

## ENVIRONMENTAL PROTECTION COMMISSION[567]

### Regulatory Analysis

Notice of Intended Action to be published: 567—Chapter 60  
“Scope of Title, Definitions, Wastewater Construction Permits, and Operation Permits”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 455B.103(2), 455B.105(3) and 455B.173(3)

State or federal law(s) implemented by the rulemaking: Iowa Code section 455B.173

### *Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

June 30, 2026  
10 to 11 a.m.

Via videoconference call  
Information on virtual participation can be found at [www.iowadnr.gov/environmental-protection/water-quality/wqb-rulemaking](http://www.iowadnr.gov/environmental-protection/water-quality/wqb-rulemaking)

Free language assistance: If you need assistance in a language other than English, contact the Department at [iwfds@dnr.iowa.gov](mailto:iwfds@dnr.iowa.gov) or [civilrights@dnr.iowa.gov](mailto:civilrights@dnr.iowa.gov) or by telephone at 515.360.1671 at least seven days before the event.

Asistencia lingüística gratuita: Si necesita ayuda en un idioma que no sea inglés, comuníquese con el Departamento al [iwfds@dnr.iowa.gov](mailto:iwfds@dnr.iowa.gov) or [civilrights@dnr.iowa.gov](mailto:civilrights@dnr.iowa.gov) o por teléfono a 515.360.1671 al menos siete días antes del evento.

### *Public Comment*

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department of Natural Resources (Department) no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Satya Chennupati  
Iowa Department of Natural Resources  
6200 Park Avenue, Suite 200  
Des Moines, Iowa 50321  
Email: [iwfds@dnr.iowa.gov](mailto:iwfds@dnr.iowa.gov)

Free language assistance: If you speak a non-English language, the Department offers language assistance services free of charge. Contact the Department at [iwfds@dnr.iowa.gov](mailto:iwfds@dnr.iowa.gov).

Servicios gratuitos de asistencia lingüística: Si habla un idioma que no sea el inglés, los servicios de asistencia lingüística están disponibles de forma gratuita. Comuníquese con el Departamento al [iwfds@dnr.iowa.gov](mailto:iwfds@dnr.iowa.gov).

### *Purpose and Summary*

A construction permit issued by the Department is required for the construction, installation, or modification of any disposal system or part thereof or any extension or addition thereto. Construction permit applications must comply with the requirements established in the Iowa Wastewater Facilities Design Standards (IWFDS), which are referenced in Chapter 60.

Chapters 6 (Settling) and 8B (Activated Sludge Biological Treatment) within the IWFDS are being revised based on review of current engineering recommendations and comments previously received from stakeholders in order to modernize the standards by enhancing clarity and promoting greater flexibility. Minor typographical and reference errors are also being corrected throughout the IWFDS.

The revised document is available for viewing at [drive.google.com/file/d/1IS5VDLwlp7x4iNwLbIhWmrFDqc2ib9z/view?usp=sharing](https://drive.google.com/file/d/1IS5VDLwlp7x4iNwLbIhWmrFDqc2ib9z/view?usp=sharing).

### *Analysis of Impact*

**1. Persons affected by the proposed rulemaking:**

• **Classes of persons that will bear the costs of the proposed rulemaking:**

Regulated wastewater disposal systems will bear the costs.

• **Classes of persons that will benefit from the proposed rulemaking:**

Citizens of Iowa will benefit.

**2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

• **Quantitative description of impact:**

The proposed changes to the standards streamline language but do not alter the construction permitting process. No economic or other quantitative impact is anticipated.

• **Qualitative description of impact:**

The proposed changes to the standards allow for the continued administration of the construction permitting process by the Department and will make the process simpler for stakeholders as they work toward getting a construction permit.

**3. Costs to the State:**

• **Implementation and enforcement costs borne by the agency or any other agency:**

Existing costs to the Department include program administration and construction permit issuance, including technical review of permit application documents and providing assistance to stakeholders. The proposed changes to the standards are not anticipated to have any effect on existing costs to the State.

• **Anticipated effect on State revenues:**

No effect on State revenues is anticipated.

**4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Demonstrating through the construction permitting process that treatment will meet operation permit limits ensures that aquatic life and the health and welfare of the public are being protected. The benefits of the proposed rulemaking are more clarity and flexibility for stakeholders who are required to undertake the construction permitting process. No additional costs are anticipated from this proposed update to the IWFDS. Leaving the chapters unchanged will result in stakeholders having to submit and Department staff having to review waiver requests.

**5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

There are no less costly or intrusive methods to accomplish the benefit. These updates to the IWFDS modernize and streamline standards to enhance usability for stakeholders.

**6. Alternative methods considered by the agency:**

• **Description of any alternative methods that were seriously considered by the agency:**

No alternative methods were considered.

• **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Iowa Code section 455B.173 requires the Department to issue construction permits. The Iowa Administrative Code must include rules to support this required program.

*Small Business Impact*

**If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:**

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking’s compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

**If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?**

Small businesses cannot be exempted from wastewater construction permitting. The updates to the IWFDS will enhance clarity so all stakeholders will be able to move through the permitting process more easily.

*Text of Proposed Rulemaking*

ITEM 1. Amend paragraph **60.2(1)“b”** as follows:

*b.* Exemptions to the requirement to obtain a construction permit are listed in the Iowa Wastewater Facilities Design Standards, effective ~~June 18, 2025~~ [effective date of this rulemaking], located on the department’s website; hereafter referred to as the IWFDS.