

1 H.163

2 Introduced by Representatives Burke of Brattleboro, Gregoire of Fairfield, and
3 Boyden of Cambridge

4 Referred to Committee on

5 Date:

6 Subject: Conservation and development; potable water supply and wastewater
7 system permits; eco-sanitation

8 Statement of purpose of bill as introduced: This bill proposes to create the
9 Ecologically Sustainable Sanitation Working Group (Working Group) to study
10 alternative ecologically sustainable sanitation systems (eco-sanitation) and
11 develop best management practices for low-flow greywater and eco-sanitation
12 systems. The bill would require the Secretary of Natural Resources to adopt
13 the best management practices developed by the Working Group, including
14 through amendment to the Department of Environmental Conservation's
15 Wastewater System and Potable Water Supply Rules.

16 An act relating to eco-sanitation systems

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

18 Sec. 1. ECOLOGICALLY SUSTAINABLE SANITATION WORKING
19 GROUP; BEST MANAGEMENT PRACTICES FOR LOW-FLOW
20 GREYWATER AND ECO-SANITATION

1 (a)(1) There is created the Ecologically Sustainable Sanitation Working
2 Group (Working Group) to study alternative ecologically sustainable sanitation
3 systems (eco-sanitation) and develop best management practices for low-flow
4 greywater and eco-sanitation systems. The Working Group shall be composed
5 of the following five members:

6 (A) an individual from the Department of Plant and Soil Science at
7 the University of Vermont, appointed by the Chair of the Department of Plant
8 and Soil Science at the University of Vermont;

9 (B) an individual from the Composting Association of Vermont,
10 appointed by the Director of the Composting Association of Vermont;

11 (C) an individual who has completed the University of Vermont
12 Extension Master Composter Program, appointed by the Statewide Outreach
13 and Education Coordinator;

14 (D) an individual from the Technical Advisory Committee
15 established by 2002 Acts and Resolves No. 133, Sec. 1, appointed by a
16 majority vote of the Technical Advisory Committee; and

17 (E) the Director of the Department of Environmental Conservation
18 Drinking Water and Groundwater Protection Division or designee.

19 (2) In developing best management practices, the Working Group shall
20 consult with the Waste Management Division at the Department of

1 Environmental Conservation and the State Parks Division at the Department of
2 Forests, Parks and Recreation.

3 (3) The Secretary of Natural Resources shall call the first meeting of the
4 Working Group to occur on or before July 1, 2023.

5 (4) The Working Group shall select a chair from among its members at
6 the first meeting.

7 (5) A majority of the membership shall constitute a quorum.

8 (6) Notwithstanding 1 V.S.A. § 172, an action may be taken by the
9 Working Group with the assent of a majority of the members attending and
10 voting, assuming a quorum.

11 (7) The Working Group shall meet up to six times.

12 (8) The Working Group shall cease to exist on February 15, 2024.

13 (9) Members of the Working Group shall be entitled to per diem
14 compensation and reimbursement of expenses as permitted under 32 V.S.A.
15 § 1010 for not more than eight meetings. These payments shall be made from
16 monies appropriated to the Agency of Natural Resources.

17 (b) On or before August 1, 2023, the Working Group shall:

18 (1) Develop best management practices for low-flow greywater and eco-
19 sanitation in Vermont that allow for the contents of a waterless toilet to be
20 composted on the same property parcel or lot at which the toilet is located.

1 The best management practices shall be designed to protect natural resources
2 and human health.

3 (2) Develop curriculum or guidance for owners and operators of
4 waterless toilets. The curriculum or guidance shall be designed as a teaching
5 tool for use by Vermont Master Composters or others providing education or
6 training to owners and operators of waterless toilets.

7 Sec. 2. ANR ADOPTION OF BEST MANAGEMENT PRACTICES FOR
8 LOW-FLOW GREYWATER AND ECO-SANITATION
9 SYSTEMS

10 (a) The Secretary of Natural Resources shall adopt the best management
11 practices for low-flow greywater and eco-sanitation systems developed by the
12 Ecologically Sustainable Sanitation Working Group (Working Group). The
13 Secretary shall publish the best management practices and any curriculum or
14 training materials produced by the Working Group on the Agency of Natural
15 Resources' website.

16 (b) The Secretary of Natural Resources shall amend the Department of
17 Environmental Conservation's Wastewater System and Potable Water Supply
18 Rules to incorporate appropriate provisions of the best management practices
19 for low-flow greywater and eco-sanitation systems, including:

20 (1) provisions for the management of contents of waterless toilets;

1 (2) exemptions from the rules when specified wastewater systems are
2 installed and operated according to the best management practices; and

3 (3) reduction of at least 50 percent in design flow requirements for
4 wastewater systems in structures served by a pressurized water supply that
5 exclusively uses waterless toilets in compliance with the best management
6 practices.

7 (c) The Secretary of Natural Resources shall initiate rulemaking required
8 by this section on or before September 1, 2023, and, on or before April 1,
9 2024, shall file under 3 V.S.A. § 841 a final proposed rule with the Secretary
10 of State and the Legislative Committee on Administrative Rules.

11 (d) On or before March 1, 2024, the Secretary of Natural Resources shall
12 file a draft of the rules required by this section with the House Committee on
13 Environment and Energy and the Senate Committee on Natural Resources and
14 Energy.

15 Sec. 3. EFFECTIVE DATE

16 This act shall take effect on passage.