

H-8293

1 Amend House File 2748 as follows:

2 1. Page 27, after line 2 by inserting:

3 <DIVISION ____

4 PROPRIETARY TREATMENT SYSTEMS

5 Sec. ____ . NEW SECTION. **455B.241 Definitions.**

6 As used in this part 3 of subchapter III, unless the context
7 otherwise requires:

8 1. "*Certified technician*" means a person who is certified
9 in accordance with the manufacturer to monitor, maintain, and
10 inspect proprietary treatment systems.

11 2. a. "*Class A proprietary treatment system*" means a
12 media-based or passive secondary treatment system that is
13 certified by an accreditation body, including a certification
14 meeting national sanitation foundation standard 40 class I.

15 b. "*Class A proprietary treatment system*" includes but is
16 not limited to a peat moss biofilter, coconut fiber filter,
17 synthetic foam filter, polystyrene bead media filter, or
18 textile filter.

19 3. "*Class B proprietary treatment system*" means a secondary
20 treatment system that relies on mechanical aeration that is
21 certified by an accreditation body, including a certification
22 meeting national sanitation foundation standard 40 class I.

23 4. "*Proprietary treatment system*" or "*system*" means either
24 a class A proprietary treatment system or class B proprietary
25 treatment system.

26 Sec. ____ . NEW SECTION. **455B.242 Monitoring and maintenance**
27 **requirements.**

28 1. Prior to the installation of a proprietary treatment
29 system, the system owner and a certified technician shall enter
30 into a contract for monitoring and maintenance of the system.
31 The contract shall be required for the life of the system, and
32 a copy of the contract shall be provided to the applicable
33 administrative authority.

34 2. A proprietary treatment system shall be inspected,
35 monitored, and maintained by the certified technician in

1 accordance with the manufacturer's specifications. A class
2 A proprietary treatment system shall be maintained at least
3 annually. A class B proprietary treatment system shall be
4 maintained at least twice per year or more frequently if
5 required by the manufacturer's specifications.

6 3. Any maintenance and visual inspection of a proprietary
7 treatment system shall be performed by a certified technician.
8 A certified technician shall report results, as provided in
9 section 455B.243, to the system owner and to the applicable
10 administrative authority within thirty days following the
11 inspection. The certified technician shall also report any
12 discontinuance or proprietary treatment system maintenance to
13 the applicable administrative authority.

14 4. A proprietary treatment system may be used when the
15 applicable administrative authority determines the site is
16 unacceptable for a conventional subsurface soil absorption
17 system. Preference shall be given to the use of a class A
18 proprietary treatment system due to the operating principle
19 being similar to that of intermittent subsurface sand filter
20 beds. A class B proprietary treatment system shall not be
21 used on a vacation home, church, or event facility, or other
22 seasonal or infrequent use facility.

23 Sec. _____. NEW SECTION. 455B.243 Reporting.

24 1. A maintenance and visual inspection report for a class A
25 proprietary treatment system or class B proprietary treatment
26 system, as required under section 455B.242, shall record at
27 least the following information:

28 a. The date of the inspection.

29 b. The type of proprietary treatment system.

30 c. Whether the proprietary treatment system is functioning
31 correctly or functioning incorrectly.

32 d. Any sign of equipment malfunction, the cause of the
33 malfunction, and the corrective action taken.

34 e. Results of water testing if the proprietary treatment
35 system is subject to national pollution discharge elimination

1 system general permit number four.

2 *f.* If the proprietary treatment system is functioning
3 incorrectly, the primary reason for the deficiency, including
4 but not limited to:

5 (1) Improper installation.

6 (2) Lack of required maintenance.

7 (3) Improper operation or malfunction.

8 (4) Other damages or conditions contributing to the
9 malfunction.

10 2. The completed report shall be submitted to the department
11 by the certified technician in the form and manner prescribed
12 by the department.

13 3. The department shall compile the information and
14 shall maintain a publicly accessible database summarizing
15 inspection outcomes. The database shall not include personally
16 identifiable information.

17 4. The department shall not assess any fees associated with
18 the receipt, collection, or analysis of reports required under
19 this section.

20 Sec. _____. NEW SECTION. **455B.244 Rulemaking authority.**

21 The department may adopt rules as necessary to administer
22 this part.

23 Sec. _____. DEPARTMENT OF NATURAL RESOURCES — PROPRIETARY
24 TREATMENT SYSTEM STUDY.

25 1. The department of natural resources shall conduct a
26 study utilizing the information regarding proprietary treatment
27 systems reported to the department pursuant to section
28 455B.243, as enacted by this Act.

29 2. In conducting the study, the department shall review
30 the information submitted in annual inspection and maintenance
31 reports, including proprietary treatment system functionality,
32 causes of deficiencies, and maintenance practices. The
33 department shall also review any other data the department
34 determines relevant to evaluating system performance.

35 3. The study shall include analysis of inspection,

1 monitoring, and maintenance data collected from July 1,
2 2026, to December 1, 2027, for purposes of evaluating the
3 performance, reliability, maintenance needs, and common causes
4 of malfunction of proprietary treatment systems.

5 4. The department shall submit to the general assembly on or
6 before January 10, 2028, a report detailing the department's
7 findings and recommendations.

8 Sec. ____ . APPLICABILITY. This division of this Act applies
9 to the inspection, monitoring, and maintenance of proprietary
10 treatment systems, as defined in section 455B.241, as enacted
11 by this Act, performed on or after July 1, 2026.>

12 2. Title page, by striking lines 1 through 4 and inserting
13 <An Act relating to resources of the state, including by
14 providing for the promotion and regulation of agricultural
15 commodities and products; the regulation of the>

16 3. Title page, line 6, by striking <agricultural>

17 4. By renumbering as necessary.

MOMMSEN of Clinton