

Department of Environmental Conservation
Division of Wastewater Management

Summary of Amendments to the Wastewater System and Potable Water Supply Rules

The version of the Wastewater System and Potable Water Supply Rules, effective January 1, 2005, includes the following amendments from the previous version that was effective August 16, 2002.

1. §1-305, appeal of Final Agency Decisions – this section was revised to reflect the change in appeals from the Water Resources Board to the Environmental Court that will be effective January 31, 2005.
2. §1-313, Designer Licensing - this section was extensively revised to incorporate the legislative change in authority for non-engineers. Designers, who are not also professional engineers, will be permitted to prepare wastewater system and water supply designs for systems of no more than 1350 gallons per day design flow, provided that the system will serve no more than 24 people subject to restrictions, some based on the type of system and some based on whether the designer is Class A or Class B. Class A designers are limited to simple, inground, prescriptive wastewater system designs and to simple water supply systems serving only single family residences. §1-313(d) + (e) specify what a Class A or Class B designer may and may not do.

Subject to the restrictions in the rules, Class B designers who are not professional engineers are allowed to prepare applications for multi-lot subdivisions and for buildings other than single-family residences. An additional training and testing requirement related to the design of potable water supplies must be fulfilled prior to the preparation of any design for a potable water supply serving any building other than a single-family residence.

3. §1-313, Designer Licensing - a continuing education requirement for Designers who are not professional engineers was added, and §1-313(i) + (j) have been amended to incorporate these changes.
4. §1-403(a)(2) and (a)(3) - the November 1, 2002 date was revised to November 1, 2004 per legislative changes in the 2003 session.
5. §1-403(a)(21) – an exemption was added to implement grandfathering of town permits for wastewater disposal systems.
6. §1-407 - a new section 3 was added to implement “amnesty” for some situations with two houses on one lot.

7. §1-509 - the grease interceptor language was revised based on the legislative changes made in the 2004 session. Grease interceptors are no longer required in these rules for projects connected to municipal collection systems, though the Department of Labor and Industry plumbing rules or municipal regulations may require such a grease interceptor.
8. §1-523 - a two-year time of travel management zone concept was added. This reduces the separation between the bottom of the leachfield and the water table but provides equivalent protection by ensuring a long period of travel through the soil that protects any source of potable water.
9. §1-524 - a store and dose concept was added. This allows for the wastewater to be stored during a short period when the water table is high and then gradually dosed to the leachfield when the water table has receded.
10. Subchapter 7 – this new subchapter creates a process to allow a municipality to request delegation of issuance of permits from the state to the municipality. The delegation will require that all permits be issued in accord with the state rules. The municipality must file reports, their work will be audited, and delegation can be revoked for cause.