

S. 27 - Bill Summary – Major Points

- Reforms permit process so that all septic systems and water supplies are treated consistently under one statute, rather than the current situation where they are regulated in four different conflicting places;
- Allows advanced technologies to be used at any site for which they are suited;
- Allows towns to administer the program instead of the state when they wish to, this insures only one permit is needed – either from the town or the state, but not both (as can presently be the case).
- The 10-Acre Exemption for ends for lots created on or after June 14, 2002. Existing undeveloped exempt lots with can be developed with a single family residence until November 1, 2002 with no state permit. Between November 2, 2002 and July 1, 2007 these lots can be developed with a single family residence without a state permit as long as the system design meets the revised state technical standards.
- Any new 10+ acre lot created between the effective date of the bill and November 1, 2002 can build out through July 1, 2007 with a permit meeting the minimum performance criteria, whether or not a town has planning or zoning.
- Slope for construction of septic systems on new lots is limited to 20% (same as existing).
- Continues exemption for existing houses. If a single family residence on its own lot is exempt and in existence before June 14, 2002, or substantially complete by November 1, 2002, then modifications to the water supply or septic system or the addition of bedrooms do not require a state permit if they are done before July 1, 2007. On or after July 1, 2007, a permit is required if these actions are taken. Subdivision of the lot at any time on or after June 14, 2002 will require a state permit. Minor repairs of a water supply or septic system will not require a permit.
- Failed systems are entitled to a “best fix” permit for replacement considering the cost of the system based on the net environmental and health benefit of any added expense. A holding tank can be used as a last resort;
- Towns have until July 1, 2007 to plan for the implementation of the new state technical standards. Towns can choose to use the updated minimum site conditions sooner if they wish through amendment to their sewage ordinance or zoning bylaws. On July 1, 2007, the updated minimum site conditions apply in all towns (Note: If a state permit is required, the updated minimum site conditions cannot be used for that permit until July 1, 2007 unless the town has planning and zoning.);
- All new systems need to be designed by a licensed engineer or site technician. Site technician design authority is increased from 600 gallons/day to 1350 gpd, but this does not occur until after the agency develops rules that establish different classes of site technicians, and what is appropriate for each class to do or not with respect to both types and sizes of systems; and
- ANR and ACCD will assist towns with technical assistance and available funds for planning assistance.