

1 S.211

2 Introduced by Senator Hartwell

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; wastewater; holding tanks

6 Statement of purpose of bill as introduced: This bill proposes to permit public  
7 buildings to install sewage holding and pumpout tanks.

8 An act relating to permitting of sewage holding and pumpout tanks for  
9 public buildings

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

11 Sec. 1. 10 V.S.A. § 1972 is amended to read:

12 § 1972. DEFINITIONS

13 ~~For the purposes of~~ As used in this chapter:

14 (1) "Agency" means the ~~agency of natural resources~~ Agency of Natural  
15 Resources.

16 \* \* \*

17 (4)(A) "Failed supply" means a potable water supply:

18 (i) that has been found to exceed the standard set by the ~~secretary~~  
19 Secretary in rule for one or more of the following contaminants:

20 (I) total coliform;

- 1 (II) nitrates;  
2 (III) nitrites;  
3 (IV) arsenic; or  
4 (V) uranium;

5 (ii) that the ~~secretary~~ Secretary affirmatively determines as not  
6 potable, due to the presence of a contaminated site, a leaking underground  
7 storage tank, or other known sources of groundwater contamination or  
8 naturally occurring contaminants, and that information has been posted on the  
9 ~~agency of natural resources'~~ Agency of Natural Resources' website; or

10 (iii) the ~~secretary~~ Secretary affirmatively determines to be failed  
11 due to the supply providing an insufficient quantity of water to maintain the  
12 usual and customary uses of a building or structure or campground, and that  
13 information has been posted on the ~~agency of natural resources'~~ Agency of  
14 Natural Resources' website.

15 \* \* \*

16 (5)(A) "Failed system" means a wastewater system that is functioning  
17 in a manner:

18 (i) that allows wastewater to be exposed to the open air, pool on  
19 the surface of the ground, discharge directly to surface water, or back up into a  
20 building or structure, unless, in any of these instances, the approved design of  
21 the system specifically requires the system to function in such a manner; or





1 (f) Any permit issued for the use of a holding tank will require a designer  
2 to periodically inspect the tank, visible piping, and alarms. The designer shall  
3 submit a written report to the ~~secretary~~ Secretary detailing the results of the  
4 inspection and any repairs or changes in operation that are required. The  
5 report also shall detail the pumping history since the previous report, giving the  
6 dates of pumping and the volume of wastewater removed. The frequency of  
7 inspections and reports shall be stated in the permit issued for the use of the  
8 tank, but shall be no less frequent than once per year. The designer also shall  
9 inspect the water meter or meters and verify that they are installed, calibrated,  
10 and measuring all water that is discharged as wastewater. The designer shall  
11 read the meters and compare the metered flow to the pumping records. Any  
12 significant deviation shall be noted in the report and explained to the  
13 extent possible.

14 (g) The owner of a holding tank shall maintain a valid contract with a  
15 licensed wastewater hauler at all times. The contract shall require the licensed  
16 wastewater hauler to provide written notice of dates of pumping and volume of  
17 wastewater pumped. Copies of all such notices shall be submitted with the  
18 written inspection reports.

19 Sec. 3. EFFECTIVE DATE

20 This act shall take effect on July 1, 2014.