



To Whom It May Concern:

The City of Burlington, Iowa adopted an ordinance in July 1993 that contains language for regulating trucked liquid waste discharged to the City of Burlington's Publicly Owned Treatment Works (POTW). Trucked liquid waste haulers using the City's sewer system are required to have a permit, to supply the City with information about loads to be discharged, and are billed monthly for the volume discharged to cover treatment costs and sample handling and analysis.

You may hire one of the existing permitted waste haulers (Roto Rooter is currently the only local for-hire permitted hauler) or apply for your own permit.

Included in this packet are copies of:

- Application for Permit
- Table A, Vehicle Information, to be included with the application
- Discharge Form for Trucked Liquid Waste to be completed at the time of discharge
- Unloading, Sampling and Clean Up Requirements and Sampling Methods
- The Program used to regulate the use of the sewer system by liquid waste haulers
- Sections of the Code of Ordinances of Burlington, Iowa
- Resolution establishing the fee and charge schedule effective July, 2014

If you have any questions, please feel free to call me at 319-753-8157.

Sincerely,

David Avery  
Pretreatment Coordinator  
Wastewater Treatment Facility  
City of Burlington, Iowa

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## **HAULED LIQUID WASTE PROGRAM**

### **City of Burlington, Iowa**

#### **Permit Required**

All liquid waste haulers must obtain a permit from the City of Burlington in compliance with the Code of Ordinances of Burlington, Iowa in order to discharge trucked wastes to the City's sewer system. To obtain a permit the hauler must complete and submit an application supplied by the City along with a check payable to "City of Burlington, Iowa" in the amount of \$75. The permit will be good for one year from the date of issuance.

#### **Discharge Point**

Hauled waste may be discharged into the City's sewer system *only at the point designated by the City*. The point where discharges are normally to be made is a fenced-in manhole located near the South Street Sewage Pumping Station, across the railroad tracks from the Burlington Wastewater Treatment Plant at 101 South Street, Burlington, Iowa. The City will issue a key for the padlock on the fence gate with each waste hauler permit.

#### **Registration for Discharge**

The waste hauler must obtain a Registration Number for Discharge from the Wastewater Treatment Plant **BEFORE** discharging a load of liquid waste at the designated manhole. The hauler must call the Wastewater Treatment Plant at (319) 753-8157 and supply the following information, after which the hauler **may** be given a registration number for that discharge.

Information to be supplied by the hauler when requesting a registration number:

- Name of waste hauler (name of business)
- City-issued permit number
- State of Iowa Commercial Septic Tank Cleaners license number
- Type of hauled waste:
  - Residential septic tank
  - Other
- Name and telephone number of customer
- Planned date and approximate time of discharge

*A registration number must be obtained for each discharge*, and a new registration number must be obtained when there is a change in the information regarding the hauled wastes for which a registration number had already been obtained, including but not limited to changes in the date and/or time of the planned discharge.

#### **Detailed Information and Sample Required**

The hauler is required to provide the City with a discharge form supplying information about the load and a *representative sample* of the waste unloaded. The City will provide forms to the hauler when the permit is issued. Forms may be duplicated. The hauler will be able to fill out much of the required information prior to arriving at the discharge point. Sample bottles with labels to be filled out by the hauler at the time of unloading *will be provided by the City* and will be available at the discharge point. The completed form along with the representative sample collected by the hauler

during the unloading is to be placed in one of the compartments in the cabinet located in the unloading area. Each compartment within the cabinet has a hasp. The hauler may place his own padlock on the hasp to secure the compartment, insure confidentiality of the information on the form, and prevent tampering with the sample. Plant personnel will retrieve forms and samples via the back of the locked cabinet. A sample may be analyzed and the test results, if found to be uncharacteristic of residential septage, along with the information contained on the form, may be used for billing and program administration purposes.

### **Criteria for Allowance for Discharge and Fees**

Generally only the contents of residential septic tanks and portable toilets may be discharged. *The contents of a grease trap may be allowed for discharge but must be emulsified before discharging.* Every discharge must comply with criteria set forth in the Code of Ordinances of Burlington, Iowa.

The charge for liquid waste discharged to the POTW is set by Resolution. The waste hauler will be billed monthly; the monthly bill will include a billing charge, also set by Resolution.

### **Special Wastes**

The determination for allowance for discharge of any other type of trucked waste will be made on a case-by-case basis. The billing for such wastes will be based on the analysis performed by WWTF personnel on a representative sample. Costs of analyses will be incorporated with the charge for discharge.

### **Penalties and Enforcement Actions**

As outlined in the Code of Ordinances of Burlington, Iowa, actions to be taken by the City in response to violations of this program, and to the Code in general, include fines, revocation of permit, and criminal prosecution.

Acceptance of the waste by the City does not relieve the hauler of responsibility for any upset or pass through of the Publicly Owned Treatment Works (POTW) caused by the discharge.

### **City's Rights**

The City reserves the right to disallow the discharge of any hauled wastes for any reason.

SHADED AREA FOR CITY USE

Permit No. \_\_\_\_\_  
Date Received \_\_\_\_\_  
Permit Issued \_\_\_\_\_

## CITY OF BURLINGTON APPLICATION FOR PERMIT - LIQUID WASTE HAULERS

Send completed application and permit fee of \$75.00 to Burlington Wastewater Treatment Facility, 400 Washington Street, Burlington, IA 52601-5142. If you have any questions, call (319) 753-8157.

### A. General

1. Company Name: \_\_\_\_\_

2. Street Address: \_\_\_\_\_  
\_\_\_\_\_

3. Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

4. Company Telephone: \_\_\_\_\_

5. Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

### B. Operation

1. Number of Trucks to be used to haul septage or liquid waste: \_\_\_\_\_

2. Vehicle Information: (see Table A)

3. Estimated Volume (in gallons) of septage or liquid waste to be discharged to the sanitary sewer per year: \_\_\_\_\_

4. Estimated breakdown of Volume into type of waste to be discharged to the City sewer:

Domestic:	_____	%
Commercial:	_____	%
TOTAL:		100%

### C. Certification of Information and Intent

*I hereby certify that the information supplied in this application is complete and correct to the best of my knowledge. Furthermore, I agree to accept and abide by all provisions of the Sewer Use Ordinance of the City of Burlington, the "Hauled Liquid Waste Program" and all other pertinent Ordinances.*

Name (Print): \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

# City of Burlington, Iowa

## TABLE A

Company Name: \_\_\_\_\_

### VEHICLE INFORMATION

No.	VEHICLE		State Issued by	Chassis Make	Year	Cab Color	Tank Color	Capacity (Gallons)	State of Iowa Licensed Hauler No.(1)	Exp. Date State Lic. (2)	Permit No. (3)
	License No.										
1											
2											
3											
4											

**Footnotes:**

- (1) State of Iowa Issued Licensed Hauler No. (as per 567 IAC Chapter 68, "Commercial Septic Tank Cleaner")
- (2) Expiration Date Specified on License (State of Iowa).
- (3) City issued Liquid Waste Hauler Number

<b>Permit Effective Date:</b>		
<b>Permit Expiration Date:</b>		
<b>Approved by:</b>		<b>Pretreatment Coordinator</b>

# BURLINGTON, IOWA WASTEWATER TREATMENT PLANT

## UNLOADING, SAMPLING AND CLEAN-UP REQUIREMENTS

1. Remove clean sample bottle from compartment and write Registration Number from Waste Discharge Form on label.
2. Take a representative sample of discharge (see below) and put in bottle provided.
3. After wiping sample bottle off, place sample bottle in compartment in cabinet.
4. Put completed Waste Discharge Form in compartment with sample bottle and close (and lock compartment if you wish for security reasons using your own padlock).
5. Close Cabinet.
6. After unloading, clean-up any mess in unloading area.
7. Lock gate of unloading area before leaving.

## SAMPLING METHOD

Using the sampler provided (rigid handle dipper or sample dipper with rope) and fill sample bottle to about 2/3 full only. A minimum of three (3) grab samples of equal volume are to be taken and poured into the sample bottle. The first is to be grabbed shortly after unloading begins. The second and third grabs are to be taken in the middle and near the end of unloading.

**DISCHARGE FORM  
TRUCKED LIQUID WASTE  
BURLINGTON, IOWA WASTEWATER TREATMENT PLANT**

**Registration No. for Discharge:** \_\_\_\_\_

**HAULER INFORMATION**

Hauler: \_\_\_\_\_  
Vehicle License No.: \_\_\_\_\_  
IA Issued "Commercial Septic Tank Cleaner" License No.: \_\_\_\_\_  
City Issued Liquid Waste Hauler Permit No.: \_\_\_\_\_

**CUSTOMER INFORMATION**

Customer's Name: \_\_\_\_\_  
Customer's Address: \_\_\_\_\_  
Customer's Telephone Number: \_\_\_\_\_

Did Liquid Waste originate from Customer's Address?                      Yes    No

If no, list address: \_\_\_\_\_

If Liquid Waste originated from a business, indicate the type of business or service provided:  
\_\_\_\_\_

Did Liquid Waste originate within Burlington City Limits?                      Yes    No

**TRUCKED WASTES**

Vessel Pumped Was (check one):                      Septic Tank \_\_\_\_\_    OTHER \_\_\_\_\_ (Explain)

Waste Characterization (check one):

Domestic Septage only                      \_\_\_\_\_  
Dilute Domestic Septage only<sup>(1)</sup>                      \_\_\_\_\_  
OTHER                      \_\_\_\_\_ (Explain)

Date Vessel Pumped: \_\_\_\_\_                      Gallons Pumped: \_\_\_\_\_  
Date Load Discharged: \_\_\_\_\_                      Time Discharged: \_\_\_\_\_

**LIQUID WASTE HAULER CERTIFICATION**

I certify under penalty of law that the above information is true and correct to the best of my knowledge and that the sample collected of the waste discharged was taken in the manner prescribed in "Unloading, Sampling and Clean-up Requirements" and done in a way so as to obtain as representative a sample of what was discharged as reasonably could be obtained.

Name of Driver (Print): \_\_\_\_\_

Signature of Driver: \_\_\_\_\_

Date: \_\_\_\_\_

## CHAPTER 97

# INDUSTRIAL PRETREATMENT REQUIREMENTS

97.01 Purpose and Policy	97.18 Wastewater Discharge Permit Requirements
97.02 Administration	97.19 Municipal Wastewater Discharge Permits
97.03 Prohibited Discharge Standards	97.20 Reporting Requirements
97.04 Categorical Pretreatment Standards	97.21 Analytical Requirements
97.05 Modification of Categorical Pretreatment Standards	97.22 Sample Collection
97.06 State Requirements and Limitations on Discharges	97.23 Determination Of Noncompliance
97.07 Specific Pollutant Limitations	97.24 Timing
97.08 City's Right of Revision	97.25 Record Keeping
97.09 Special Agreement	97.26 Surveillance Monitoring
97.10 Dilution	97.27 Confidential Information
97.11 Pretreatment Facilities	97.28 Publication of Industrial Users in Significant Noncompliance
97.12 Additional Pretreatment Measures	97.29 Administrative Enforcement
97.13 Accidental Discharge/Slug Control Plans	97.30 Judicial Enforcement; Injunctive Relief
97.14 Tenant Responsibility	97.31 Remedies Nonexclusive
97.15 Hauled Wastewater	97.32 Affirmative Defenses
97.16 Vandalism	97.33 Pretreatment Charges and Fees
97.17 Wastewater Survey	

**97.01 PURPOSE AND POLICY.** This chapter sets forth uniform requirements for users of the wastewater collection and Publicly Owned Treatment Works (POTW) for the City of Burlington and enables the City to comply with all applicable State and Federal laws including the Clean Water Act (33 U.S.C. 1251 *et seq.*) and the General Pretreatment Regulations (40 CFR Part 403). The objectives of this chapter are:

1. To prevent the introduction of pollutants into the POTW that will interfere with the operation of the POTW;
2. To prevent the introduction of pollutants into the POTW which will pass through the POTW, inadequately treated, into receiving waters or otherwise be incompatible with the POTW;
3. To ensure that the quality of the wastewater treatment plant sludge is maintained at a level which allows its use and disposal in compliance with applicable statutes and regulations;
4. To protect POTW personnel who may be affected by wastewater and sludge in the course of their employment and to protect the general public;
5. To improve the opportunity to recycle and reclaim wastewater and sludge from the POTW;
6. To provide for fees for the equitable distribution of the cost of operation, maintenance and improvement of the POTW; and
7. To enable the City to comply with its NPDES permit conditions, sludge use and disposal requirements and any other Federal or State laws

to which the POTW is subject. This chapter applies to all industrial users of the POTW. The chapter authorizes the issuance of wastewater discharge permits; authorizes monitoring, compliance and enforcement activities; establishes administrative review procedures; requires industrial user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

**97.02 ADMINISTRATION.** Except as otherwise provided herein, the Superintendent shall administer, implement and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the Superintendent may be delegated by the Superintendent to other City personnel.

**97.03 PROHIBITED DISCHARGE STANDARDS.**

1. No industrial user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all industrial users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State or local pretreatment standards or requirements. Furthermore, no industrial user may contribute the following substances to the POTW:

A. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW, including but not limited to waste streams with a closed cup flash point of less than one hundred degrees Fahrenheit or sixty degrees Celsius using the test methods specified in 40 CFR 261.21. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the POTW, be more than five percent (5%), nor any single reading over ten percent (10%) of the lower explosive limit of the meter. Prohibited materials include, but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides;

B. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the POTW such as, but not limited to: grease, garbage with particles greater than one-half inch in any dimension, animal guts

or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, gas, tar, asphalt, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes;

C. Any wastewater having a pH less than 6.0 or more than 11.0, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW;

D. Petroleum oil, non-biodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass through;

E. Pollutants, which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

F. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, to constitute a hazard to humans or animals, to create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307 (a) of the Act;

G. Any wastewater or noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair;

H. Any substance which may cause the POTW'S effluent or any other product of the POTW such as residues, sludges or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria; guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act; or State criteria applicable to the sludge management method being used;

- I. Any substance which will cause the POTW to violate its NPDES permit and/or State disposal system permit or the receiving water quality standards;
  - J. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable-tanning solutions;
  - K. Wastewater having a temperature greater than fifty-five degrees Celsius (one hundred thirty-one degrees Fahrenheit) or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed forty degrees Celsius (one hundred four degrees Fahrenheit);
  - L. Any trucked or hauled pollutants, except at discharge points designated by the POTW in accordance with Section 97.15;
  - M. Any pollutants, including oxygen demanding pollutants (BOD, etc.) and suspended solids of such characteristics released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW, including a slug load;
  - N. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations;
  - O. Any sludges, screenings or other residues from the pretreatment of industrial wastes;
  - P. Any wastewater causing the treatment plant's effluent to fail a toxicity test;
  - Q. Any wastes containing detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW.
2. When the Superintendent determines that a user(s) is contributing to the POTW any of the above-enumerated substances in such amounts as to interfere with the operation of the POTW, the Superintendent shall:
- A. Advise the user of the impact of the contribution on the POTW; and
  - B. Develop effluent limitations for such user to correct the interference with the POTW.

Such actions taken by the Superintendent shall not prevent the City from taking further enforcement actions as set out in this chapter.

**97.04 CATEGORICAL PRETREATMENT STANDARDS.** The national categorical pretreatment standards found at 40 CFR Chapter 1, Subchapter N, Parts 405-471, are hereby incorporated. Upon the promulgation of the Categorical Pretreatment Standard for a particular industrial subcategory, the Categorical Standard, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter. The Superintendent shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12. It shall be the responsibility of the industrial user identified by the Superintendent as being subject to Categorical Pretreatment Standards to obtain formal determination from EPA if in disagreement with the Superintendent.

**97.05 MODIFICATION OF CATEGORICAL PRETREATMENT STANDARDS.** The City may revise the discharge limits for a specific pollutant covered in a Categorical Pretreatment Standard upon receipt of authorization for such change in accordance with 40 CFR, Part 403.7.

**97.06 STATE REQUIREMENTS AND LIMITATIONS ON DISCHARGES.** The State of Iowa pretreatment standards found at Iowa Administrative Code 567-62 are hereby incorporated. State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or the requirements and limitations in this chapter.

**97.07 SPECIFIC POLLUTANT LIMITATIONS.** The following pollutant limits are established to protect against pass through and interference.

1. The total wastewater discharge of all users in combination with domestic users shall not contain in excess of:
  - A. 0.02 mg/1 or 0.80 lbs/d arsenic;
  - B. 50 mg/1 or 400 lbs/d barium;
  - C. 7790 lbs/d BOD (5 day) daily average discharge;
  - D. 5 mg/1 or 200 lbs/d boron;
  - E. 0.002 mg/1 or 0.07 lbs/d cadmium;
  - F. 0.11 mg/1 or 4.4 lbs/d total chromium;
  - G. 0.11 mg/1 or 4.4 lbs/d copper;
  - H. 0.3 mg/1 or 12.0 lbs/d cyanide;

- I. 9.0 MGD flow, daily average wet weather flow;
  - J. 5.0 mg/1 or 200 lbs/d iron;
  - K. 0.11 mg/1 or 4.5 lbs/d lead;
  - L. 10 mg/1 or 400 lbs/d manganese
  - M. 0.0002 mg/1 or 0.008 lbs/d mercury;
  - N. 0.06 mg/1 or 2.2 lbs/d nickel;
  - O. 0.2 mg/1 or 8.0 lbs/d selenium;
  - P. 2.5 mg/1 or 100 lbs/d silver;
  - Q. 6750 lbs/d total suspended solids daily average discharge;
  - R. 0.23 mg/1 or 9.2 lbs/d zinc;
  - S. 200 mg/1 phenol;
  - T. 500 mg/1 toluene.
2. The wastewater discharge from any user shall not contain in excess of:
- A. Three hundred mg/1 total non-petroleum oil and grease (total oil and grease including vegetable oils, animal fats, waxes, soaps and other related matters minus any petroleum hydrocarbons present).
  - B. One hundred mg/1 total oil and grease measured as petroleum hydrocarbons including fuels, lubricants, oils, greases and other related matter of mineral origin.

**97.08 CITY'S RIGHT OF REVISION.** The City reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW if deemed necessary to comply with the objectives presented in Section 97.01 of this chapter or the general and specific prohibitions in Section 97.03 of this chapter.

**97.09 SPECIAL AGREEMENT.** The City reserves the right to enter into special agreements with industrial users setting out special terms under which they may discharge to the POTW. In no case will a special agreement waive compliance with a pretreatment standard or requirement. However, the industrial user may request a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15. The industrial user may also request a variance from the categorical pretreatment standard from EPA. Such a request will be approved only if the industrial user can prove that factors relating to its discharge are fundamentally different from the factors considered by EPA when

establishing that pretreatment standard. An industrial user requesting a fundamentally different factor variance must comply with the procedural and substantive provisions in 40 CFR 403.13.

**97.10 DILUTION.** No industrial user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Superintendent may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

**97.11 PRETREATMENT FACILITIES.** Industrial users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all categorical pretreatment standards, local limits and the prohibitions set out in Section 97.03 above within the time limitations specified by the EPA, the State or the Superintendent, whichever is more stringent. Any facilities required to pre-treat wastewater to a level acceptable to the City shall be provided, operated and maintained at the industrial user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City for review and shall be acceptable to the City before construction of the facility. The review of such plans and operating procedures will in no way relieve the industrial user from the responsibility of modifying the facility as necessary to produce an acceptable discharge to the City under the provisions of this chapter.

**97.12 ADDITIONAL PRETREATMENT MEASURES.** Whenever deemed necessary, the Superintendent may require industrial users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the industrial user's compliance with the requirements of this chapter. Industrial users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

**97.13 ACCIDENTAL DISCHARGE/SLUG CONTROL PLANS.** The Superintendent may require any industrial user to develop and implement an accidental discharge/slug control plan. At least once every two (2) years the Superintendent shall evaluate whether each significant industrial user needs such a plan. Any industrial user required to develop and implement an

accidental discharge/control slug plan shall submit a plan which addresses, at a minimum, the following:

1. Description of discharge practices, including non-routine batch discharges;
2. Description of stored chemicals;
3. Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges in Section 97.03 of this chapter;
4. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structure or equipment, measures for containing toxic organic pollutants (including solvents) and/or measures and equipment for emergency response.

**97.14 TENANT RESPONSIBILITY.** Where an owner of property leases premises to any other person as a tenant under any rental or lease agreement, if either the owner or the tenant is an industrial user, either or both may be held responsible for compliance with the provisions of this chapter.

**97.15 HAULED WASTEWATER.**

1. Septic tank waste may be accepted into the POTW at a designated receiving structure and at such times as are established by the Superintendent, provided such wastes do not violate Section 97.03 of this chapter or any other requirements established or adopted by the City. Wastewater discharge permits for individual vehicles to use such facilities shall be issued by the Superintendent.
2. The discharge of hauled industrial wastes as "industrial septage" requires prior approval and a wastewater discharge permit from the City. The Superintendent shall have authority to prohibit the disposal of such wastes. Waste haulers are subject to all other sections of this chapter.
3. Fees for dumping septage may be established as part of the industrial user fee system as authorized in Section 97.33.

**97.16 VANDALISM.** No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, tamper with or prevent access to any structure, appurtenance or equipment, or other part of the POTW. Any person

CHAPTER 68  
COMMERCIAL SEPTIC TANK CLEANERS

**567—68.1(455B) Purpose and applicability.** The purpose of this chapter is to implement Iowa Code subsection 455B.172(5) by providing standards for the commercial cleaning of and the disposal of waste from private waste facilities, and licensing requirements and procedures. These rules govern the commercial cleaning of and the disposal of wastes from private waste facilities. Certification of commercial manure applicators under 567—Chapter 65 will be deemed to satisfy the license requirements of Iowa Code section 455B.172 and this rule as it applies to commercial manure applicators only.

**567—68.2(455B) Definitions.** Definitions used in this chapter are listed in alphabetical order as follows:

"Cleaning" means removal of waste from private waste facilities and other actions incidental to that removal.

"Commercial septic tank cleaner" means a person or firm engaged in the business of cleaning and disposing of waste from private waste facilities, including a person or firm that owns and rents or leases portable toilets.

"Holding tank for wastes" means any receptacle for the retention or storage of wastes pending removal for further treatment or disposal.

"Private waste facilities" includes, but is not limited to, septic tanks as defined in 567—subrule 69.3(1), holding tanks for wastes; impervious vault toilets, portable toilets, and chemical toilets as described in 567—Chapter 69; and all manure control systems identified in 567—Chapter 65 for animal confinement feeding operations.

"Tank" means any container which is placed on a vehicle to transport waste removed from a private waste facility.

"Vehicle" means a device used to transport a tank.

"Waste" means human or animal excreta, water, scum, sludge, septage, and grease solids from private sewage disposal systems; impervious vault, portable, or chemical toilets; and manure control systems for animal confinement feeding operations.

**567—68.3(455B) Licensing requirements.** Effective March 1, 1991, commercial septic tank cleaners must apply for and obtain a license from the department before engaging in the commercial cleaning of and disposing of waste from any private waste facility unless, prior to March 1, 1991, a county board of health issued a license authorizing this activity. In that event the commercial septic tank cleaner is not required to obtain a license from the department until the license expires or until March 1, 1992, whichever occurs first.

**567—68.4(455B) Licensing procedures.**

**68.4(1) Application for license.** Commercial septic tank cleaners must apply for a license by completing a form provided by the department and submitting it with the license fee to the Department of Natural Resources, License Bureau, Wallace Building, 900 East Grand, Des Moines, Iowa 50319. In the case of a commercial septic tank cleaner which is a corporation, partnership, association or any other business entity, the entity itself must apply as provided in this rule. The entity shall designate one person: a partner, officer, manager, supervisor, or other full-time employee to act as its representative for the purpose of applying for a license. Individuals employed by a commercial septic tank cleaner business are not required to be licensed but each cleaning unit (vehicle or tank) must have the license number (except for the year) displayed and a copy of the current license with the cleaning unit.

**68.4(2) License fee.** The initial license application and each renewal application must be accompanied by a non-refundable fee in the form of a check or money order made payable to the Department of Natural Resources. The application fee is \$25 per year.

**68.8(2) Miscellaneous.**

**a.** Any tanks or equipment used for hauling waste from private waste facilities shall not be used for hauling hazardous or toxic wastes as defined in 567—Chapter 131, or other wastes detrimental to land application or wastewater treatment plants, and shall not be used in a manner that would contaminate a potable water supply or endanger the food chain or public health.

**b.** Pumps and associated piping shall be installed with watertight connections to prevent leakage.

**c.** Agitation capability for use in cleaning private waste facilities to disperse sludge and scum into the liquid for proper cleaning shall be provided.

**d.** All vehicles shall display the license number (except for the year) assigned to the commercial septic tank cleaner with 3-inch or larger letters and numbers on the side of the tank or vehicle.

**e.** The name and address of the license holder shall be prominently displayed on the side of the tank or vehicle.

**f.** A direct connection shall not be made between a potable water source and the tank or equipment on the vehicle.

**567—68.9(455B) Standards for disposal.** Disposal of wastes from private waste facilities shall be carried out in accordance with the rules established by the department.

**68.9(1) Waste from private sewage disposal systems, holding tanks for wastes, impervious vault, portable, or chemical toilets or other similar types of private waste facilities shall be disposed of according to the following requirements:**

**a.** Discharge (with owner approval) to a municipal or other permitted wastewater treatment system.

**b.** Discharge (with owner approval) to permitted septage lagoons or septage drying beds.

**c.** Land application in accordance with the following requirements:

(1) The maximum application rate is 30,000 gallons of septage per 365-day period per acre of cropland.

(2) The following site restrictions shall be met when septage is applied to land.

1. Septage shall not be applied to a lawn or a home garden.

2. The septage shall be applied only to soils classified as acceptable throughout the top 5 feet of soil profile. The septage shall not be applied to soils classified as sand, loamy sand and silt. The acceptability of a soil shall be determined using the U.S.D.A. soil classifications.

3. Land application sites shall have soil pH maintained above 6.0, unless crops prefer soils with lower pH conditions. If the soil pH is below 6.0, it is acceptable to use agricultural lime to increase the pH to an acceptable level.

4. If the septage is applied to land on which the soil loss exceeds the soil loss limits established by the county soil conservation district, the septage shall be injected on the contour or shall be applied to the surface and mechanically incorporated into soil within 48 hours of application. The septage shall not be applied to ground having greater than 9 percent slope.

5. Septage application on frozen or snow-covered ground should be avoided, unless special precautions are taken to avoid runoff. If application on frozen or snow-covered ground is necessary, it shall be limited to land areas of less than 5 percent slope.

6. Septage shall not be applied to land that is 35 feet or less from an open waterway. If septage is applied within 200 feet of a stream, lake, sinkhole or tile line surface intake located downgradient of the land application site, it shall be injected or applied to the surface and mechanically incorporated into the soil within 48 hours of application.

7. If the septage is applied to land subject to flooding more frequently than once in ten years, the septage shall be injected or shall be applied to the surface and mechanically incorporated into the soil within 48 hours. Information on which land is subject to flooding more frequently than once in ten years is available from the department.

**68.4(3) License renewal.** In order to remain valid, a commercial septic tank cleaner license must be renewed by the expiration date specified on the license. Renewal application must be made on a form provided by the department, and must be received by the department or postmarked at least 30 days prior to the expiration date. The renewal application form must be accompanied by the license fee specified in subrule 68.4(2).

**68.4(4) Change in ownership.** Within 30 days of the change in ownership of any commercial septic tank cleaner, the new owner shall furnish the department with the following information: (1) name of business and license number; (2) name, address, and telephone number of new owner; and (3) date the change in ownership took place. The license will transfer with the ownership with no additional fee due until the next renewal date.

**567—68.5(455B) Suspension, revocation and denial of license.**

**68.5(1) Basis for suspension, revocation, and denial.** The department may suspend, revoke, or deny a commercial septic tank cleaner license for any of the following reasons:

**a.** A material misstatement of facts in a license application.

**b.** A failure to provide the adequate license fee.

**c.** A failure to satisfy the obligations of a commercial septic tank cleaner and the standards as provided in rules 68.6(455B), 68.8(455B), and 68.9(455B).

**d.** Violation of disposal standards in 567—Chapters 65, 69, and 121.

**68.5(2) Appeal.** A commercial septic tank cleaner may appeal the suspension, revocation, or denial of a license under the provisions of 567—Chapter 7.

**68.5(3) Reinstatement.** In the case of a denial, revocation, or suspension pursuant to paragraph 68.5(1) "b" or "c," the department may immediately reinstate or issue a license after receipt of the requisite fee or confirmation that the commercial septic tank cleaner is fulfilling the requirements of rules 68.6(455B) and 68.8(455B). In case of a denial, revocation or suspension pursuant to paragraph 68.5(1) "a" or "d," the department may reinstate or issue a license no sooner than 60 days after the denial, revocation, or suspension. If the department is satisfied that the commercial septic tank cleaner has corrected the deficiency and will comply with departmental rules in the future.

**567—68.6(455B) Licensee's obligations.**

**68.6(1) Supervision.** To provide supervision to the removal and disposal of waste from private waste facilities.

**68.6(2) Standards.** To meet the standards established for the cleaning of and disposal of waste from private waste facilities.

**68.6(3) Records.** To maintain records of private waste facilities cleaned and the location and method of waste disposal. Such records shall be maintained for a period of three years, and shall be made readily available upon request to county board of health or department officials.

**567—68.7(455B) County obligations.** The county boards of health shall enforce the standards and licensing requirements contained in this chapter and other referenced rules relating to the cleaning of private waste facilities and disposal of waste from such facilities.

**567—68.8(455B) Standards for commercial cleaning of private waste facilities.**

**68.8(1) Vehicles, tanks and equipment.** For all vehicles, tanks, and equipment used in the commercial cleaning of private waste facilities the licensee shall:

**a.** Prevent the dripping, falling, spilling, leaking, or discharging of waste onto roads or rights-of-way.

**b.** Provide the equipment necessary for proper cleaning of private waste facilities.

**c.** Ensure proper construction and repair of cleaning equipment to allow easy cleaning and maintaining in an essentially rust-free and sanitary condition and appearance.

8. Septage shall not be applied within 200 feet of an occupied residence nor within 500 feet of a well.

9. Food crops shall not be harvested for 38 months after application of septage.

10. Animals shall not be allowed to graze on the land for 30 days after application of septage.

(3) One of the following vector attraction reduction requirements shall be met when septage is applied to land.

1. Septage shall be injected below the surface of the land. No significant amount of the septage shall be present on the land surface within one hour after the septage is injected.

2. Septage applied to the land surface shall be incorporated into the soil within six hours after application or placement on the land.

3. The septage shall be stabilized by adding and thoroughly mixing sufficient lime to produce a mixture with a pH of 12. Provide a minimum of two hours of contact time after mixing the lime with the septage prior to applying to land. Each container of septage shall be monitored for compliance.

4. The septage shall be stabilized by adding and thoroughly mixing 50 pounds of lime with each 1,000 gallons of septage.

(4) When septage is applied to land, the person who applies the septage shall develop the following information and shall retain the information for five years:

1. The location, by either street address or latitude and longitude, of each site on which septage is applied.

2. The number of acres in each site on which septage is applied.

3. The date and time septage is applied to each site.

4. The rate, in gallons per acre per 365-day period, at which septage is applied to each site.

5. A description of how the vector attraction reduction requirements are met.

6. The following certification statement shall be provided with the records when the records are required by the department:

"I certify, under penalty of law, that the pathogen requirements and the vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

(5) Other methods of stabilization may be acceptable if shown to be equivalent to 567—69.14(1) "c" (3) "3."

**d.** Discharge (with owner approval) to a permitted sanitary landfill in accordance with 567—Chapters 102 and 103 and the following requirements:

(1) Stabilize the septage by adding and thoroughly mixing sufficient lime to produce a mixture with a pH of 12.

(2) Provide a minimum of two hours of contact time after mixing the lime with the septage prior to applying to the landfill.

(3) Dewater the septage.

**68.9(2) Disposal of manure from animal confinement feeding operations shall be consistent with the provisions of 567—Chapter 65 for land disposal of animal wastes. Commercial manure applicators must be individuals certified in accordance with provisions of that chapter and compliance with those provisions will be deemed to satisfy the requirements of Iowa Code subsection 455B.172(5). These rules are intended to implement Iowa Code section 455B.172(5).**

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