. A minimum of 30 minutes of contact time shall be provided after mixing the alkaline material with the septage prior to applying to land application. Each container of treated septage shall be monitored for compliance by testing, using a pH meter or litmus paper, two representative samples of the batch of lime treated domestic septage taken a minimum of 30 minutes apart to verify that the pH remains at 12 or greater for the minimum 30-minute time period.

4. Other stabilization methods may be acceptable if shown to be equivalent to one or more of the methods described in this subparagraph.

~~(54) Land application record requirements.~~ When septage is applied to land, the A person who land applies the septage shall document develop the following information and shall retain the records at their residence or business information for five years:

1. The location, by either street address or latitude and longitude, of each septage application site on which septage is applied.

2. The number of acres and precise application area in each septage application site on which septage is applied.

3. The gallons of septage applied to each site for each application time.

4. The rate, in gallons per acre, of septage application at each site.

5. The total gallons of septage applied at each site to date for the year.

6. The date and time of septage application at is applied to each site.

7. The rate, in gallons per acre, at which septage is applied to each site.

8. A description of how the vector attraction reduction requirements are met (injection, incorporation, or stabilization).

9. The following certification statement shall be provided with the records when the records are submitted to or requested by the department:

"I certify, under penalty of law, that the pathogen requirements and the vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

~~(5) Other methods of stabilization may be acceptable if shown to be equivalent to 68.10(2) "e"(3)"3" above.~~
~~d. Septage shall be discharged (with owner approval) to a permitted sanitary landfill in accordance with 567 Chapters 102 and 103 and the following requirements:~~

~~(1) Septage shall be stabilized by adding and thoroughly mixing sufficient lime to produce a mixture with a pH of 12.~~

~~(2) A minimum of 30 minutes of contact time shall be provided after mixing the lime with the septage prior to discharging to the landfill.~~

Commented [64]: New 68.8(2)"b"(3) - New subparagraph for existing land app crop harvesting restriction text.

Commented [65]: New 68.8(2)"b"(4) - New subparagraph for the existing land app vector attraction requirements text.

Commented [66]: "may" - replaced "shall" with "may" in new 68.8(2)"b"(4)(1), (2) & (3) as these are options.

Commented [67]: "For example..." - examples are not needed.

Commented [68]: "using a pH meter..." - text is not needed; pH measurements are standard.

Commented [69]: "of the batch of..." - replaced by the word "treated" earlier in sentence.

Commented [70]: New 68.8(2)"b"(4)(4) - existing text; moved from old 68.10(2)"c"(5) below as it concerns the stabilization of septage.

Commented [71]: New 68.8(2)"b"(5) - New subparagraph for the existing record requirements text.

Commented [72]: New 68.8(2)"b"(5)(4), "The rate..." - moved up from old 38.10(2)"c"(4)(6) and reworded.

Commented [73]: Old 38.10(2)"c"(4)(6) - moved up to new 68.8(2)"b"(5)(4).

Commented [74]: "injection..." - added for clarification.

Commented [75]: Old 68.10(2)"c"(5) - moved to the VAR requirements section in new 68.8(2)"b"(4)(4) above.

Commented [76]: Old 68.10(2)"d" - moved to new 68.8(2)"a"(3) so all discharge options are in one place.

CHAPTER 68 EO10 DRAFT - V.1, 11/16/2023

[ARC 0208C, IAB 7/11/12, effective 8/15/12]

567—68.9(455B) Standards for disposal of wastewater on-farm food processing operations wastewater.
~~Disposal of~~ On-farm food processing wastewater shall be disposed of pursuant to Iowa Code section 455B.172A carried out by utilizing one or more of the following methods:

~~68.11(1) On-farm food processing wastewater shall be discharged to a publicly owned treatment works or other permitted wastewater treatment system with the treatment works owner's approval.~~

~~68.11(2) On-farm food processing wastewater shall be discharged to a subsurface soil absorption system that is in compliance with 567 Chapter 69 and the United States Environmental Protection Agency's Underground Injection Control Program or other applicable regulations.~~

~~68.11(3) On-farm food processing wastewater shall be discharged through a disposal system that meets all of the following:~~

~~a. The disposal system is located on the same site as the on-farm processing operation.~~

~~b. The disposal system is constructed in conformance with a permit issued by the department in accordance with Iowa Code section 455B.183, implemented by 567 Chapter 64.~~

~~c. For a disposal system that discharges wastewater to a water of the United States, the system must be operated in conformance with a National Pollutant Discharge Elimination System permit issued by the department under Iowa Code section 455B.197.~~

~~68.11(4) Land application:~~

~~a. On-farm food processing wastewater may be land applied if all of the following apply:~~

~~(1) The volume of wastewater produced by the on-farm processing operation is less than 1,500 gallons per day.~~

~~(2) The application rate does not exceed 30,000 gallons per acre per year.~~

~~(3) The application rate does not exceed 1,500 gallons per acre per day.~~

~~b. On-farm food processing wastewater shall be land applied in accordance with 567 68.10(455B).~~

~~c. On-farm food processing operations that meet the requirements for land application in Iowa Code section 455B.172A and rule 567—68.9(455B) shall not be required to obtain an operation permit as prescribed in rule 567—64.3(455B).~~

[ARC 0208C, IAB 7/11/12, effective 8/15/12]

These rules are intended to implement **Iowa Code section: 455B.172 and 455B.172A.**

[Filed emergency 2/1/91—published 2/20/91, effective 3/1/91]

[Filed 5/24/91, Notice 2/20/91—published 6/12/91, effective 7/17/91]

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[Filed 3/19/99, Notice 12/30/98—published 4/7/99, effective 5/12/99]

[Filed 8/25/06, Notice 4/12/06—published 9/27/06, effective 11/1/06]

[Filed ARC 0208C (Notice ARC 0046C, IAB 3/21/12), IAB 7/11/12, effective 8/15/12]

Commented [77]: New 68.9, "On-farm food processing wastewater shall be..." - replacing old 68.11(1), (2), (3), & (4) with a reference to 455B.172A, because this text is in the code.

Commented [78]: New 68.9, "On-farm food processing operations that..." - this sentence is being kept as it is not in 455B.172A.