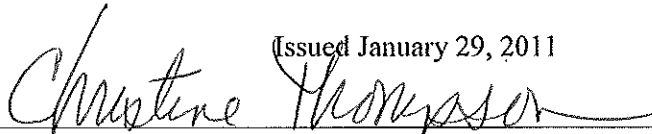


Guidance Related to the Wastewater System and Potable Water Supply Rules
Effective September 29, 2007

Guidance Document
2011-01

Regulation of Wastewater Systems that Accept Process Wastewater from Exempt Water Treatment
Systems

(Issued January 29, 2011)



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10 V.S.A. § 1974 contains exemptions from the Wastewater System and Potable Water Supply Rules for certain water treatment systems. The statute identifies one limited exemption for the disposal of process wastewater from exempt treatment systems. This document lists the exempt water treatment systems and describes when the disposal of the process wastewater from exempt water treatment systems is either exempt or requires a Wastewater System and Potable Water Supply Permit or an Underground Injection Control permit.

The exemption for water treatment systems reads as follow:

- “(4) The installation or use of a water treatment system for a potable water supply where the treatment system is designed to:
- (A). reduce or eliminate water hardness;
 - (B). reduce or eliminate properties or constituents on the list of secondary standards in the Vermont water supply rules;
 - (C). reduce or eliminate radon, lead, arsenic, or a combination of these; or
 - (D). eliminate bacteria or pathogenic organisms, provided that the treatment system treats all of the water used for drinking, washing, bathing, the preparation of food, and laundering.
- (5) The installation or use of a water treatment device, provided that the installation or use is overseen by the secretary as a part of a response action due to contamination or the threat of contamination of a potable water supply by a release or threat of release of a hazardous material or any other source of contamination.”

The following systems may be used for the disposal of the process wastewater, including filter backwash, from exempt water treatment systems:

- (1) Existing Wastewater Systems: 10 V.S.A. Section 1974 states “The increase in flow to an existing wastewater system as a result of the use of an exempt water treatment system under subdivisions (4) and (5) of this section.” is exempt and therefore an existing soil based disposal system or an existing municipal sewer service that will receive process wastewater from an exempt water treatment system does not need a Wastewater System and Potable Water Supply Permit. Pursuant to Section 1-801(l) of the Wastewater System and Potable Water Supply Rules and the Underground Injection Control (UIC) Rules, a UIC permit is not required for the existing wastewater system because the waste is compatible with the other wastewater.

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- (2) **New and Existing Underground Injection Control Wells (UICs):** The construction of a new UIC that receives process wastewater from an exempt treatment system requires an UIC permit. The use of an existing UIC for the same purpose will also need a permit or permit amendment. A Wastewater System and Potable Water Supply Permit is not required for a UIC receiving only process wastewater from an exempt treatment system.
- (3) **New and Existing Wastewater Holding Tanks:** New holding tanks receiving process wastewater from an exempt treatment system require a Wastewater System and Potable Water Supply Permit pursuant to Section 1-919(h) of the Rules. Existing wastewater holding tanks receiving process wastewater from an exempt treatment system do not need a permit from the Wastewater Management Division as existing holding tanks are wastewater systems and existing wastewater systems are exempt. A UIC permit is not needed for holding tanks as holding tanks are not an Underground Injection Control Well.

Advisory Notes:

- (1) A landowner may choose to have a licensed designer evaluate the discharge of process wastewater from the water treatment device prior to discharging the process wastewater to an existing wastewater disposal system if the landowner has concerns about possible detrimental affects the process wastewater may have on the disposal system. A Wastewater System and Potable Water Supply Permit or permit amendment will be required prior to any modifications being made to the wastewater disposal system as a result of the designer's recommendation.
- (2) Nothing in this guidance restricts the ability of a municipality, association, person, etc., having legal control over discharges to a wastewater system from prohibiting or restricting the discharge from water treatment devices to that wastewater system. The landowner is responsible for contacting those who have control over discharges to the receiving wastewater system in order to obtain any such required approval.