

## NO. 156. AN ACT RELATING TO PUBLIC WATER SYSTEMS. (H.806)

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

Sec. 1. 10 V.S.A. § 1675a is added to read:

§ 1675a. PERMITTING EXEMPTION

(a) The requirements of this chapter and the rules adopted under this chapter, except the construction permitting requirements, shall not apply to a public water system that:

(1) Consists only of distribution and storage facilities and does not have any collection and treatment facilities;

(2) Obtains all of its water from, but is not owned or operated by, a public water system to which this chapter applies;

(3) Does not engage in the sale of water to any person. For purposes of this section and subdivision 203(3) of title 30, a “sale” of water does not occur when:

(A) the rate charged to the consumer by the receiving water system is the same as the rate charged by the public water system for supplying water to the receiving water system; and

(B) the receiving water system follows the uniform water and sewer disconnect requirements of chapter 129 of title 24, except that section 5147 of title 24 shall not apply and appeals shall be governed by the Vermont rules of civil procedure; and

(4) Is not a carrier which conveys passengers in interstate commerce;

(5) Serves less than 500 persons; and

(6) Is served by a public water system that certifies to the secretary that:

(A) The receiving public water system is responsible for the repair and maintenance of their own water system unless otherwise agreed to by the wholesale system; and

(B) The public water system supplying water to the receiving water system is responsible for:

- (i) including the receiving public water system in its water quality sampling plans;
- (ii) providing consumer confidence reports to the receiving system's users; and
- (iii) issuing public notice to the receiving system's users if a violation of a drinking water contaminant standard exists or if the secretary determines that a condition exists that may present a risk to public health.

(b) The water system supplying water to the receiving water system is responsible for the requirements contained in subdivision (a)(6)(B) of this section until 180 days after the water system supplying water to the receiving water system files a notice with the secretary of natural resources and the receiving system of its intent to withdraw from any obligation made under subdivision (a)(6)(B) of this section.

(c) Notwithstanding the exemption contained in subsection (a) of this section, the secretary of natural resources may take any reasonable steps that are necessary to abate a public health threat at a public water system that is otherwise exempt.

Sec. 2. 30 V.S.A. § 203(3) is amended to read:

(3) A company other than a municipality or a water system exempted under the provisions of section 1675a of title 10 engaged in the collecting, sale and distribution of water for domestic, industrial, business or fire protection purposes;

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