

**ENVIRONMENTAL PROTECTION COMMISSION[567]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code sections 466.8, 455B.291 and 455B.299, the Environmental Protection Commission hereby adopts amendments to Chapter 93, “Nonpoint Source Pollution Control Set Aside Programs,” Iowa Administrative Code.

These amendments are intended to implement 2013 Iowa Acts, House File 311, section 4, passed by the Legislature and signed by the Governor on April 24, 2013. 2013 Iowa Acts, House File 311, section 4, amended Iowa Code section 466.8 to allow homeowners inside city limits and without a public sewer connection to access the low-interest loan program known as the Onsite Wastewater Assistance Program to repair or replace failing septic systems. This rule making is necessary to implement the revised law.

Prior to the passage of 2013 Iowa Acts, House File 311, only homeowners outside city limits could utilize the Onsite Wastewater Assistance Program for repair and replacement of failing septic systems. However, a significant number of homes inside city limits are served by septic systems. These homes often do not have a sewer connection available because of cost or location. With the legislative change, homeowners inside city limits now have access to the Onsite Wastewater Assistance Program for repair or replacement of failing septic systems. This loan program provides low-interest loans, typically 3 percent, for a term as long as ten years, which provides affordable payments to homeowners. The loans are linked deposit loans provided by local lenders and administered by the Iowa Finance Authority.

Notice of Intended Action was published in the November 13, 2013, Iowa Administrative Bulletin as **ARC 1177C**. Comments regarding these amendments were accepted during the comment period ending December 12, 2013, and at a public hearing held in Des Moines on December 4, 2013. No comments were received from the public regarding these amendments. The adopted amendments are identical to those published under Notice.

After analysis and review of this rule making, a positive impact on jobs should result.

These amendments are intended to implement Iowa Code section 466.8.

These amendments will become effective March 26, 2014.

The following amendments are adopted.

ITEM 1. Amend subrule 93.3(1) as follows:

**93.3(1)** *Onsite wastewater treatment and disposal systems set-aside.* The purpose of this set-aside is to assist ~~with~~ homeowners to rehabilitate or improve existing onsite wastewater treatment and disposal systems.

ITEM 2. Amend paragraph **93.4(1)“a”** as follows:

*a. Location restrictions.* Assistance is available for the improvement or rehabilitation of onsite wastewater treatment systems ~~located outside of corporate boundaries. Assistance cannot be provided for improvements to or rehabilitation of onsite systems located within incorporated limits~~ servicing homes that do not have a connection to a publicly owned treatment works.

[Filed 1/28/14, effective 3/26/14]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 2/19/14.