

Local Business 3/6

FILED FEB 23 1984

SENATE FILE 2213

BY COMMITTEE ON NATURAL RESOURCES

*Approved 2/23 (p. 524)*

(FORMERLY SSB 2015)

Passed Senate, Date 3-1-84 (p. 594) Passed House, Date 5-27-84 (p. 1213)

Vote: Ayes 47 Nays 0 Vote: Ayes 98 Nays 0

Approved April 20, 1984 (p. 1769)

*Passed Senate for House amendment  
4-2-84 (p. 1232)  
46-0*

### A BILL FOR

1 An Act relating to the authority of the department of water,  
2 air and waste management over waste water disposal  
3 systems.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5

SENATE FILE 2213

H-5474

1 Amend Senate File 2213 as passed by the Senate,  
2 as follows:  
3 1. Page 1, line 5, by striking the words "or minor  
4 industrial waste water".  
5 2. Page 2, line 11, by inserting after the word  
6 "state." the words "The exemption of this paragraph  
7 shall not apply to any industrial waste discharges."

H-5474 FILED MARCH 7, 1984 BY SHOULTZ of Black Hawk  
*(Adopted 3/23 (p. 1213))*

HOUSE AMENDMENT TO SENATE FILE 2213

S-5654

1 Amend Senate File 2213 as passed by the Senate,  
2 as follows:  
3 1. Page 1, line 5, by striking the words "or minor  
4 industrial waste water".  
5 2. Page 2, line 11, by inserting after the word  
6 "state." the words "The exemption of this paragraph  
7 shall not apply to any industrial waste discharges."

S-5654 FILED  
MARCH 29, 1984

RECEIVED FROM THE HOUSE

*Senate concurred 4/2 (p. 1232)*

S. 2213

1 Section 1. Section 455B.171, Code Supplement 1983, is  
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 23. "Semi-public sewage disposal system"  
4 means a system for the treatment or disposal of domestic  
5 sewage or minor industrial waste water which is not a private  
6 sewage disposal system and which is not owned by a city, a  
7 sanitary sewer district, or a designated and approved  
8 management agency under section 1288 of the federal Water  
9 Pollution Control Act (33 U.S.C. sec. 1288).

10 Sec. 2. Section 455B.171, subsection 22, Code Supplement  
11 1983, is amended to read as follows:

12 22. "Private sewage disposal system" means a system which  
13 provides for the treatment or disposal of domestic sewage  
14 from four or fewer dwelling units or the equivalent of less  
15 than sixteen individuals on a continuing basis, ~~which does~~  
16 ~~not discharge into the waters of the state.~~

17 Sec. 3. Section 455B.172, subsection 2, Code Supplement  
18 1983, is amended to read as follows:

19 2. The department is the state agency designated to carry  
20 out the state responsibilities related to private water sup-  
21 plies and private sewage disposal systems for the protection  
22 of the health of the citizens of this state. The commission  
23 shall adopt minimum standards and provide model standards  
24 for private water supplies and private sewage disposal  
25 facilities for use of the local boards of health. Each local  
26 board of health is the agency to regulate private water  
27 supplies and private sewage disposal systems, but the  
28 department shall maintain jurisdiction over discharges to  
29 a water of the state. Each local board of health shall adopt  
30 standards relating to the design and construction of private  
31 water supplies and private sewage disposal facilities, which  
32 standards shall not be lower than the minimum standards adopted  
33 by the commission.

34 Sec. 4. Section 455B.183, subsection 3, unnumbered  
35 paragraph 1, Code Supplement 1983, is amended to read as

1 follows:

2 The operation of any waste disposal system or public water  
3 supply system or any part of or extension or addition to such  
4 the system. This provision does not apply to any a  
5 pretreatment system the effluent of which is to be discharged  
6 directly to another disposal system for final treatment and  
7 disposal, a semi-public sewage disposal system, the construc-  
8 tion of which has been approved by the department and which  
9 does not discharge into water of the state or any a private  
10 sewage disposal system which does not discharge into a water  
11 of the state.

12 EXPLANATION

13 This bill defines semi-public sewage disposal system and  
14 exempts the semi-public waste disposal systems which do not  
15 discharge to a water of the state from the requirement of  
16 having a permit to operate from the department. The bill  
17 also corrects an unintended result of the redefinition of  
18 a private sewage disposal system which appears to remove regu-  
19 latory authority of local boards of health over private sys-  
20 tems if they discharge into a water of the state. This bill  
21 provides that local boards retain construction permitting  
22 authority over private systems and the department regulates  
23 only the discharge to waters of the state.

24 The bill takes effect July 1 following its enactment.

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SENATE FILE 2213

AN ACT

RELATING TO THE AUTHORITY OF THE DEPARTMENT OF WATER, AIR  
AND WASTE MANAGEMENT OVER WASTE WATER DISPOSAL SYSTEMS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 455B.171, Code Supplement 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 23. "Semi-public sewage disposal system" means a system for the treatment or disposal of domestic sewage which is not a private sewage disposal system and which is not owned by a city, a sanitary sewer district, or a designated and approved management agency under section 1288 of the federal Water Pollution Control Act (33 U.S.C. sec. 1288).

Sec. 2. Section 455B.171, subsection 22, Code Supplement 1983, is amended to read as follows:

22. "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 less than sixteen individuals on a continuing basis, ~~which does not discharge into the waters of the state.~~

Sec. 3. Section 455B.172, subsection 2, Code Supplement 1983, is amended to read as follows:

2. The department is the state agency designated to carry out the state responsibilities related to private water supplies and private sewage disposal systems for the protection of the health of the citizens of this state. The commission shall adopt minimum standards and provide model standards for private water supplies and private sewage disposal facilities for use of the local boards of health. Each local board of health is the agency to regulate private water supplies and private sewage disposal systems, but the department shall maintain jurisdiction over discharges to a water of the state. Each local board of health shall adopt standards relating to the design and construction of private water supplies and private sewage disposal facilities, which standards shall not be lower than the minimum standards adopted by the commission.

Sec. 4. Section 455B.183, subsection 3, unnumbered paragraph 1, Code Supplement 1983, is amended to read as follows:

The operation of any waste disposal system or public water supply system or any part of or extension or addition to such the system. This provision does not apply to any a pretreatment system the effluent of which is to be discharged directly to another disposal system for final treatment and disposal, a semi-public sewage disposal system, the construction of which has been approved by the department and which does not discharge into water of the state or any a private sewage disposal system which does not discharge into a water

of the state. The exemption of this paragraph shall not apply to any industrial waste discharges.

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ROBERT T. ANDERSON  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2213, Seventieth General Assembly.

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K. MARIE THAYER  
Secretary of the Senate

Approved April 20, 1984

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TERRY E. BRANSTAD  
Governor