

Wastewater Management Division
103 South Main Street - Sewing Bldg.
Waterbury, Vermont 05671-0405

Telephone (802) 241-3822
Fax. (802) 241-2596
www.anr.state.vt.us/dec/ww/wwwmd.cfm

December 7, 2007

Bruce Raymond
Putney Paper Company
PO Box 226
Putney, VT 05346

Re: Final Discharge Permit #3-1128

Dear Mr Raymond:

Enclosed is your copy of the above referenced permit, which has been signed by the Director of the Wastewater Management Division for the Commissioner of the Department of Environmental Conservation. Please read the permit carefully and familiarize yourself with all its terms and conditions. Your attention is particularly directed to those conditions which may require written responses by certain dates.

If you have any questions concerning your permit, please contact Carol Carpenter at 241-3828.

Sincerely,



Brian D. Kooiker, Chief
Discharge Permits Section

Enclosure

cc: Paul Mallet, PPC



AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WASTEWATER MANAGEMENT DIVISION
103 SOUTH MAIN STREET, - THE SEWING BUILDING
WATERBURY, VERMONT 05671-0405

Permit No. 3-1128
File No. 13-13
Project ID No. NS94-0008
NPDES No. VT0000108

DISCHARGE PERMIT

In compliance with the provisions of the Vermont Water Pollution Control Act, as amended, (10 V.S.A. Chapter 47 §1251 et. seq), and the Federal Clean Water Act, as amended (33 U.S.C. § 1251 et. seq),

Putney Paper Company
PO Box 226
Putney, VT 05346

(hereinafter referred to as the "permittee") is authorized, by the Secretary, Agency of Natural Resources, to discharge from a facility located at:

Main Street
Putney, Vermont

to the Connecticut River, Class B at the point of discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, III hereof.

This permit shall become effective on January 1, 2008.

This permit and the authorization to discharge shall expire on December 31, 2012.

Signed this 6th day of December, 2007.

Laura Q Pelosi, Commissioner
Department of Environmental Conservation

By 
Christine Thompson, Director
Wastewater Management Division

PART I**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

Until December 31, 2012, the permittee is authorized to discharge from outfall serial number S/N 001: Treated process wastewater. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations		Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow	0.275 MGD		Continuous	Daily Total
Biochemical Oxygen Demand	548 lbs	818 lbs	1 x weekly	24-hour composite
Total Suspended Solids	200 lbs	300 lbs	1 x weekly	24-hour composite
Turbidity		630 NTU (1)	1 x daily	Grab
pH	Between 6.5 and 8.5 Standard Units		1 x daily	Grab
Whole Effluent Toxicity (2)	Monitor only		1 x annually	Composite

Samples taken in compliance with the monitoring requirements specified above shall be taken at the effluent wet-well.

- (1) See Special Condition I.B.2.
- (2) See Special Condition I.B.3.

B. SPECIAL CONDITIONS:

1. This discharge shall not cause a violation of the water quality standards of the receiving water.
2. In accordance with Section 2-04 of the Vermont Water Quality Standards, this permit hereby establishes a mixing zone (which applies to waters within the borders of the State of Vermont) for turbidity not to exceed 200 feet from the point of discharge. Within the mixing zone, Section 3-04 B.1. of the Water Quality Standards is waived in accordance with Section 2-04. up to the turbidity discharge limitation of 630 NTU.
3. Whole Effluent Toxicity Testing:

The permittee shall complete the following Whole Effluent Toxicity (WET) testing on the S/N 001 effluent:

- a. By **August 31, 2008**, the permittee shall complete one two-species (*Pimephales promelas* and *Ceriodaphnia dubia*) acute/chronic Whole Effluent Toxicity (WET) test, conducted on a 24-hour composite effluent sample taken during the month of August 2008. The results shall be submitted to the Department by September 30, 2008.
- b. By **January 31, 2009** and **January 31, 2011** the permittee shall complete one two-species (*Pimephales promelas* and *Ceriodaphnia dubia*) acute Whole Effluent Toxicity (WET) test, conducted on a 24-hour composite effluent sample taken during the month of January. The results shall be submitted to the Department by the following February 28 of each year.
- c. By **August 31, 2010** and **August 31, 2012** the permittee shall complete one two-species (*Pimephales promelas* and *Ceriodaphnia dubia*) acute Whole Effluent Toxicity (WET) test, conducted on a 24-hour composite effluent sample taken during the month of August. The results shall be submitted to the Department by the following September 30 of each year.

Based on the results of this testing or any other toxicity tests conducted on this discharge, this permit may be reopened and amended to include effluent limitations, or require additional testing, or require that a Toxicity Reduction Evaluation be conducted.

Whole Effluent Toxicity tests shall be conducted in accordance with the methods recommended by EPA: Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (the most recent edition) and Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (the most recent edition).

4. The permittee is limited to using those chemicals which are similar in composition, concentration, and toxicity to those identified in the permit application unless substantially different chemicals are approved by the Department. A significant increase in the dosage rate or a substantial change in the chemicals used must be reviewed by the Department to assure that no adverse impact will occur in the receiving water. A substantial change in chemicals shall be defined as those chemicals that are not similar in composition, concentration, and toxicity to those identified in the application.
5. The permittee is limited to a production, as defined in 40 CFR §430.01, such that the BOD and TSS effluent limitations in Part I.A. are met. Production data shall be submitted annually by February 15.

Should the permittee propose to increase production to a point where effluent limitations will not be met, the permittee shall apply to the Agency, at least 180 days in advance, requesting an increase in BOD and/or TSS. The application shall include a report prepared by a professional engineer knowledgeable of the paper industry indicating what BOD and/or TSS limits are necessary given the proposed production increase. The report shall include information addressing the capability of the permittee's wastewater treatment facility under conditions of proper operation and

maintenance or, if the facility is not properly operated and maintained, identify the steps the permittee will take such that the facility will be properly operated and maintained.

C. IMPLEMENTATION SCHEDULE

By October 31, 2008, the permittee shall complete the pipeline repair by replacing and treating with “Denso” wrap or treating, where corrosion is not yet severe, with “Denso” wrap all couplings along the effluent pipeline as indicated in the 9/16/06 and 11/5/06 pipeline assessment reports from Francis J Lynch, P.E.

By November 30, 2008, a final report shall be submitted to the Department indicating that such repair has been completed according to recommendations in the Lynch reports.

D. REAPPLICATION

If the permittee desires to continue to discharge after the expiration date of this permit, the permittee shall apply on the application forms then in use at least 180 days before the permit expires.

Reapply for a Discharge Permit by: June 30, 2012.

The application shall include applicable requirements identified in 40 CFR Part 121.21, *Application for a permit*.

E. OPERATING FEES

This discharge is subject to operating fees. The permittee shall submit the operating fees in accord with the procedures provided by the Secretary.

F. MONITORING AND REPORTING

1. Sampling and Analysis

The sampling, preservation, handling, and analytical methods used shall conform to regulations published pursuant to Section 304(g) of the Clean Water Act, under which such procedures may be required. Guidelines establishing these test procedures have been published in the Code of Federal Regulations, Title 40, Part 136 (Federal Register, Vol. 56, No. 195, July 1, 1999 or as amended).

If applicable, *Escherichia coli* shall be tested using one of the following methods:

- a. “Most Probable Number” (MPN) method 9223B found in Standard Methods for the Examination of Water and Wastewater, 18th or subsequent approved edition(s). Premade formulations are available as Colilert and Colilert 18 from IDEXX Labs Inc., Westbrook, ME;
- b. EPA “membrane filtration” (MF) method 1603 using modified mTEC; or
- c. A single step membrane filtration (MF) method using mColiBlue 24 available from Hach Company, Loveland, CO.

Samples shall be representative of the volume and quality of effluent discharged over the sampling and reporting period. All samples are to be taken during normal operating hours. The permittee shall identify the effluent sampling location used for each discharge.

2. Reporting

The Permittee is required to submit monitoring results as specified on a Discharge Monitoring Report (Form WR-43). Reports are due on the 15th day of each month, beginning with the month following the effective date of this permit.

If, in any reporting period, there has been no discharge, the permittee must submit that information by the report due date.

Signed copies of these, and all other reports required herein, shall be submitted to the Secretary at the following address:

Agency of Natural Resources
Department of Environmental Conservation
Wastewater Management Division
103 South Main Street, The Sewing Building
Waterbury, Vermont 05671-0405

All reports shall be signed:

- a. In the case of corporations, by a principal executive officer of at least the level of vice president, or his/her duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the permit form originates;
- b. In the case of a partnership, by a general partner;
- c. In the case of a sole proprietorship, by the proprietor;
- d. In the case of a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

3. Recording of Results

The permittee shall maintain records of all information resulting from any monitoring activities required including:

- a. The exact place, date, and time of sampling;
- b. The dates and times the analyses were performed;
- c. The person(s) who performed the analyses;
- d. The analytical techniques and methods used including sample collection handling and preservation techniques;
- e. The results of all required analyses;

- f. The records of monitoring activities and results, including all instrumentation and calibration and maintenance records;
- g. The original calculation and data bench sheets of the operator who performed analysis of the influent or effluent pursuant to requirements of Section I.(A) of this permit.

The results of monitoring requirements shall be reported (in the units specified) on the Vermont reporting form WR-43 or other forms approved by the Secretary.

4. Additional Monitoring

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form WR-43. Such increased frequency shall also be indicated.

PART II

A. MANAGEMENT REQUIREMENTS

1. Facility Modification / Change in Discharge:

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant more frequently than, or at a level in excess of, that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such a violation may result in the imposition of civil and/or criminal penalties as provided for in Section 1274 and 1275 of the Vermont Water Pollution Control Act. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new permit application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. Noncompliance Notification

In the event the permittee is unable to comply with any of the conditions of this permit due, among other reasons, to:

- a. breakdown or maintenance of waste treatment equipment (biological and physical-chemical systems including, but not limited to, all pipes, transfer pumps, compressors, collection ponds or tanks for the segregation of treated or untreated wastes, ion exchange columns, or carbon absorption units),
- b. accidents caused by human error or negligence, or
- c. other causes such as acts of nature,

the permittee shall notify the Secretary within 24 hours of becoming aware of such condition or by the next business day and shall provide the Secretary with the following information, in writing, within five (5) days:

- i. cause of non-compliance;
- ii. a description of the non-complying discharge including its impact upon the receiving water;
- iii. anticipated time the condition of non-compliance is expected to continue or, if such condition has been corrected, the duration of the period of non-compliance;
- iv. steps taken by the permittee to reduce and eliminate the non-complying discharge; and
- v. steps to be taken by the permittee to prevent recurrence of the condition of non-compliance.

3. Operation and Maintenance

All waste collection, control, treatment, and disposal facilities shall be operated in a manner consistent with the following:

- a. The permittee shall, at all times, maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.
- b. The permittee shall provide an adequate operating staff which is duly qualified to carry out the operation, maintenance, and testing functions required to insure compliance with the conditions of this permit; and
- c. The operation and maintenance of this facility shall be performed only by qualified personnel. The personnel shall be certified as required under the Vermont Water Pollution Abatement Facility Operator Certification Regulations.

4. Quality Control

The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at regular intervals to ensure accuracy of measurements, or shall ensure that both activities will be conducted.

The permittee shall keep records of these activities and shall provide such records upon request of the Secretary.

The permittee shall demonstrate the accuracy of the flow measurement device weekly and report the results on the monthly report forms. The acceptable limit of error is $\pm 10\%$.

The permittee shall analyze any additional samples as may be required by the Agency of Natural Resources to ensure analytical quality control.

5. Bypass

The diversion or bypass of facilities, necessary to maintain compliance with the terms and conditions of this permit, is prohibited, except where authorized under terms and conditions of an emergency pollution permit issued pursuant to 10 V.S.A. Section 1268.

6. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any adverse impact to waters of the State resulting from non-compliance with any condition specified in this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed, calibration and maintenance of instrumentation, and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, and shall be submitted to Department representatives upon request. This period shall be extended during the course of unresolved litigation regarding the discharge of pollutants or when requested by the Secretary.

8. Solids Management

Collected screenings, sludges, and other solids removed in the course of treatment and control of wastewaters shall be stored, treated and disposed of in accord with 10 V.S.A., Chapter 159 and with the terms and conditions of any certification, interim or final, transitional operation authorization or order issued pursuant to 10 V.S.A., Chapter 159 that is in effect on the effective date of this permit or is issued during the term of this permit.

9. Emergency Pollution Permits

Maintenance activities, or emergencies resulting from equipment failure or malfunction, including power outages, which result in an effluent which exceeds the effluent limitations specified herein, shall be considered a violation of the conditions of this permit, unless the permittee immediately applies for, and obtains, an emergency pollution permit under the provisions of 10 V.S.A., Chapter 47, Section 1268. The permittee shall notify the Department of the emergency situation by the next working day.

10 V.S.A., Chapter 47, Section 1268 reads as follows:

"When a discharge permit holder finds that pollution abatement facilities require repairs, replacement or other corrective action in order for them to continue to meet standards specified in the permit, he may apply in the manner specified by the secretary for an emergency pollution permit for a term sufficient to effect repairs, replacements or other corrective action. The permit may be issued without prior public notice if the nature of the emergency will not provide sufficient time to give notice; provided that the secretary shall give public notice as soon as possible but in any event no later than five days after the effective date of the emergency pollution permit. No emergency pollution permit shall be issued unless the applicant certifies and the secretary finds that:

- (1) there is no present, reasonable alternative means of disposing of the waste other than by discharging it into the waters of the state during the limited period of time of the emergency;
- (2) the denial of an emergency pollution permit would work an extreme hardship upon the applicant;
- (3) the granting of an emergency pollution permit will result in some public benefit;
- (4) the discharge will not be unreasonably harmful to the quality of the receiving waters;
- (5) the cause or reason for the emergency is not due to wilful or intended acts or omissions of the applicant."

Application shall be made to the Secretary of the Agency of Natural Resources, Department of Environmental Conservation, 103 South Main Street, Waterbury, Vermont 05671-0405.

10. Power Failure

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. Provide an alternative power source sufficient to operate the wastewater control facilities, or if such alternative power source is not in existence,
- b. Halt, reduce, or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

B. RESPONSIBILITIES**1. Right of Entry**

The permittee shall allow the Secretary or authorized representative, upon the presentation of proper credentials:

- a. to enter upon the permittee's premises in which an effluent source or any records required to be kept under terms and conditions of the permit are located;
- b. to have access to and copy any records required to be kept under the terms and conditions of the permit;
- c. to inspect any monitoring equipment or method required in the permit; or
- d. to sample any discharge of pollutants.

2. Transfer of Ownership or Control

This permit is not transferable without prior written approval of the Secretary. All application and operating fees must be paid in full prior to transfer of this permit. In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall provide a copy of this permit to the succeeding owner or controller and shall send written notification of the change in ownership or control to the Secretary. The permittee shall also inform the prospective owner or operator of their responsibility to make an application for transfer of this permit.

This request for transfer application must include at a minimum:

- a. a properly completed application form as provided by the Secretary and the applicable processing fee.
- b. A written statement from the prospective owner or operator certifying:
 - i. The conditions of the operation that contribute to, or affect, the discharge will not be materially different under the new ownership.
 - ii. The prospective owner or operator has read and is familiar with the terms of the permit and agrees to comply with all terms and conditions of the permit.
 - iii. The prospective owner or operator has adequate funding to operate and maintain the treatment system and remain in compliance with the terms and conditions of the permit.
- c. The date of the sale or transfer.

The Secretary may require additional information dependent upon the current status of the facility operation, maintenance, and permit compliance.

3. Confidentiality

Pursuant to 10 V.S.A. 1259(b):

“Any records, reports or information obtained under this permit program shall be available to the public for inspection and copying. However, upon a showing satisfactory to the secretary that any records, reports or information or part thereof, other than effluent data, would, if made public, divulge methods or processes entitled to protection as trade secrets, the secretary shall treat and protect those records, reports or information as confidential. Any records, reports or information accorded confidential treatment will be disclosed to authorized representatives of the state and the United States when relevant to any proceedings under this chapter.”

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. violation of any terms or conditions of this permit;
- b. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

5. Toxic Effluent Standards

That if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the Federal Act for a toxic pollutant which is present in the permittee's discharge and such standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the secretary shall revise or modify the permit in accordance with the toxic effluent standard or prohibition and so notify the permittee.

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under 10 V.S.A. §1281.

7. Civil and Criminal Liability

Except as provided in, "Bypass" (Part II, paragraph A.5.), "Power Failure" (Part II, paragraph A.10.), and "Emergency Pollution Permits" (Part II, paragraph A.9.), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Civil penalties, as authorized under 10 V.S.A. §1274 and 10 V.S.A. §8010, shall not exceed \$10,000 a day for each day of violation. Criminal

penalties, as authorized under 10 V.S.A. §1275, shall not exceed \$25,000 for each day of violation, imprisonment for up to six months, or both.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

9. Property Rights

Issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

11. Authority

This permit is issued under authority of 10 V.S.A. §1259 which states that: "No person shall discharge any waste, substance, or material into waters of the State, nor shall any person discharge any waste, substance, or material into an injection well or discharge into a publicly owned treatment works any waste which interferes with, passes through without treatment, or is otherwise incompatible with those works or would have a substantial adverse effect on those works or on water quality, without first obtaining a permit for that discharge from the Secretary", and under the authority of Section 402 of the Clean Water Act, as amended.

PART III

A. OTHER REQUIREMENTS

This permit shall be modified, suspended or revoked to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b) (2) (C), and (D), 304(b) (2), and 307 (a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:

1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
2. Controls any pollutant not limited in the permit.

The permit as modified under this paragraph shall also contain any other requirements of the Vermont Water Pollution Control Act then applicable.

B. DEFINITIONS

For purposes of this permit, the following definitions shall apply.

The Act - The Vermont Water Pollution Control Act, 10 V.S.A. Chapter 47

Annual Average - The highest allowable average of daily discharges calculated as the sum of all daily discharges (mg/l, lbs or gallons) measured during a calendar year divided by the number of daily discharges measured during that year.

Average - The arithmetic means of values taken at the frequency required for each parameter over the specified period.

The Clean Water Act - The federal Clean Water Act, as amended.

Composite Sample - A sample consisting of a minimum of one grab sample per hour collected during a 24-hour period (or lesser period as specified in the section on Monitoring and Reporting) and combined proportionally to flow over that same time period.

Daily Discharge - The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling

For pollutants with limitation expressed in pounds the daily discharge is calculated as the total pounds of pollutants discharged over the day.

For pollutants with limitations expressed in mg/l the daily discharge is calculated as the average measurement of the pollutant over the day.

Grab Sample - An individual sample collected in a period of less than 15 minutes.

Incompatible Substance (Pollutant) - Any waste being discharged into the treatment works which interferes with, passes through without treatment, or is otherwise incompatible with said works or would have a substantial adverse effect on these works or on water quality. This includes all pollutants required to be regulated under the Federal Clean Water Act.

Instantaneous Maximum - A value not to be exceeded in any grab sample.

Major Contributing Industry - One that: (1) has a flow of 50,000 gallons or more per average work day; (2) has a flow greater than five percent of the flow carried by the municipal system receiving the waste; (3) has in its wastes a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Act; or (4) has a significant impact, either singly or in combination with other contributing industries, on a publicly owned treatment works or on the quality of effluent from that treatment works.

Maximum Day (maximum daily discharge limitation) - The highest allowable "daily discharge" (mg/l, lbs or gallons).

Mean - The mean value is the arithmetic mean.

Monthly Average - (Average monthly discharge limitation) - The highest allowable average of daily discharges (mg/l, lbs or gallons) over a calendar month, calculated as the sum of all daily discharges (mg/l, lbs or gallons) measured during a calendar month divided by the number of daily discharges measured during that month.

NPDES - The National Pollutant Discharge Elimination System.

Secretary - The Secretary of the Agency of Natural Resources

State Certifying Agency Agency of Natural Resources
 Department of Environmental Conservation
 Wastewater Management Division
 103 South Main Street
 Waterbury, Vermont 05671-0405

Weekly Average - (Average weekly discharge limitation) - The highest allowable average of daily discharges (mg/l, lbs or gallons) over a calendar week, calculated as the sum of all daily discharges (mg/l, lbs or gallons) measured during a calendar week divided by the number of daily discharges measured during that week.

AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WASTEWATER MANAGEMENT DIVISION
103 SOUTH MAIN STREET
WATERBURY, VERMONT 05671-0405

FACT SHEET
(November 2007)

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO
DISCHARGE TO WATERS OF THE UNITED STATES

NPDES NO: VT0000108
FILE NO: 13-13
PERMIT NO: 3-1128
PROJECT ID NO: NS94-0008

NAME AND ADDRESS OF APPLICANT:

Putney Paper Company
PO Box 226
Putney, VT 05346

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Putney Paper Company
Main Street
Putney, Vermont

RECEIVING WATER: Connecticut River

CLASSIFICATION: Class B. Class B waters are suitable for bathing and recreation, irrigation and agricultural uses; good fish habitat; good aesthetic value; acceptable for public water supply with filtration and disinfection.

I. Proposed Action, Type of Facility, and Discharge Location

The above named applicant applied on July 2, 2007 to the Vermont Department of Environmental Conservation for renewal of the permit to discharge into the designated receiving water. At this time the Department has made a tentative decision to reissue the discharge permit. The facility is a 100% recycle deink mill that manufactures tissue and napkin grades. The wastewater treatment facility discharges treated process wastewater through a several hundred foot long outfall to the Connecticut River.

II. Description of Discharge

A quantitative description of the discharge in terms of significant effluent parameters is based on state and federal laws and regulations, the discharge permit application, and the recent self-monitoring data.

III. Limitations and Conditions

The effluent limitations of the permit, the monitoring requirements, and any implementation schedule (if required), may be found on the following pages of the permit:

Effluent Limitations:	Page 2 of 14
Monitoring Requirements:	Pages 2 and 3 of 14
Implementation Schedule:	Page 4 of 14

IV. Permit Basis and Explanation of Effluent Limitation Derivation

The Putney Paper Company owns and operates the Putney Paper Company, a deink tissue mill, located in Putney, Vermont. The facility is a non-integrated mill involved in the production of tissue and napkin grades from a 100% secondary wastepaper deink process. Wastepaper is stored and segregated into different grades prior to pulping with the addition of sodium hydroxide. The pulp slurry goes through various stages of washing, cleaning and screening prior to the papermaking process. Putney Paper converts 80% of the tissue and napkin grades for sale as finished product.

The treatment of process wastewater consists of primary clarification followed by a two-stage high activated sludge treatment process (Zurn-Attischoltz). Sludge from the two-stage aeration/clarification system and from the primary clarifier is wasted to a belt filter press for dewatering. Putney Paper has a sludge disposal facility which is not being utilized. The company has chosen to haul sludge out of state or to an approved Vermont landfill. There is one lined holding lagoon located approximately 300 yards from the mill adjacent to Sackett's Brook. Effluent from the mill is directed to the lagoon once per year during scheduled treatment system maintenance or potentially during unexpected emergency situations. Typical discharge of treated wastewater to the Connecticut River is from the recycle tank following the second stage clarifier.

Flow - The effluent flow limitation remains at 0.275 MGD, monthly average. The facility maintains a continuous discharge.

Biochemical Oxygen Demand (BOD₅) and Total Suspended Solids (TSS)- The permitted BOD limits are 548 lbs/day, monthly average, and 818 lbs/day, daily maximum. The permitted TSS limits are 200 lbs/day, monthly average, and 300 lbs/day, daily maximum. These limits and the weekly monitoring requirement is unchanged from the previous permit.

Discussion: EPA categorical standards, 40 CFR Part 430, and the associated Development Document for the Pulp, Paper, and Paperboard Industry are based on both the pulping or furnish process and the products, or grades, manufactured at the facility. The applicable subcategory is Secondary Fiber Deink (Subpart I). The last five years' annual production in off-machine numbers are consistent ranging from a low of 65.7 tons per day (tpd) in 2003 to 69.6 tpd in 2005. Using the categorical standards and a production rate of 70 tons/day (as indicated in the application) the BOD and TSS limits would be as follows:

BOD monthly average: 1316 lbs/day; BOD daily maximum: 2534 lbs/day
TSS monthly average: 1813 lbs/day; TSS daily maximum: 3367 lbs/day

The anti-backsliding provision of the Clean Water Act (Section 402(o), as amended) allows less stringent effluent limitations when certain conditions are met. The Department must find that 1) substantial alterations in the facility have occurred since the previous permit issuance, and that 2) the permittee has installed and properly operated and maintained the treatment facilities required to meet the effluent limitations in the previous permit but has nevertheless been unable to meet these limits. Putney Paper Company is currently meeting the permitted limits and has not requested an increase in BOD or TSS. As a result, increases in the BOD and TSS limits are not being considered by the Department at this time.

pH - The pH limitation remains at 6.5 - 8.5 Standard Units as specified in Section 3-01 B.9. in the Vermont Water Quality Standards, effective February 9, 2006. Monitoring remains at daily.

Turbidity - The permit proposes a turbidity limit and daily monitoring requirement. The Vermont Water Quality Standards cites a limit of 10 NTU. However, the permittee indicated that monitoring results are significantly greater than the 10 NTU limit and has requested a mixing zone as part of the permit application. As a result of effluent turbidity results exceeding 10 NTU, it was necessary for the permittee to conduct a dilution study in order to determine: 1) whether there was sufficient dilution in the Vermont portion of the receiving water to establish a mixing zone; and 2) if the outfall would need to be modified to insure that the mixing zone would remain in Vermont waters.

Putney Paper Company submitted a mixing zone analysis completed by Aquaterra in November 2005. The results indicated that the permittee could discharge up to 630 NTU and still meet the WQS limit of 10 NTU at the end of a 200 foot mixing zone. The Department concurred with the assumptions in the report and made a determination that based on the permittee's existing self-monitoring data, a limit of 630 NTU would be appropriate for an effluent limit at the point of discharge.

In addition, the Department has made the determination that: "conditions due to discharges of waste within any mixing zone shall:

- a. not result in a significant increase in public health risk when evaluated using reasonable assumptions about exposure pathways;
- b. not constitute a barrier to the passage or movement of fish or prevent the

- full support of aquatic biota, wildlife, and aquatic habitat uses in the receiving waters outside the mixing zone;
- c. not kill organisms passing through;
 - d. protect and maintain the existing uses of the waters;
 - e. be free from materials in concentrations that settle to form objectionable deposits;
 - f. be free from floating debris, oil, scum, and other material in concentrations that form nuisances;
 - g. be free from substances in concentrations that produce objectionable color, odor, taste, or turbidity; and
 - h. be free from substances in concentrations that produce undesirable aquatic life or result in a dominance of nuisance species.” (Water Quality Standards, Section 2-04 A.2.)

Settleable Solids – The ‘monitor only’ requirement is proposed to be removed from the permit with the addition of a turbidity requirement.

Whole Effluent Toxicity (WET) Testing - 40 CFR Part 122.44(d)(1) requires the Department to assess whether the discharge causes, has the reasonable potential to cause, or contribute to an excursion above any narrative or numeric water quality criteria. The intent of the WET testing is to confirm the results of the WET testing (and the priority pollutant scan) conducted by the permittee in August 2003. Those results indicated that this discharge did not have the potential to cause an instream toxic impact. Confirmation that those findings are still valid is required by the Vermont Toxic Discharge Control Strategy at permit renewal. If the results of these tests indicate a reasonable potential to cause an instream toxic impact, the Department may require additional WET testing, establish a WET limit, or require a Toxicity Reduction Evaluation.

The proposed permit includes annual WET testing. The first test, an *acute/chronic* two-species test must be completed in August 2008. Subsequent *acute only* testing is proposed for January 2009 and 2011 and for August 2010 and 2012.

Special Conditions and Implementation Schedule -

Special Condition I.B.4. addresses chemical usage.

Special Condition I.B.5. requires that production data be submitted annually by February 15.

Condition I.C. includes an implementation schedule to repair and/or replace the couplings along the stainless steel effluent pipeline. The work must be completed by October 31, 2008 with a final report due to the Department by November 30, 2008.

V. Procedures for Formulation of Final Determinations

The public comment period for receiving comments on this draft permit is from November 5 through December 5, 2007 during which time interested persons may submit their written views on the draft permit. All written comments received by 4:30 PM on December 5, 2007 will be retained by the Department and considered in the formulation of the final determination to issue, deny or modify the draft permit. The period of comment may be extended at the discretion of the Department.

Written comments should be sent to:

Vermont Agency of Natural Resources
Department of Environmental Conservation
Wastewater Management Division - Sewing Building
103 South Main Street
Waterbury, VT 05671-0405

Comments may also be faxed to: 802-241-2596.

Any interested person or groups of persons may request or petition for a public hearing with respect to this draft permit. Any such request or petition for a public hearing shall be filed within the public comment period described above and shall indicate the interest of the party filing such request and the reasons why a hearing is warranted.

The Department will hold a hearing if there is significant public interest in holding such a hearing. Any public hearing brought in response to such a request or petition will be held in the geographical area of the proposed discharge or other appropriate area, at the discretion of the Department and may, as appropriate, consider related groups of draft permits. Any person may submit oral or written statements and data concerning the draft permit at the public hearing. The Department may establish reasonable limits on the time allowed for oral statements and may require the submission of statements in writing. All statements, comments, and data presented at the public hearing will be retained by the Department and considered in the formulation of the final determination to issue, deny, or modify the draft permit.

The complete application, draft permit, and other information are on file and may be inspected at the VTDEC, Wastewater Management Division, Waterbury Office. Copies will be made at a cost based on the current Secretary of State Official Fee Schedule for Copying Public Records from 8:00 AM to 4:30 PM, Monday through Friday. The draft permit and fact sheet may also be viewed on the Division's website at www.anr.state.vt.us/dec/ww/wwmd.cfm.

No comments were received during the public notice period.



Potney Paper Mill

OUTFALL to Connecticut River

0 0.5Km

0 0.25Mi

Image courtesy of the U.S. Geological Survey

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