

1 Sec. A. 10 V.S.A. § 1979(b) is amended to read:

2 (b)(1) The Secretary shall approve the use of sewage holding and pumpout
3 tanks for existing or proposed buildings or structures that are owned by a
4 charitable, religious, or nonprofit organization when he or she determines that:

5 (A) the plan for construction and operation of the holding tank will
6 not result in a public health hazard or environmental damage;

7 (B) a designer demonstrates that an economically feasible means of
8 meeting current standards is significantly more costly than the construction and
9 operation of sewage holding and pumpout tanks, based on a projected 20-year
10 life of the project; and

11 (C) the design flows do not exceed 600 gallons per day or the
12 existing or proposed building or structure shall not be used to host events on
13 more than 28 days in any calendar year.

14 (2) Before constructing a holding tank permitted under this subsection,
15 the applicant shall post a bond or other financial surety sufficient to finance
16 maintenance of the holding tank for the life of the system, which shall be at
17 least 20 years, provided that a bond or other financial surety is not required
18 under this subdivision for a holding and pumpout tank for a building or
19 structure that is not used to host events on more than 28 days in any calendar
20 year.

1 (3)(A) A permit issued under this subsection shall run with the land for
2 the duration of the permit and shall apply to all subsequent owners of the
3 property being served by the holding tank regardless of whether the owner is a
4 charitable, religious, or nonprofit organization.

5 (B) All permit conditions, including the financial surety requirement
6 of subdivision (2) of this subsection (b), shall apply to a subsequent owner.

7 (C) A subsequent owner shall not increase the design flows of the
8 holding and pumpout tank system without approval from the Secretary.

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