

**16.135 Wastewater viability assessment.**

1. The authority, in cooperation with the department of natural resources and the economic development authority, shall require the use of a wastewater viability assessment for any wastewater treatment facility seeking a grant under the wastewater treatment financial assistance program. A wastewater viability assessment shall determine the long-term operational and financial capacity of the facility and its ratepayers. The authority shall develop minimum criteria for eligibility based on the viability assessment.

2. The authority, in cooperation with the department of natural resources, shall develop a wastewater viability assessment. The assessment shall include as part of the assessment all of the following factors:

*a.* The ability of the applicant to provide proper oversight and management through a certified operator.

*b.* The financial ability of the users to support the existing wastewater treatment system, improvements to the wastewater treatment system, and the long-term maintenance of the wastewater treatment system.

[2009 Acts, ch 72, §2](#); [2011 Acts, ch 34, §8](#); [2011 Acts, ch 118, §85, 89](#)

Referred to in [§16.131A](#)