

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

**Proposing rule making related to water treatment systems
and providing an opportunity for public comment**

The Public Health Department hereby proposes to rescind Chapter 14, “Water Treatment Systems,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code chapter 714 and 2022 Iowa Acts, Senate File 2232.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 714 and 2022 Iowa Acts, Senate File 2232.

Purpose and Summary

The proposed rescission of Chapter 14 will eliminate the registration requirement at the state level for water treatment systems. On April 21, 2022, Governor Reynolds signed 2022 Iowa Acts, Senate File 2232, which strikes Iowa Code section 714.16(2)“h,” which currently states that it is an unlawful practice for a person to sell, lease, rent, or advertise the sale, lease, or rental of a water treatment system in this state, for which claims or representation of removing health-related contaminants are made, unless the water treatment system has been performance-tested by a third-party testing agency that has been authorized by the Department. 2022 Iowa Acts, Senate File 2232, provides that it is now unlawful for a person to sell, lease, rent, or advertise the sale, lease, or rental of a water treatment system in this state, for which claims or representations related to the removal of health-related contaminants are made, unless a certification body accredited by the American National Standards Institute certifies all of the claims or representations related to the removal of health-related contaminants.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to the Department’s waiver provisions contained in 641—Chapter 178.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on August 16, 2022. Comments should be directed to:

Ken Sharp
Department of Public Health
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.281.5099
Email: kenneth.sharp@idph.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Rescind and reserve **641—Chapter 14.**