

1 H.595

2 Introduced by Representative Krebs of South Hero

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; potable water supply; surface waters

6 Statement of purpose of bill as introduced: This bill proposes to require the
7 Secretary of Natural Resources to adopt rules allowing the use of a surface
8 water as a supply source for a potable water supply of an individual residential
9 dwelling. Prior to adoption of the rule by the Secretary, the bill would require
10 the Secretary to issue a potable water supply permit under 10 V.S.A.
11 chapter 64 for a residential dwelling that has a surface water supply source if
12 the applicant proposes use of filtration and disinfection technology comparable
13 to filtration and disinfection for potable water supplies using groundwater as a
14 supply source.

15 An act relating to potable water supplies from surface waters

16 It is hereby enacted by the General Assembly of the State of Vermont:

17 ~~Sec. 1. 10 V.S.A. § 1978(a) is amended to read:~~

18 (a) The Secretary shall adopt rules, in accordance with 3 V.S.A. chapter 25,
19 necessary for the administration of this chapter. These rules shall include the
20 following:

1 ***

2 (15) Provisions authorizing the use by a residential dwelling of surface
3 water as a source of a potable water supply permitted under this chapter.

4 Sec. 2. REQUIRED RULEMAKING

5 On or before August 1, 2016, the Secretary of Natural Resources shall
6 commence rulemaking under the requirements of 10 V.S.A. § 1978(a)(15).

7 Sec. 3. USE OF SURFACE WATER AS POTABLE WATER SUPPLY

8 (a) Prior to adoption of rules under 10 V.S.A. § 1978(a)(15), the Secretary
9 of Natural Resources shall issue a potable water supply permit under 10 V.S.A.
10 chapter 64 for a building used as a residential dwelling when the supply source
11 is a surface water if the applicant proposes use of filtration and disinfection
12 technology comparable to filtration and disinfection requirements under the
13 Agency of Natural Resources Wastewater System and Potable Water Supply
14 Rules for potable water supplies using groundwater as a supply source.

15 (b) As used in this section, “building” means a structure whose use or
16 useful occupancy requires the construction or modification of a potable water
17 supply or a wastewater system, or both. “Building” shall not mean a structure
18 with a potable water supply subject to regulation under 10 V.S.A. chapter 56.

19 Sec. 4. EFFECTIVE DATE

20 This act shall take effect on passage.

Sec. 1. 10 V.S.A. § 1978(a) is amended to read:

(a) The Secretary shall adopt rules, in accordance with 3 V.S.A. chapter 25, necessary for the administration of this chapter. These rules shall include the following:

* * *

(15) Provisions authorizing the use by a residential dwelling of surface water as a source of a potable water supply permitted under this chapter.

Sec. 2. 10 V.S.A. § 1981 is added to read:

§ 1981. SURFACE WATER SOURCE; POTABLE WATER SUPPLY

The Secretary shall approve the use of a surface water as the source of a potable water supply under this chapter if the following conditions are satisfied:

(1) the building or structure using the surface water as a source is a single-family residence occupied by the owner of record;

(2) only one single-family residence shall be served by a potable water supply using a surface water as a source;

(3) a single-family residence with a potable water supply using a surface water as a source shall not be used as the site of a home occupation that employs persons other than family members and is visited by the public in a manner or duration that would presume the need for use of a potable water supply;

(4) a professional engineer shall design the potable water supply using a surface water as a source, including a treatment system for the surface water;

(5) only surface waters that meet criteria adopted by the Secretary by rule are eligible as the source of a potable water supply permitted under this chapter; and

(6) the applicant or permit holder complies with the other relevant rules adopted under section 1978 of this chapter.

Sec. 3. SURFACE WATER SOURCE; RULEMAKING

The Secretary shall adopt rules to implement 10 V.S.A. § 1981 on or before July 1, 2017.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.