

**Indiana Department of Health**  
**410 IAC 6-10.1 Commercial On-Site Sewage Systems**  
**LSA Document #23-798**

**Readoption Review**

**I. Continued Need for the Rule**

There is a continued need for the rule. The predominate purpose and effect is to address matters of health and safety by making sure that commercial on-site sewage systems are installed, operated and maintained in a safe and sanitary manner to prevent the creation of a health hazard.

This rule covers on-site sewage systems constructed for new business construction and the repair of existing systems. The rule minimizes the expenses to regulated entities that are required to comply with the rule. It contains the minimum standards to prevent contamination and a health hazard to minimize expenses.

This rule does not affect taxes and does not relate to government services. It minimizes expenses to consumers of products and services of regulated entities affected by the rule. Regulated entities can choose from least expensive to more expensive options. The rule achieves the regulatory goal in the least restrictive manner. It sets the minimum standards to protect public health. Consumers can always choose to exceed these requirements.

The rule does not duplicate any state or federal law.

This rule is written for ease of comprehension. When originally promulgated this rule mirrored the residential version of the rule, which contained many clarifications of existing standards to improve comprehension. Additionally, the department provides interpretation guidance when warranted.

The rule has practicable enforcement and IDOH has not encountered difficulties in enforcing it.

**II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

The rule does not include any fees, fines, or civil penalties.

**III. Complaints and Comments**

Complaints and comments are rare. Complaints are generally related to the cost of a suitable site or type of on-site sewage system. However, the cost or type of a sewage system is based on rule 10.1 requirements for the location, size and type of sewage system. These requirements are evaluated based on the soil absorption and the calculated peak daily sewage flow.

**IV. Difficulties Encountered**

The agency has not encountered any difficulties administering the rule and is not aware of any difficulties regulated parties have encountered in complying with the rule.

**V. Changes in Technology, Economic Conditions, or Other Factors**

The rule references accepted industry standards. There have been no changes to those industry standards since the rule was adopted in LSA Document #12-157.

**VI. Revised Regulatory Analysis**

No changes are needed to the previous analyses.