

Private Well Program EO10 Fact Sheet
Summary of Proposed Changes for Chapters 38, 39, 49, and 82

Changes to All Rules: Chapters 38, 39, 49, and 82

- Removed or updated out-of-date language
- Shortened, simplified and clarified rules and terminology where possible and removed redundancy and guidance text
- Replaced rules with citations to the Code of Iowa or the Code of Federal Regulations (CFR) where the rule section was entirely captured by one of those laws
- Combined Chapters 38 and 49 into one chapter (Chapter 49) titled “Nonpublic Water Wells – Permits and Construction”
- The current Chapters, proposed changes versions and clean versions are available on the WQB Rulemaking website at: <https://www.iowadnr.gov/Environmental-Protection/Water-Quality/Water-Quality-Rulemaking>

Changes to Chapter 38 – Private Water Well Construction Permits

- Combined Chapters 38 and 49 into one chapter (Chapter 49) titled “Nonpublic Water Wells – Permits and Construction”
- Added language to clarified that separate permits are required for individual wells or GHEX systems that serve different dwellings

Changes to Chapter 39 – Requirements for Properly Plugging Abandoned Wells

- Removed definitions and text that are already in other chapters or Iowa Code

Changes to Chapter 49 – Nonpublic Water Supply Wells

- Combined Chapters 38 and 49 into one chapter (Chapter 49) titled “Nonpublic Water Wells – Permits and Construction”
- Added definitions: “DX” or “Direct exchange geothermal”, “DX heat transfer fluid”, “GHEX”, “GHEX loop borehole”, “GHEX loop borehole system”, “GHEX loop borehole construction”, and “GHEX loop system services”
- Added specific year to each standard that is referenced in a rule
- Updated setback table to better align language and setbacks with Ch.12, Ch.43 and Ch.69
 - Replaced the term “formed manure storage structure” with “animal waste storage tank, animal waste stockpiles...” to match with Ch.43
 - Replaced the terms “earthen manure storage basin” with “animal waste storage basin or lagoon” to match Ch.43.
 - Replaced the term “domestic wastewater lagoon” with “treatment works” to match Ch. 43
 - Added 50-foot setback to public sanitary sewers made with standard sewer materials to match the Iowa Wastewater Facilities Design Standards (IWFDS)
 - Added 25-foot setback to public sanitary sewers made with water main materials to match IWFDS
 - Clarified that the setback to building sewer service lines and septic lateral service lines is 10 feet
- Added fiberglass to the approved casings for bored wells and buried slab construction section
- Material Standards – updated standard references to most recent year
 - Updated Table for Minimum Casing Pipe and Coupling Weights and Dimensions to reflect latest ASTM version – 6 changes in total based on difference from ASTM A589-06 compared to A589-95a
 - OD dimensions may need updated – waiting to obtain copy of all standards to check for compliance with latest standard
 - Removed PVC hydraulic loading table and referenced those standards with their latest year in text

- Added 200 PSI minimum rating for PVC casing
- For pump lubrication – added language to clarify that USDA or FDA approved food contact means NSF H1 certified or FDA GRAS approved.
- Add a new set of rules to allow and regulate the installation of direct exchange (DX) geothermal systems (new 49.23)
- Added language to the GHEX rules that required underground piping to be marked to allow for underground detection or utility location as well as providing as-built documentation upon completion.

Changes to Chapter 82 – Well Contractor Certification

- Removed definitions and text that are already in other chapters or Iowa Code
- Removed 82.6 – “Applicable Experience Review Committee,” because such a committee is not known to have ever been used