

**Summary of Current Agency Proposal for  
On-Site Wastewater and Water Supply Rules  
Rules 1&2  
October 8, 2001**

**Rule Description**

- Rule 1: Close 10+ Acre Lot Exemption Only.
- Rule 2: Full Rewrite of Rules, including close 10+ Acre Exemption, Revise minimum Site Conditions, I/A Technologies, Flows, etc.

**Major Aspects of Rule 2 Amendments**

- Innovative/Alternative systems are allowed as of effective date of the rules.
- Rules provide for general use, pilot and experimental use approvals of Alternative/Innovative technologies, depending on manufacturer's/designer's level of experience with its proposed product or design.
- Site condition changes (slope and depth to groundwater) are available immediately to Towns with appropriate levels of planning, zoning, sewage and subdivision ordinances. All other towns five (5) years after adoption.
- Site condition changes provide for prescriptive, modified prescriptive and performance based designs. The latter would allow for any design that can keep septic effluent 6" below the surface of the ground and not discharge to surface waters.
- Advanced treatment levels allow for reduced depths to groundwater and bedrock from the bottom of the system, lowering the profile of some of the systems

There can be no municipal delegation or other desirable permit reform measures without legislative changes.

**Exemption/Jurisdictional Status**

- ANR is drafting these rules consistent with our existing statutory authorities – at least 4 different statutes govern. If a bill passes that consolidates the program and implements the permit reform we've been seeking, we would rewrite the rules to reflect the new statutory structure, but we anticipate the technical standards to be essentially the same as those in Rule 2.
- No Pre-existing lots (created before September 18, 1969) developed or undeveloped, will require permits unless they are further subdivided.
- Subdivided lots (of any size) are included as follows:
  - Most exemptions for new subdivisions end as of the effective date of rule 2.

- Ten-acre + lots can continue to be created until September 1, 2002, but all undeveloped lots must be substantially completed with construction by then, otherwise a permit is required for construction thereafter. Permits are also required to further subdivide these lots, whether or not they've been developed.
- All existing permitted lots and buildings need to comply with permit.
- Single Family Residences on exempt lots do not need permits for any modifications or additions (only further subdivision).

**The Advisory Committee's Framework Document, Meeting Minutes of the Advisory Committee, Public Informational Meeting Schedule, Formal Adoption Schedule and Full Text of the Rules will be available by close of business 10/10/01 at:**

**<http://www.anr.state.vt.us/dec/regulate.htm>**