

ADDITIONAL RESOURCES

Website

www.anr.state.vt.us/dec/ww/MunDeleg.htm

Helpful resources on this webpage for towns seeking delegation include:

- ⇒ Application forms
- ⇒ Detailed application information
- ⇒ Environmental Protection Rules
- ⇒ Delegation requirements
- ⇒ Sample policies and procedures from towns that have already been delegated the program
- ⇒ Annual report forms

Contacts

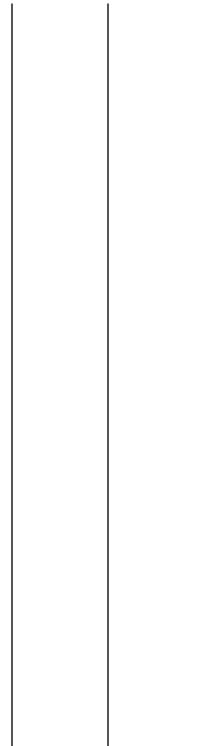
Municipalities interested in receiving delegation should apply to the Agency of Natural Resources' Department of Environmental Conservation (DEC) Wastewater Management Division by contacting:

Roger Thompson, Engineering Manager
Phone: 802-241-3027
Email: roger.b.thompson@state.vt.us

Municipalities that have been authorized to administer the state's wastewater and potable water supply permit program can be a good resource for towns considering applying for delegation of this program. A list of these towns and their contact information can be found on the website.



This pamphlet was created by the Department of Housing & Community Affairs (DHCA), National Life Building, Drawer 20, Montpelier, VT 05620.



Municipal Delegation

The Regulatory Program for
Wastewater and Potable
Water Supply Systems



How municipalities can
effectively administer the
State's regulatory program for
onsite wastewater and
drinking water supply systems

www.anr.state.vt.us/dec/ww/MunDeleg.htm

2007 Regulatory Changes

Beginning July 1, 2007, every parcel of land, wastewater facility, private drinking water supply, and water treatment facility will need a state permit for repairs, upgrades, and new construction. The potable water supply and wastewater system permit rules¹ passed by the legislature in 2002 established new requirements for onsite wastewater treatment and potable water systems. Important changes included phasing out a 10+ acre lot exemption from the permitting process, creating more flexible and site-specific soil and groundwater standards for individual onsite wastewater systems, and eliminating redundant local and state permitting procedures.

How do the potable water supply and wastewater system permit rules affect municipalities?

It was anticipated that the number of state permit applications for private onsite wastewater systems and drinking water supplies would increase due to the reform. To expedite application turnaround time and enable local control of the permitting process, the law provides municipalities the option to assume responsibility of issuing state permits and enforcing environmental protection standards for onsite wastewater and private drinking water systems, and municipal water and sewer connections in their community. To take on this responsibility, a municipality must request **delegation** of the permitting and enforcement program from the State.

¹ Rules and guidelines presented here are exclusively part of Chapter 1 of the Environmental Protection Rules and not the Water Supply Rules in Chapter 21.

Why should a municipality request delegation of the State's regulatory program?

Delegation is the act of transferring particular functions, tasks, or decisions from one level of government to another. In this case, the State transfers administration of its potable water supply and wastewater system permit program to municipalities if the town makes a request in writing and meets specific criteria.

When deciding to seek delegation of this regulatory program, a municipality should consider whether its organization, expertise, and other unique priorities will allow it to administer the program in accordance with the Agency of Natural Resources' (ANR) Environmental Protection Rules (EPRs).



What authority does a municipality have if it does not receive municipal delegation?

- Issue allocation approvals for its public wastewater treatment system.
- Establish rules for the control and operation of its public wastewater treatment (i.e. it may still regulate what enters the system).
- Establish its own grease control requirements.
- Assess fees to pay the principal and interest on wastewater treatment system bonds and expenses related to the maintenance, operation, and improvement of any public wastewater treatment system, and to establish a dedicated payment fund.

Advantages, Disadvantages, and Responsibilities of Delegation

Advantages

- Faster turnaround issuing permits.
- Reduced travel and mailing costs for property owners and engineers
- Increased operating efficiencies
- Ability to enforce higher degree of compliance
- Onsite inspections and knowledge of the local environment improves public health and consumer protection
- Municipalities can join together to share technical and administrative costs

Disadvantages

- Difficulty in meeting requirements for delegation
- Cost of hiring qualified technician or shifting existing staff to process applications
- Municipality may need to purchase equipment to effectively process applications (scanner, filing cabinet, etc.)

Responsibilities

- Administer program in compliance with ANR's Environmental Protection Rules
- Process applications within 30-45 days of receipt
- Only issue permits reviewed by qualified staff or contracted employee
- If employing a design firm to review applications, not accept projects designed by employees of that firm
- Provide copies of permits issued and denied and annual reports to ANR
- Maintain data in tracking system