

SUMMARY OF WASTEWATER AND POTABLE WATER SUPPLY RULES
CHANGES
3/27/02

CURRENT	PROPOSED	REVISED AFTER COMMENT
10-acre exemption exists and build-out allowed always	10-acre exemption closes 9/1/2002 and build-out allowed to 9/1/2002	10-acre exemption closes on 9/1/2002. Build-out allowed to 9/1/2004
3 general use innovative systems approved	Approval system expanded to include general use, pilot and experimental	No change from proposed
Innovative systems may be used to correct failed systems	No change, innovative systems may be used to correct failed systems	No change from proposed
Deferral of permit required for all property transactions involving unimproved lots	Deferral of permit eliminated, deferral language required in deed at closing	No change from proposed
Increases in design flow require a permit, additional connections may be made within permitted design flow.	Design flows amended, new systems may add connections within the permitted design flow. Existing projects must demonstrate that they meet the rules before additional connections may be made above the connections originally permitted.	No change from proposed.
Design flows based on same flow increase for all bedrooms	Design flow increased same amount for first three bedrooms, reduced as number of bedrooms increases	No change from proposed
No reduction in residential design flows for connection to large systems	210 gallons /unit for connection to municipal systems	210 gpd/unit for connection to municipal or private systems of 50,000 gpd or more.

<p>Design flow the same for all residential units connected to large systems</p> <p>Design flows for campgrounds established in 1982 are extremely conservative and need to be revised</p> <p>Campgrounds were expected to be open only the summer season so all systems rested for a period of time; therefore there was only one set of design flows.</p> <p>Site slope for septic systems cannot exceed 20%</p> <p>At-grade systems allowed on slopes to 12%</p> <p>Sites need 24" of natural soil to groundwater or bedrock before a system may be proposed</p> <p>Sites need 18" of natural soil to bedrock before a system may be proposed</p>	<p>Design flow decreased from 450 gpd/unit for 5 or more units connected to the same system, stepped down to 245 gpd/unit after 20 units</p> <p>Design flow changes were proposed in one or two areas, full review was not complete.</p> <p>Campgrounds were expected to be open only the summer season so all systems rested for a period of time; therefore there was only one set of design flows.</p> <p>Site slope for septic systems can be 30% and can exceed that with justification, in towns with adequate land use controls</p> <p>At-grade systems allowed on slopes to 30%</p> <p>Sites need 18" of natural soil to induced groundwater before a system may be proposed or a hydro study that shows a minimum 6" of soil above the effluent plume</p> <p>Sites need 18" of natural soil to bedrock before a system may be proposed</p>	<p>No change from proposed</p> <p>A greater variety of RV/camping uses exist such as seasonal sites, cabins with kitchen facilities etc and design flows have been revised for those uses.</p> <p>Design flows have been revised to account for campgrounds that are open more than 7 months per year.</p> <p>Added requirement for an erosion control plan over 20%; increased slope can only be used in towns that have adequate land use controls</p> <p>No change from proposed</p> <p>Reverts to current rules with at least 24" from the bottom of the system to induced groundwater. Note: of the 24", at least 6" must be native soil. Significant concerns were expressed in comments supporting a minimum of 24"</p> <p>No change from proposed</p>
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<p>Groundwater monitoring methods outlined in rule</p> <p>Distance to groundwater from the bottom of a system accepting septic tank effluent is 36”, from a system accepting treated effluent is 24”</p> <p>Owners must have installations certified by licensed designers, faulty certifications must be enforced against permittee</p> <p>Failed systems are allowed a “best fix” closest to the rules</p> <p>Current minimum site conditions</p> <p>Current practice requires a permit to connect a building to a municipal sewer at the time of initial construction and operation of the sewer.</p>	<p>Groundwater monitoring methods revised based on changes in site conditions</p> <p>Distance to groundwater below a treatment system varies from 24” to 12” based on the level of treatment proposed</p> <p>Owners must have installations certified by licensed designers or installers. Agency can directly enforce faulty certifications against person who issued it.</p> <p>Failed systems are allowed a “best fix” closest to the rules with consideration of the cost based on the incremental benefit to public health and environmental protection</p> <p>Modified site conditions cannot be used for five years in towns that do not have adequate land use controls</p> <p>A permit is not required if the building connection is part of a project approved by the Facilities Engineering Division and the connection is approved by the Division or is certified by a designer.</p>	<p>Groundwater monitoring methods clarified in response to comments regarding confusing language</p> <p>Change eliminated, reverts to current rules. There were significant concerns expressed in comments about the lack of data regarding pathogen treatment by these systems.</p> <p>No change from proposed</p> <p>No change from proposed</p> <p>Modified site conditions can only be used in towns that have adequate land use controls</p> <p>No change from proposed</p>
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<p>Pressure distribution systems are allowed to have 1/4 inch or larger orifices and a maximum of 50 sf application area per orifice</p>	<p>Pressure distribution systems are allowed to have 1/8 inch or larger orifices and a maximum of 10 sf application area per orifice</p>	<p>No change from proposed</p>
<p>Dry wells are acceptable systems</p>	<p>Dry wells are not acceptable for new systems</p>	<p>No change from proposed</p>
<p>At-grade systems of 3000 gpd and other systems of 5000 gpd are required to have dual alternating systems</p>	<p>Dual alternating systems are no longer required for non-at-grade systems.</p>	<p>No change from proposed</p>
<p>Holding tanks are allowed only for publicly owned systems up to 600 gpd</p>	<p>In addition, holding tanks are allowed as a last resort for failed systems of any size (not just for publicly owned systems)</p>	<p>No change from proposed</p>
<p>Requires a certain lot size for subdivisions with an on-site wastewater system and forbids construction of systems in the flood plain</p>	<p>Removes these restrictions</p>	<p>No change from proposed</p>
<p>Site technicians cannot design systems with sandfilters</p>	<p>Site technicians are allowed to design systems with sandfilters</p>	<p>No change from proposed</p>
<p>Minimum septic tank size is 1000 gallons, outlet filters and access risers are not required</p>	<p>Minimum septic tank size is 1500 gallons, outlet filters and access risers are required</p>	<p>No change from proposed</p>
<p>Single family residences with home occupations require permits based on their contact with the public</p>	<p>Single family residences with home occupations require permits based on their contact with the public</p>	<p>Single family residences with certain home occupations are exempt from the rules.</p>

<p>Home occupations include farms without employees and without plumbing in barns. Home occupations and farms with employees require a permit.</p>	<p>Home occupations include farms without employees and without plumbing in barns. Home occupations and farms with employees require a permit.</p>	<p>Farms without employees and without plumbing in barns are considered single family residences with home occupations and are exempt. Farms with employees are allowed to keep existing systems without a permit, as long as no action is taken that requires a permit.</p>
<p>Streamlining revisions:</p> <p>Many exemptions are explained only in procedure documents created as the statute changed.</p>	<p>Several of the exemptions are clarified in the rule.</p>	<p>Additional exemptions have been added as they have been recognized as missing from the document.</p>
<p>Municipalities do not necessarily have party status for permit revocation hearings.</p>	<p>Municipalities do not necessarily have party status for permit revocation hearings</p>	<p>Municipalities are given party status for permit revocation hearings for permits in their town.</p>
<p>Minor repair is not defined.</p>	<p>Minor repair is defined including some examples.</p>	<p>Minor repair is defined including some additional examples.</p>
<p>Requirements for common application content are contained in each subchapter of the rule.</p>	<p>Requirements for common application content are consolidated in one administrative chapter of the rule.</p>	<p>No change from proposed.</p>
<p>Land application of process wastewater requires a permit under these rules.</p>	<p>Land application of process wastewater requires a permit under these rules.</p>	<p>Land application of process wastewater from farming activities is exempt if applied in accord with certain procedures.</p>

<p>It is not clear in the rules that “all” information such as contours, location of streams, etc. on large lots means only “all” data that will potentially affect or be affected by the project design.</p> <p>Building-paper and hay are allowed as covers over leachfield stone.</p>	<p>It is not clear in the rules that “all” information such as contours, location of streams, etc. on large lots means only “all” data that will potentially affect or be affected by the project design.</p> <p>Filter fabric was added as an appropriate cover over leachfield stone.</p>	<p>It has been clarified in the application information requirements in the rules that “all” data means “all” data that will potentially affect or be affected by the project design.</p> <p>Building-paper and hay are no longer allowed as covers over leachfield stone.</p>
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