

House Study Bill 736 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES BILL BY
CHAIRPERSON WOOD)

A BILL FOR

1 An Act relating to the treatment of private sewage disposal
2 systems, including monitoring, maintenance, and reporting
3 requirements, and including applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **455B.241 Definitions.**

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

4 1. "*Aerobic treatment unit*" means a disposal system employing
5 bacterial action that is maintained by the utilization of air
6 or oxygen and includes the aeration plant and equipment and the
7 method of final effluent disposal.

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

11 3. "*Class A proprietary treatment system*" or "*class A*
12 *system*" means a media-based or passive secondary treatment system
13 including but not limited to a peat moss biofilter, coconut fiber
14 filter, synthetic foam filter, polystyrene bead media filter, or
15 textile filter.

16 4. "*Class B proprietary treatment system*" or "*class B system*"
17 means a secondary treatment system that relies on mechanical
18 aeration or fixed film processes.

19 5. "*Packed bed media filter*" means a watertight structure
20 filled with uniformly sized media that is normally placed
21 over an underdrain system. The wastewater is dosed onto the
22 surface of the media through a distribution network and is
23 allowed to percolate through the media to the underdrain system.
24 The underdrain collects the filtrate and discharges the final
25 effluent.

26 6. "*Private sewage disposal system*" means a system that
27 provides for the treatment or disposal of domestic sewage from
28 four or fewer dwelling units or the equivalent of less than
29 sixteen individuals on a continuing basis, including domestic
30 waste, whether residential or nonresidential, but not including
31 industrial waste of any flow rate except as provided for in
32 567 IAC 68.8. "*Private sewage disposal system*" includes but is
33 not limited to a septic tank, holding tank for waste, chemical
34 toilet, impervious vault toilet, or portable toilet.

35 7. "*Proprietary treatment system*" means either a class A or

1 class B system.

2 Sec. 2. NEW SECTION. **455B.242 Monitoring and maintenance**
3 **requirements.**

4 1. Prior to the installation of a private sewage disposal
5 system, the owner shall enter a monitoring and maintenance
6 contract with a certified technician. The contract shall be
7 required for the life of the system, and a copy of the contract
8 shall be provided to the county sanitarian.

9 2. A private sewage disposal system shall be inspected,
10 monitored, and maintained in accordance with the manufacturer's
11 specifications. However, a class A system shall be inspected
12 at least annually. A class B system shall be inspected at
13 least twice per year or more frequently if required by the
14 manufacturer's specifications.

15 3. All monitoring and maintenance shall be performed by
16 a certified technician. A certified technician shall report
17 results to the system owner and to the county sanitarian. All
18 inspections shall be performed by the county sanitarian and such
19 results shall be reported as required in section 455B.243.

20 4. For a class A proprietary treatment system, a media filter
21 such as a peat moss biofilter, coconut fiber filter, synthetic
22 foam filter, polystyrene bead media filter, or textile filter may
23 be used if the site is unacceptable for a soil absorption system
24 and an intermittent sand filter. Preference should be given
25 to the use of a class A system due to the higher maintenance
26 requirements of aerobic treatment units and fixed film systems.
27 An aerobic treatment unit may be used only when the site is
28 unacceptable for a soil absorption system or an intermittent
29 sand filter. Because of the higher maintenance requirements of
30 aerobic treatment units, preference should be given to packed bed
31 media filters where conditions allow.

32 5. For a class B proprietary treatment system, an aerobic
33 treatment unit and modular fixed film system may only be used
34 when the site is unacceptable for a soil absorption system,
35 intermittent sand filter, and class A system. A class B system

1 shall not be used for a vacation home, church, event facility, or
2 infrequent-use facility.

3 6. An aerobic treatment unit that discharges on the surface
4 of the ground shall have either an intermittently operated slow
5 sand filter or a free access sand filter on the discharge, with
6 both types of sand filters sized at a maximum of five gallons per
7 square foot of design flow. The free access sand filter shall
8 have a minimum of twenty-four inches of filter sand over the top
9 of a collection system. The free access sand filter cover shall
10 be easily opened to clean the sand surface.

11 Sec. 3. NEW SECTION. **455B.243 Reporting.**

12 1. When a county sanitarian conducts an inspection of
13 a private sewage disposal system, at least the following
14 information shall be recorded:

15 a. The date of the review.

16 b. The type of proprietary treatment system.

17 c. Whether the system is functioning correctly or functioning
18 incorrectly.

19 d. If the system is functioning incorrectly, the primary
20 reason for the deficiency, including but not limited to:

21 (1) Improper installation.

22 (2) Lack of required maintenance.

23 (3) Failure to meet expected treatment performance.

24 2. The county sanitarian shall submit the information to the
25 department in the form and manner prescribed by the department.

26 3. The department shall compile the information and shall
27 maintain a publicly accessible database summarizing inspection
28 outcomes. The database shall not include personally identifiable
29 information.

30 Sec. 4. NEW SECTION. **455B.244 Rulemaking authority.**

31 The department may adopt rules as necessary to administer this
32 part.

33 Sec. 5. APPLICABILITY. This Act applies to the monitoring,
34 maintenance, and inspection of private sewage disposal systems,
35 as defined in section 455B.241, as enacted by this Act, installed

1 on or after July 1, 2026.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

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This bill relates to the treatment of private sewage disposal
6 systems, including monitoring, maintenance, and reporting
7 requirements.

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The bill defines key terms, including "aerobic treatment
9 unit", "private sewage disposal system", and "proprietary
10 treatment system", classifying proprietary treatment systems into
11 class A systems, which are media-based or passive secondary
12 treatment systems, and class B systems, which rely on mechanical
13 aeration or fixed film processes.

14 The bill requires, prior to installation of a private sewage
15 disposal system, the owner to enter into a monitoring and
16 maintenance contract with a certified technician. The contract
17 is required for the life of the system, and a copy must
18 be provided to the county sanitarian. The bill requires
19 systems to be inspected, monitored, and maintained in accordance
20 with manufacturer specifications, and sets minimum inspection
21 frequencies for each system type. The bill requires a certified
22 technician to perform monitoring and maintenance and to report
23 the results to the system owner and the county sanitarian. The
24 bill requires the county sanitarian to perform all inspections
25 and report the results as provided in the bill.

26 The bill allows a class A system to use a media filter
27 when a site is unsuitable for a soil absorption system and an
28 intermittent sand filter, and expresses a preference for class
29 A systems. The bill allows the use of an aerobic treatment
30 unit only when a site is unacceptable for a soil absorption
31 system or an intermittent sand filter, and expresses a preference
32 for packed bed media filters where conditions allow. For a
33 class B system, the bill only allows an aerobic treatment unit
34 and modular fixed film system when a site is unsuitable for a
35 soil absorption system, intermittent sand filter, and class A

1 system. The bill also prohibits the use of a class B system
2 for a vacation home, church, event facility, and any other
3 infrequent-use facility.

4 The bill requires an aerobic treatment unit that discharges
5 on the surface of the ground to use either an intermittently
6 operated slow sand filter or a free access sand filter that meets
7 certain specifications.

8 The bill requires a county sanitarian to record certain
9 information when inspecting a private sewage disposal system,
10 including the date of review, the type of system, whether the
11 system is functioning correctly, and, if not, the primary reason
12 for the deficiency. The county sanitarian must submit the
13 information to the department of natural resources (department).
14 The bill requires the department to compile the information and
15 maintain a publicly accessible database summarizing inspection
16 outcomes, without including personally identifiable information.

17 The bill authorizes the department to adopt rules as necessary
18 to administer the bill.

19 The bill applies to the monitoring, maintenance, and
20 inspection of private sewage disposal systems installed on or
21 after July 1, 2026.