

REVISIONS TO SEPTIC RULES ADOPTED

On December 2, the Legislative Rules Committee adopted revisions to the Onsite Sewage Rules that address delegating administration of the on-site program to municipalities, grease traps, and licensing of designers.

Under the new rule, designers who are not engineers may prepare designs and applications for any on-site sewage system that has a design flow of 1350 gallons per day or less and that is expected to serve no more than 24 people. This will represent a cost savings to owners of many small systems. A licensed designer who is not an engineer may also design a connection to a municipal sewage system from a structure if the system has a design flow of 1350 gallons per day or less and is designed to serve fewer than 24 people. A designer may design a project with multiple individual systems serving separate structures (such as a subdivision) as long as those systems do not individually exceed the flow or people served limits.

Engineers must design innovative/ alternative systems that are approved for experimental use, systems that the Agency of Natural Resources (ANR) has specified must be designed by an engineer, systems receiving “non-domestic wastewater” (defined in the rule), and any system serving more than 24 people and designed for more than 1350 gallons of flow per day.

Language in the rule eliminates state requirements for “approved grease interceptors” in waste lines leading to municipal wastewater treatment plants. The revised rules do make it clear that any municipal regulations regarding grease interceptors must be followed. (Grease going into municipal wastewater treatment plants can wreak havoc with those facilities.)

Requirements for delegation of the “Wastewater System and Potable Water Supply Rules” to municipalities were also adopted. Municipalities who take delegation of administration of the program must take the entire program – both on-site systems and connections to municipal wastewater systems. In delegated municipalities there will be no state permits required for on-site systems. The rule establishes requirements the municipality must fulfill before the program is delegated and includes performance expectations for towns, including:

- Copying ANR on each permit or denial issued;
- Annual reporting to ANR;
- Prompt processing of permits; and
- Permission for ANR to enter the municipality during regular working hours to review documents.

These rules are not the end of the road. There are expected to be more rule revisions proposed and this gives local officials the opportunity to address issues that arise, particularly out of the delegation section. Copies of the amended Wastewater System and Potable Water Supply rule may be obtained from the Department of Environmental Conservation, Wastewater Management Division, or at its Web site, www.anr.state.vt.us. Please note that the adopted rule was not yet posted on the site as of early December.

-Karen Horn, Director, VLCT Legislative and Membership Services