

**IOWA DEPARTMENT OF NATURAL RESOURCES**

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
GENERAL PERMIT NO. 4**

**EFFECTIVE DATES**

**MARCH 1, ~~2023~~ 2028 THROUGH FEBRUARY 29, ~~2028~~ 2033**

**FOR**

**DISCHARGE FROM PRIVATE SEWAGE DISPOSAL SYSTEMS**

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## Part I. Coverage Under This Permit

### A. Permit Area

This permit covers all the areas of the State of Iowa.

### B. Eligibility

1. This permit covers the discharge from any ~~p~~Private ~~s~~Sewage ~~d~~Disposal ~~s~~System (PSDS) that discharges to either a designated surface water of the state or to a subsurface drainage tile that discharges to a designated surface water of the state and that is constructed in accordance with 567 IAC Chapter 69.
2. Limitations on Coverage. This permit does not cover the following ~~types of discharges~~:
  - a. Discharge from any ~~PSDS system~~ which does not meet the minimum construction standards described in 567 IAC Chapter 69;
  - b. Any non-domestic wastewater discharge such as a car wash, autobody shop, or any other source of industrial wastewater;
  - c. Any ~~PSDS private sewage disposal system~~ with a currently effective individual NPDES permit; and
  - d. Any ~~PSDS private sewage disposal system~~ that discharges to a state owned natural or artificial lake, an Outstanding Iowa Water, or an Outstanding National Water as defined in 567 IAC 61.2(2).
3. Exclusions. The following ~~PSDS private sewage disposal systems'~~ discharges do not require an NPDES permit:
  - a. ~~Private sewage disposal systems which~~ A discharge from a PSDS to the surface of the ground where the effluent will not reach either a designated water of the state or a subsurface drainage tile that discharges to a designated surface water of the state; and
  - b. ~~Private sewage disposal systems that~~ A discharge from a PSDS to the subsurface utilizing a soil absorption system as defined in 567 IAC 69.1(2). Such systems include conventional, at-grade, mound, or soil absorption bed ~~soil absorption trenches, mound systems, drip irrigation systems,~~ or any other system with subsurface absorption.

### C. Requiring an Individual Permit

1. The Iowa Department of Natural Resources (Department) may require any person authorized to discharge under this general permit to apply for and obtain an individual NPDES permit. The causes for such a request may include, but are not limited to the following: the discharge ~~location of the discharge, the discharge~~ amount of ~~discharge, and/or a person's~~ history of non-compliance with this ~~a~~ general permit ~~condition~~. When the Department notifies a ~~person~~ ~~discharger~~ to apply for an individual permit, a deadline, not longer than one year, will be established for submitting the application. If a person fails to submit an individual NPDES permit application by the deadline established by the Department under this paragraph, coverage under this general permit is automatically terminated at the end of the day specified for the application submittal.
2. Any person authorized to discharge ~~under by~~ this permit may apply for an individual NPDES permit from the Department. The application for an individual permit shall be made on forms provided by the Department, shall include all applicable fees, and shall be submitted to the Department in accordance with 567 IAC ~~64.3(4)~~ 60.3(2) "a."
3. When an individual NPDES permit is issued ~~to a~~ for a discharge covered by this permit ~~discharger~~, the applicability of this general permit to that discharge ~~the individual NPDES permit applicant~~ is automatically terminated on the issuance date of the individual permit. When an individual NPDES permit is denied ~~to a~~ person ~~for a discharge otherwise subject to this general permit, the applicability of this general permit to that discharge~~ ~~the individual NPDES permit applicant~~ is automatically terminated on the date of such denial, unless otherwise specified by the Department.

### D. Authorization

1. If the owner of a ~~PSDS private sewage disposal system~~ proposes to discharge from the ~~disposal~~ system to either a designated water of the state or a subsurface drainage tile that discharges to a designated surface water of the state, they ~~he/she~~ must submit a complete Notice of Intent (NOI) in accordance with the requirements of Part II of this permit to be authorized to discharge under this permit.

2. Unless notified by the Department to the contrary, owners who have submitted complete NOIs are authorized to discharge effluent from a ~~PSDS private sewage disposal system~~ constructed in accordance with 567 IAC Chapter 69, ~~and are required to~~ and meet all the terms and conditions of this permit for a period of five years. Upon review of ~~an~~the NOI, the Department may deny coverage under this permit and require submittal of an application for an individual NPDES permit pursuant to Part I.C.1. of this permit. If the Department determines that the discharge ~~described~~describe in an NOI is eligible for coverage under this permit, an authorization will be sent to the applicant.

## E. Reauthorization

1. The permit will be reauthorized and reissued prior to the expiration date of this permit.
2. Prior to the expiration of an authorization issued under this permit, the owner of a ~~PSDS~~system covered by this permit shall resubmit a NOI for coverage under the reissued permit.
3. If this permit is not reissued prior to the expiration date, it will be administratively continued in accordance with 40 CFR ~~§Section~~-122.6 and 567 IAC ~~6460~~.8 and it will remain in force and effect for discharges that were covered prior to the permit expiration date. ~~If a system was~~ An owner granted permit coverage prior to the permit expiration date ~~who has and the owner~~ resubmitted ~~an~~ NOI as specified above, ~~the system~~ will automatically remain covered by this permit until the earliest occurrence of one of the following:
  - a. Authorization for coverage granted by the Department under a reissuance or replacement of this permit,
  - b. The owner's submittal of a Notice of Discontinuation (NOD);
  - c. Issuance of an individual permit for the ~~system's~~ discharge; or
  - d. A formal decision by the Department not to require permit coverage for the discharge.

## Part II. Notice of Intent (NOI) Requirements

### A. Deadlines for Filing an NOI

1. The owner shall file an NOI for coverage under this permit with the Department when ~~at~~the ~~PSDS~~ construction permit is issued by the local administrative authority. ~~A copy of the NOI must also be filed with the local administrative authority.~~
2. Owners of existing ~~PSDS private sewage disposal systems~~ constructed prior to the effective date of this permit shall ~~submit~~file an NOI by December 31, ~~2023~~2028.

### B. Failure to Notify

Owners who fail to notify the Department of their intent to be covered by this permit, or who discharge pollutants to ~~either a~~ designated waters of the state or a subsurface drainage tile ~~that discharges to a designated surface water of the state~~ without an NPDES permit, are in violation of the Clean Water Act, Iowa Code Section 455B, and 567 IAC Chapter 69.

### C. Contents of an NOI

A complete NOI shall include DNR Form 542-1541, signed in accordance with Part IV.D. of this permit. The information on the ~~NOI~~ form shall include all of the following:

1. The owner's name, address, email address, and telephone number;
2. The location of the ~~PSDS private sewage disposal system~~. Location shall be provided as ~~including~~ the property address, County, and legal description (Latitude and Longitude, if available, or Section, Township, Range);
3. The type of secondary treatment system from which the discharge originates (i.e., ~~soil absorption, gravel aggregate, chamber, EPS aggregate, mound, at-grade, soil absorption bed, intermittent subsurface sand filter, or proprietary treatment system, sand filter, aerobic treatment unit, packaged treatment unit, waste stabilization pond, constructed wetland, or other~~);
4. A certification that the information provided is accurate;
5. A certification that the terms and conditions of this permit will be met; and
6. A certification that the ~~PSDS system~~ or treatment component will be constructed in conformance with the

requirements of 567 IAC Chapter 69, if permit coverage is for a new ly constructed ~~or replacement~~ PSDS ~~private sewage disposal system~~ or treatment component.

#### D. Where to Submit

1. ~~A NOI must be filed as directed in this section. a. Electronic~~ Complete NOIs ~~copies shall be submitted~~ sent to the following email address: npdes.permit.application@dnr.iowa.gov. ~~b. Paper copies may be sent to: NPDES Section, Onsite Coordinator, Iowa Department of Natural Resources, 502 E 9<sup>th</sup> Street, Des Moines IA 50319-0034.3. c. The Department~~ director may specify other means of electronic submittal as needed.
2. A copy of a completed NOI shall be submitted to the local administrative authority at the same time the NOI is submitted to the Department. ~~after applying for a construction permit for a private sewage disposal system.~~

### Part III. Compliance Requirements

#### A. Compliance

The ~~system~~ owner of the discharging PSDS shall be responsible for assuring compliance with all the terms and conditions of this permit.

#### B. Effluent Sampling by Qualified Samplers

The owner ~~must~~ is responsible to have their PSDS ~~private sewage disposal system~~ sampled to ensure compliance with the effluent limits in this permit. Only a “qualified sampler” as defined in Part VI of this permit shall conduct effluent sampling for compliance monitoring.

#### C. Sampling Frequency and Testing Parameters

All permitted discharging PSDS ~~private sewage disposal systems~~ shall be sampled and tested at the following frequencies:

1. ~~No~~ less than twice a year at six-month intervals for Carbonaceous Biochemical Oxygen Demand, five day (CBOD<sub>5</sub>) and *Escherichia coli* (*E. coli*), and
2. No less than once a year for total suspended solids (TSS).

#### D. Effluent Limits

| <del>Effluents Discharging To</del> | <i>E. coli</i><br>cfu/100 ml <sup>1</sup> | CBOD <sub>5</sub><br>mg/L <sup>2</sup> | TSS<br>mg/L <sup>2</sup> |
|-------------------------------------|-------------------------------------------|----------------------------------------|--------------------------|
| <u>Class “A1” and “A3” waters</u>   | 235                                       | 25                                     | 30                       |
| <u>Class “A2” waters</u>            | <del>2880</del>                           | <del>25</del>                          | <del>30</del>            |

<sup>1</sup>cfu/100 ml = colony forming units per milliliter

<sup>2</sup>mg/L = milligrams per liter

#### E. Sampling Location and Procedures

1. Sample Collection
  - a. Representative ~~e~~Effluent samples must be collected from an ~~approved~~ sampling port specified by the manufacturer or from the end of the discharge pipe (if accessible) following the final treatment component of the system. Samples may not be collected from perforated tile or after combining with groundwater or other wastestreams.
  - b. If the PSDS ~~system~~ is not discharging at time of sampling, but appears to have been discharging, water must be added to the system through the building plumbing to create a discharge. The amount of water added should equal the approximate average daily flow.
  - c. The sample must be collected from a free falling effluent pipe or sampling port where the effluent is flowing. Samples shall not be taken from a pooled location.
  - d. If there is no evidence of a discharge from the PSDS ~~system~~ within the previous six months, or after adding water in accordance with E.1(b), only a physical inspection of the discharge area for any signs of surfacing effluent is required.
  - e. If no sample ~~is~~ was collected, the Notice of Non-Discharge Form (NND, 542-0696) ~~a brief inspection report~~

must be submitted to the local administrative authority and to the Department. The NND form must include an explanation of explaining why no sample was collected.

2. Sample Analysis

- a. Effluent samples must be analyzed by a laboratory certified by the Department. A list of certified laboratories is available from the Department or the local administrative authority.
- b. Sample containers provided by the laboratory must be used for the sample.
- c. Samples must be cooled to 4 ~~°degrees~~-C (38 ~~°degrees~~-F) immediately after collection and be maintained at this temperature during transport to the laboratory. Packing the sample in ice is satisfactory.
- d. The qualified sampler must ensure that the laboratory receives samples within the 8 hour maximum holding time specified in 40 CFR Part 136.

**F. Reporting of Sample Results and Repeat Sampling**

The owner shall submit all required sample ~~test~~ results to the Department and to the local administrative authority. All required sample ~~test~~ results shall also be sent to the maintenance contractor, if applicable. ~~Electronic e~~Copies shall be submitted sent to the following email address: [npdes.mail@dnr.iowa.gov](mailto:npdes.mail@dnr.iowa.gov). ~~Paper copies may be sent to: NPDES Section, Onsite Coordinator, Iowa Department of Natural Resources, 502 E. 9th Street, Des Moines, IA 50319-0034.~~

**G. Duty to Mitigate**

If a sample does not meet the effluent limits, the owner shall investigate the potential causes of the problem, and a repeat sample shall be taken and submitted to the Department and the local administrative authority within 30 days for the specific parameter that was out of compliance. If three consecutive samples do not meet the effluent limits, the owner shall take corrective actions to bring the system into compliance. The owner shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

**H. ~~Retention of Record~~keepings**

1. The owner shall retain records of all monitoring information required by this permit for a minimum of three years.
2. The records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurement;
  - b. The name of the individual who performed the sampling or measurement;
  - c. The date analyses were performed;
  - d. The name of the laboratory that performed the analyses; and,
  - e. The results of the analyses.

**Part IV. Standard Conditions**

**A. Administrative Rules**

Rules of the Iowa Department of Natural Resources (Department) that govern the operation of a facility in connection with this permit are published in Partvolume 567 of the Iowa Administrative Code (IAC) in Chapters 60, ~~64-63~~, and 69. Reference to the term “rule” in this permit means the designated provision of Partvolume 567 of the IAC. Reference to the term “CFR” means the Code of Federal Regulations.

**B. Duty to Comply**

The owner of a PSDS~~private sewage disposal system~~ that discharges to either a designated water of the state or a subsurface drainage tile that discharges to a designated surface water of the state must comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the Iowa Code section 455B, 567 IAC Chapter 69, and the Clean Water Act and is grounds for enforcement action, termination of coverage under this permit, or for denial of a request for coverage under a reissued permit. Coverage under this permit does not relieve the owner of the responsibility to comply with all local, state, and federal laws, ordinances, regulations, or other

legal requirements. {~~567 IAC 60.7(4)~~, 40 CFR 122.41(a)}

#### C. Duty to Provide Information

The owner shall furnish to the Department or to the local administrative authority, within a reasonable time, any information relative to the construction, operation, or maintenance of the permitted facility, including effluent sample test results. The owner shall also furnish to the Department, upon request, copies of any records required to be kept by this permit. Where the owner becomes aware of a failure to submit any relevant facts in the submission of any report to the ~~Department director~~, including records of operation, the owner shall promptly submit such facts or information. {567 IAC ~~60.3(2)"a"(3)"3."~~60.4(2)"a", 567 IAC 63.79(6), 40 CFR 122.41(h) ~~and (l)~~}

#### D. Signatory Requirements and Certification

~~Forms required by the permit (NOIs, NODs, NNDs)~~ ~~Notices of Intent, Notices of Discontinuation~~, or other information submitted to the Department in connection with this permit must be signed and certified in accordance with 567 IAC ~~64.3(8)~~60.3(2)"d" and 40 CFR §122.22.

#### E. Permit Actions

Coverage under this permit may be terminated for cause. The filing of a request by the owner for a permit discontinuance ~~(an NOD)~~, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. {567 IAC ~~60.3(6)"a"~~64.3(11)"d" and ~~64~~60.6(3)}

#### F. Legal and Financial Liability Waiver

No legal or financial responsibility arising from the operation or maintenance of any disposal system or part thereof installed by the permittee to achieve compliance with this permit shall attach to the State of Iowa or the Department.

#### G. Transfer of Coverage Under this Permit

For discharges covered under this permit, when the property with a ~~PSDSprivate sewage system~~ changes ownership, the Department must be notified of the title transfer prior to the new owner taking possession of the property. After the Department is ~~thus~~ notified, the new owner(s) shall be subject to all terms and conditions of this permit from and after the date the Department receives written notice of the title transfer. No transfer of the authorization to discharge under this permit shall take place prior to notification of the Department of the title transfer. Prior to any transfer of ownership of a building where a person resides, congregates, or is employed that is served by a ~~PSDSprivate sewage disposal system~~, the ~~sewage disposal~~ system serving the building shall be inspected according to the requirements in rule 567 IAC 69.27. {567 IAC ~~64.14~~60.12}

#### H. Notice of Discontinuation (NOD)

1. If a ~~PSDSprivate sewage disposal system~~ is modified to a system that does not discharge to ~~either~~ a designated water of the state or a subsurface drainage tile ~~that discharges to a designated surface water of the state~~, the owner of the system shall submit a Notice of Discontinuation (NOD) ~~form (542-0697)~~ to the Department.
2. An NOD shall include the following information:
  - 1) the name of the owner to which the permit authorization was issued;
  - 2) the general permit authorization number; and
  - 3) the date the discharge is discontinued.
3. An NOD must be signed and certified in accordance with Part IV.D. of this permit.

#### I. Construction Permit Required

No ~~PSDSprivate sewage disposal system~~ shall be installed or altered unless a construction permit ~~has been obtained from issued by~~ the local administrative authority ~~has been obtained~~. The installation shall be in accordance with 567 IAC Chapter 69.

#### J. Twenty-four hour Reporting and Other Noncompliance

The owner shall report any noncompliance that may endanger human health or the environment. Information shall be provided orally to the appropriate regional field office of the department within 24 hours from the time the owner becomes aware of the circumstances. A written submission that includes a description of noncompliance and its cause; the period of noncompliance including exact dates and times, whether the noncompliance has been corrected or the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent a reoccurrence of the noncompliance must be provided to the appropriate field office within 5 days of the occurrence. The owner shall give advance notice to the appropriate regional field office of the department of any planned activity which may result in noncompliance with permit requirements. Notice is required only when previous notice has not been given to any other section of the department. {567 IAC ~~63.12 and 63.14~~ 63.9, 40 CFR §122.41(l)}

**K. Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. {567 IAC ~~64.7(5)"j"~~ 60.7(7)"l,", 40 CFR 122.41(c)}

**L. Property Rights**

This permit does not convey any property rights of any sort or any exclusive privileges. {567 IAC ~~64.60.4(3)"b"~~, 40 CFR 122.41(g)}

**M. Effect of the Permit**

Compliance with this permit during its term constitutes compliance, for purposes of enforcement, with Sections 301, 302, 306, 307, 318, 403, and 405 (a)-(b) of the Clean Water Act, and equivalent limitations and standards set out in 567 IAC Chapters 61 and 62. {567 IAC ~~64.60.4(3)"a"~~ and 40 CFR §122.5}

**N. Severability**

The provisions of this permit are severable and if any provision or application of any provision to any circumstance is found to be invalid by this Department or a court of law, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected by such finding.

**Part V. Reopener Clause**

If there is evidence indicating potential or realized impacts to water quality due to any discharge from an authorized ~~PSDS private sewage disposal system~~ covered by this permit, the owner of such system may be required to obtain an individual permit in accordance with Part I.C of this permit.

**Part VI. Definitions**

**"Administrative Authority"** means the Department ~~or~~ and the local board of health as authorized by Iowa Code section 455B.172 and Iowa Code Chapter 137.

**"Carbonaceous Biochemical Oxygen Demand (five day) (CBOD<sub>5</sub>)"** means the amount of oxygen consumed in the biological processes that break down carbonaceous organic matter in water by aerobic biochemical action in five days at 20 °C.

~~"Class 'A1' water," also referred to as a primary contact recreational use water, means waters in which recreational or other uses may result in prolonged and direct contact with the water, involving considerable risk of ingesting water in quantities sufficient to pose a health hazard. Such activities would include, but not be limited to, swimming, diving, water skiing, and water contact recreational canoeing.~~

~~"Class 'A2' water," also referred to as a secondary contact recreational use water, means waters in which recreational or other uses may result in contact with the water that is either incidental or accidental. During the recreational use,~~

~~the probability of ingesting appreciable quantities of water is minimal. Class A2 uses include fishing, commercial and recreational boating, any limited contact incidental to shoreline activities and activities in which users do not swim or float in the water body while on a boating activity.~~

~~“Class ‘A3’ water,” also referred to as a children’s recreational use water, means waters in which recreational uses by children are common. Class A3 waters are water bodies having definite banks and bed with visible evidence of the flow or occurrence of water. This type of use would primarily occur in urban or residential areas.~~

**“Department”** means the Iowa Department of Natural Resources.

**“Private sewage disposal system” or “PSDS”** means a system which provides for the treatment or disposal of domestic sewage from four or fewer dwelling units or the equivalent of less than sixteen 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 455B.172A.~~ For the purposes of this permit, the term includes the treatment systems presented in 567 IAC Chapter 69. ~~“Private sewage disposal system” includes, but is not limited to, septic tanks, holding tanks for waste, chemical toilets, impervious vault toilets and portable toilets.~~

**“Qualified sampler,”** for the purposes of collecting compliance effluent samples required under this permit, means one of the following persons: a city or county environmental health staff person, an Iowa-certified wastewater treatment operator, or an individual who has received Department-approved training ~~approved by the Department~~ to conduct effluent sampling.