

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) by providing standards for the commercial cleaning of and the disposal of waste from private waste facilities, and licensing requirements and procedures. These rules govern the commercial cleaning of and the disposal of wastes from private waste facilities.

567—68.2(455B) Definitions. Definitions used in this chapter are listed in alphabetical order as follows:

“*Cleaning*” means removal of waste from private waste facilities 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 waste facilities, including a person or firm that owns and rents or leases portable toilets.

“*Holding tank for wastes*” means any receptacle for the retention or storage of wastes pending removal for further treatment or disposal.

“*Private waste facilities*” includes, but is not limited to, septic tanks as defined in 567—subrule 69.3(1); holding tanks for wastes; impervious vault toilets, portable toilets, and chemical toilets as described in 567—Chapter 69; and all waste control systems identified in 567—Chapter 65 for animal confinement feeding operations.

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

“*Vehicle*” means a device used to transport a tank.

“*Waste*” means human or animal excreta, water, scum, sludge, septage, and grease solids from private sewage disposal systems; impervious vault, portable, or chemical toilets; and waste control systems for animal confinement feeding operations.

567—68.3(455B) Licensing requirements. Effective March 1, 1991, commercial septic tank cleaners must apply for and obtain a license from the department before engaging in the commercial cleaning of and disposing of waste from any private waste facility unless, prior to March 1, 1991, a county board of health issued a license authorizing this activity. In that event the commercial septic tank cleaner is not required to obtain a license from the department until the license expires or until March 1, 1992, whichever occurs first.

567—68.4(455B) Licensing procedures.

68.4(1) Application for license. Commercial septic tank cleaners must apply for a license by completing a form provided by the department and submitting it with the license fee to the Department of Natural Resources, License Bureau, Wallace Building, 900 East Grand, 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: 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 cleaner business are not required to be licensed but each cleaning unit (vehicle or tank) must have the license number (except for the year) displayed and a copy of the current license with the cleaning unit.

68.4(2) License fee. The initial license application and each renewal application must be accompanied by a nonrefundable fee in the form of a check or money order made payable to the Department of Natural Resources. The application fee is \$25 per year.

68.4(3) License renewal. In order to remain valid, a commercial septic tank cleaner license must be renewed by the expiration date specified on the license. Renewal application must be made on a form provided by the department, and must be received by the department or postmarked at least 30

days prior to the expiration date. The renewal application form must be accompanied by the license fee specified in subrule 68.4(2).

68.4(4) *Change in ownership.* Within 30 days of the change in ownership of any commercial septic tank cleaner, the new owner shall furnish the department with the following information: (1) name of business and license number; (2) name, address, and telephone number of new owner; and (3) date the change in ownership took place. The license will transfer with the ownership with no additional fee due until the next renewal date.

567—68.5(455B) Suspension, revocation and denial of license.

68.5(1) *Basis for suspension, revocation, and denial.* The department may suspend, revoke, or deny a commercial septic tank cleaner license for any of the following reasons:

- a. A material misstatement of facts in a license application.
- b. A failure to provide the adequate license fee.
- c. A failure to satisfy the obligations of a commercial septic tank cleaner and the standards as provided in rules 68.6(455B), 68.8(455B), and 68.9(455B).
- d. Violation of disposal standards in 567—Chapters 65, 69, and 121.

68.5(2) *Appeal.* A commercial septic tank cleaner may appeal the suspension, revocation, or denial of a license under the provisions of 567—Chapter 7.

68.5(3) *Reinstatement.* In the case of a denial, revocation, or suspension pursuant to paragraph 68.5(1)“b” or “c,” the department may immediately reinstate or issue a license after receipt of the requisite fee or confirmation that the commercial septic tank cleaner is fulfilling the requirements of rules 68.6(455B) and 68.8(455B). In case of a denial, revocation or suspension pursuant to paragraph 68.5(1)“a” 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 cleaner has corrected the deficiency and will comply with departmental rules in the future.

567—68.6(455B) Licensee’s obligations.

68.6(1) *Supervision.* To provide supervision to the removal and disposal of waste from private waste facilities.

68.6(2) *Standards.* To meet the standards established for the cleaning of and disposal of waste from private waste facilities.

68.6(3) *Records.* To maintain records of private waste facilities cleaned and the location and method of waste disposal. Such records shall be maintained for a period of three years, and shall be made readily available upon request to county board of health or department officials.

567—68.7(455B) 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 waste facilities and disposal of waste from such facilities.

567—68.8(455B) Standards for commercial cleaning of private waste facilities.

68.8(1) *Vehicles, tanks and equipment.* For all vehicles, tanks, and equipment used in the commercial cleaning of private waste facilities the licensee shall:

- a. Prevent the dripping, falling, spilling, leaking, or discharging of waste onto roads or rights-of-way.
- b. Provide the equipment necessary for proper cleaning of private waste facilities.
- c. Ensure proper construction and repair of cleaning equipment to allow easy cleaning and maintaining in an essentially rust-free and sanitary condition and appearance.

68.8(2) *Miscellaneous.*

a. Any tanks or equipment used for hauling waste from private waste facilities shall not be used for hauling hazardous or toxic wastes as defined in 567—Chapter 131, or other wastes detrimental to land application or wastewater treatment plants; and shall not be used in a manner that would contaminate a potable water supply 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 waste facilities 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 3-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.
- f. A direct connection shall not be made between a potable water source and the tank or equipment on the vehicle.

567—68.9(455B) Standards for disposal. Disposal of wastes from private waste facilities shall be carried out in accordance with the rules established by the department.

68.9(1) Waste from private sewage disposal systems, holding tanks for wastes, impervious vault, portable, or chemical toilets or other similar types of private waste facilities shall be disposed of according to the following requirements.

- a. Discharge (with owner approval) to a municipal or other permitted wastewater treatment system.
- b. Discharge (with owner approval) to permitted septage lagoons or septage drying beds.
- c. Land application in accordance with the following requirements:
 - (1) The maximum application rate is 30,000 gallons of septage per 365-day period per acre of cropland.
 - (2) The following site restrictions shall be met when septage is applied to land.
 1. Septage shall not be applied to a lawn or a home garden.
 2. The septage shall be applied only to soils classified as acceptable throughout the top 5 feet of soil profile. The septage shall not be applied to soils classified as sand, loamy sand and silt. The acceptability of a soil shall be determined using the U.S.D.A. soil classifications.
 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 to increase the pH to an acceptable level.
 4. If the septage is applied to land on which the soil loss exceeds the soil loss limits established by the county soil conservation district, the septage shall be injected on the contour or shall be applied to the surface and mechanically incorporated into soil within 48 hours of application. The septage shall not be applied to ground having greater than 9 percent slope.
 5. Septage application on frozen or snow-covered ground should be avoided, unless special precautions are taken to avoid runoff. If application on frozen or snow-covered ground is necessary, it shall be limited to land areas of less than 5 percent slope.
 6. Septage shall not be applied to land that is 35 feet or less from an open waterway. If septage is applied within 200 feet 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.
 7. If the septage is applied to land subject to flooding more frequently than once in ten years, 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 subject to flooding more frequently than once in ten years is available from the department.
 8. Septage shall not be applied within 200 feet of an occupied residence nor within 500 feet of a well.
 9. Food crops shall not be harvested for 38 months after application of septage.
 10. Animals shall not be allowed to graze on the land for 30 days after application of septage.
 - (3) One of the following vector attraction reduction requirements shall be met when septage is applied to land.

1. Septage 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 after the septage is injected.

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

3. The septage shall be stabilized by adding and thoroughly mixing sufficient lime to produce a mixture with a pH of 12. Provide a minimum of two hours of contact time after mixing the lime with the septage prior to applying to land. Each container of septage shall be monitored for compliance.

4. The septage shall be stabilized by adding and thoroughly mixing 50 pounds of lime with each 1,000 gallons of septage.

(4) When septage is applied to land, the person who applies the septage shall develop the following information and shall retain the information for five years:

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

2. The number of acres in each site on which septage is applied.

3. The date and time septage is applied to each site.

4. The rate, in gallons per acre per 365-day period, at which septage is applied to each site.

5. A description of how the vector attraction reduction requirements are met.

6. The following certification statement shall be provided with the records when the records are 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 567—69.14(1) "c"(3)"3."

d. Discharge (with owner approval) to a permitted sanitary landfill in accordance with 567—Chapters 102 and 103 and the following requirements:

(1) Stabilize the septage by adding and thoroughly mixing sufficient lime to produce a mixture with a pH of 12.

(2) Provide a minimum of two hours of contact time after mixing the lime with the septage prior to applying to the landfill.

(3) Dewater the septage.

68.9(2) Disposal of water from animal confinement feeding operations shall be consistent with the provisions of 567—Chapter 65 for land disposal of animal wastes. Animal wastes from an animal confinement feeding operation shall be applied in accordance with provisions applicable for that facility.

These rules are intended to implement Iowa Code section 455B.172(5).

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