

Section (Comm)	Subject	Current Commercial Rule	Proposed Residential Rule (2026 eff)
6	Definition	Cluster System	
8	Definition	Commercial on-site sewage system	
9	Definition	Commercial on-site sewage system failure	
10	Definition	Construction permit is defined as being issued by the department.	Has a very similar definition, but it is issued by the LHD.
13	Definition	Design Daily Flow is for commercial facilities only.	Design Daily Flow is for residences, tiny homes, RVs.
18	Definition	Grease Trap	Not included in residential rule
	Definition	Owner	Owner
32	Definition	Regulatory Flood Elevation	Changed to Base Flood Elevation
48	Definition	Start of construction for commercial OSS	Start of construction for residential OSS
	Definition	Not included in the commercial rule.	Residential Sewer (sec 35)
48(b)	Administrative Authority	Provisions for delegation of small commercial projects	
48	Administrative Authority		Rule administered by local health department
	Administrative Authority		LHD residential OSS program is subject to review by IDOH
49	General Sewage Disposal Requirements	Section 55 allows IDOH to require connection to sewer	Allows LHDs to require connection to sewer
49(e)	General Sewage Disposal Requirements	Temporary holding tanks	
49(h)	General Sewage Disposal Requirements		Specifically states that LHD cannot approve any other technology unless written approval from the department is given.
	General Sewage Disposal Requirements (res)	Commercial rule is silent on this except for requiring change of use approval in section 50(a)(7)-(9)	Includes requirements for connection or reconnection to a system.
50(b)	Construction Permits	Allows local ordinances to be more stringent for commercial OSS	Local ordinances cannot be more stringent than the rule for residential OSS unless approved by the TRP.

50(c)	Construction Permits	Specifically states that construction permits are not required for some like for like equipment replacements/exchanges in the system	Construction permits are required for installation of any component in the system or any change to design.
51	Application for construction permit	This is a separate section in the commercial rule and varies greatly from the residential rule.	This is included in Construction Permits section in the residential rule.
51(a)(8)	Application for construction permit	Discusses sizing of temporary holding tanks	New section on holding tanks is included in proposed rule.
	Construction Permits (Res)	Silent on use of best judgment	Specifies use of best judgment for replacement of failed systems.
52	Standards for Issuance	Provides minimum standards for issuance (of a construction permit)	Includes permit denial and revocation in a separate section (55)
53	Construction permit conditions	Details what IDOH may require in construction permits and expiration time periods	The residential rule implies some of this, but does not have a specific section for these issues.
55	Denial of an application for a construction or operating permit	Provides reasons a construction permit may be denied. Includes many of the same things as section 55 of the residential rule. This section also states that IDOH can deny the application if sewer is available (within 300' or within 150% of cost).	Section 55 is Violations; permit denial and revocation
56	Revocation or modification of a construction or operating permit	Provides reasons a construction permit may be revoked. Includes many of the same things as section 55 of the residential rule.	Section 55 is Violations; permit denial and revocation

57	Petitions for appeal	Offers a means of appeal for issuance of a permit, permit modification, permit denial or permit revocation.	Section 55 includes just one statement about appeal.
58	Violations	Similar in content to what is included in section 55 of the residential rule.	Section 55 is Violations; permit denial and revocation
59	Construction and Operating permit; transferability	Outlines requirements for transfer of construction and operating permits	The residential rule is silent on this.
60	Sewage flows	Outlines flows for specific commercial facilities. Probably needs updated.	This is not applicable to residential OSS.
61(a) and (b)	Minimum separation distances	Table II and the remainder of the section provides minimum separation distances to commercial tanks and SAFs.	Table I and the remainder of the section provides minimum separation distances to residential tanks and SAFs.
62(e)(2)	Dispersal Area	Requires dispersal area to be on the property or on adjacent property with easement.	Requires dispersal area to be on the property or on adjacent property with easement except an easement is not required for lots platted prior to 1/1/2011.
63(c)	Drainage	Requires a perimeter drain for all commercial OSS that require subsurface drainage regardless of slope.	For all sites requiring subsurface drainage, if site slope is 0-2%, a perimeter drain is required. If site slope is >2%, only an interceptor is required.
64	On-site evaluation	All sections of the commercial rule are the same as the current residential rule currently.	The proposed residential rule will require 3 pits or borings per site.
65	Construction of Sewers	Specifies the gravity sewer begins 3' from foundation, connections, slopes, diameter, and bedding	The residential rule includes residential sewer diameter and slope in section 74 - Subsurface trench on-site sewage systems: general design and construction requirements
66	Grease Traps	Specifies requirements for use and sizing of grease traps	Not applicable
67	Sewage Lift Stations and Force Mains	Provides specs for both. Probably needs to be updated.	Is not included in the residential rule.

68(c)	Septic Tanks: General Requirements	Requires a minimum retention time of 4 hours, which is equivalent to 2XDDF.	Requires a minimum size based upon number of bedrooms (should also include bedroom equivalents - that needs changed)
	Sewage Holding Tanks (Res)	Silent on minimum size	Requires minimum size of 1000 gallons.
73(b)	Effluent Pumps	Requires duplex pumps for DDFs > 750 gpd.	Never requires duplex pumps
73(c)(4)	Effluent Pumps	Requires guide rails for DDFs >750 gpd.	Never requires guide rails.
84(b)	Subsurface trench flood dosed on-site sewage systems: design and construction requirements	Specifies discharge rate according to DDF.	Specifies discharge rate according to number of bedrooms. This should also include bedroom equivalents, but does not at this time.