

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- Removed or updated out-of-date language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)
- Added language to clarify 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

- No major changes

Changes to Chapter 49 – Nonpublic Water Supply Wells

- Combined Chapters 38 and 49 into one chapter (Chapter 49)
- Added definitions: “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
- Clarified that when performing pump services on a well with a contamination problem, the well shall be upgraded to standards of this chapter, except for setback distances.
- Clarified that well reconstruction must meet the standards of this chapter, except for setback distances.
- Updated setback table to better align the format, language and setbacks with Ch.12, Ch.43 and Ch.69. Notable additions for this alignment include:
 - Land application of septage – 500 feet – from Ch.68
 - Land application of sewage sludge – 1000 feet from Ch.67
 - Added 50-foot setback to public sanitary sewers made with standard sewer materials (except for closed-loop geothermal) to match the wastewater design standards
 - Added 25-foot setback to public sanitary sewers made with water main materials (except for closed-loop geothermal) to match the wastewater design standards
 - 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
 - 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
- Ground heat exchange (GHEX) closed-loop borehole systems
 - All buried piping must be marked to allow for underground detection or utility location as well as providing as-built documentation upon completion
 - Boreholes shall be fully grouted and rechecked 24 hours later for subsidence
 - Within 30 days following installation, a document must be provided to the county that indicates the as built layout and location of all boreholes and horizontal piping

Changes to Chapter 82 – Well Contractor Certification

- Removed 82.6 – “Applicable Experience Review Committee” because such a committee is not known to have ever been used