



VERMONT

**Vermont Department of Environmental Conservation**

Watershed Management Division  
103 South Main Street, Building 10 North  
Waterbury, VT 05671-0408

*Agency of Natural Resources*

[phone] 802-241-3777  
[fax] 802-338-4890

June 27, 2012

Mark Blanchard  
Springfield Medical Care System, Inc.  
PO Box 2003  
Springfield, VT 05156

**Re: Draft Discharge Permit No. 3- 1540  
Springfield Community Health Center Cooling Water**

Dear Mr. Blanchard,

The Department is proposing to issue the above referenced permit for the proposed discharge of noncontact cooling water from the Springfield Community Health Center to the Black River.

A draft of this permit is enclosed for your review and comment. Please review the draft permit carefully and note the effluent limitations, the monitoring and reporting requirements, and the special conditions.

To expedite issuance of this permit, we are placing a draft on public notice for comment at this time. The notice period will run from July 2, 2012 through August 2, 2012.

After any comments received during the notice period have been addressed, the permit will be sent to the Secretary of the Agency of Natural Resources or her designated representative for final approval and signature.

If you have any questions regarding the draft permit, please contact me at our office.

Sincerely,

A handwritten signature in black ink that reads "Randy Bean". The signature is written in a cursive, slightly slanted style.

Randy Bean, Environmental Analyst  
Wastewater Management Section

Attachments

Cc

Erik Christman, Engineering Ventures, Inc.  
Ken Cox, VT F&W, Springfield Office  
Springfield Act 250 Office

AGENCY OF NATURAL RESOURCES  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
WATERSHED MANAGEMENT DIVISION  
103 SOUTH MAIN STREET, BUILDING 10 NORTH  
WATERBURY, VERMONT 05671-0408

Permit No.: 3-1540  
File No.: 14-18  
PIN: NS09-0404  
NPDES No.: VT0001457

**DRAFT**  
**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), the Vermont Water Pollution Control Permit Regulations and the Federal Clean Water Act, as amended (33 U.S.C. § 1251 et. seq),

Springfield Medical Care Systems, Inc.  
PO Box 2003  
Springfield, VT 05156

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

Springfield Community Health Center  
100 River Street Complex  
Springfield, Vermont

to the Black 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 date of signing.

This permit and the authorization to discharge shall expire on June 30, 2017.

David K. Mears, Commissioner  
Department of Environmental Conservation

By  
Peter LaFlamme, Director  
Watershed Management Division

Date:

**PART I**

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

1. From the date of signing through June 30, 2017, the permittee is authorized to discharge from outfall serial number S/N 001: thermally enhanced noncontact cooling water. 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	188,000 gpd	576,000 gpd	Daily	Total Flow
Temperature		98°	Daily	Daily Maximum
pH		6.5 to 8.5 SU	1 x week	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations:

1. From the outlet pipe, prior to the discharge entering the Black River.
2. From a sampling transect in the Black River, ~ 50 feet upstream of the outfall.
3. From a sampling transect in the Black River, ~ 100 feet downstream of the outfall.
4. From a sampling transect in the Black River, 200 feet downstream of the outfall.

**2. Special Conditions:**

- a. This discharge shall not increase the temperature of the Black River by more than 1°F at the end of a 200 ft mixing zone.

Per Section 2-04.A. of the Vermont Water Quality Standards (effective January 1, 2008), this permit establishes a mixing zone in the Black River for temperature extending downstream 200 ft from the outfall of this discharge. Within this mixing zone, the requirements of Section 3-01.B.1. of the Vermont Water Quality Standards are waived in accordance with Section 2-04.

- b. The discharge of pollutants, other than temperature, is prohibited.
- c. Except for temperature within the mixing zone, as specified in Condition I.A.2.a above, this discharge shall not cause a violation of Water Quality Standards in the receiving water.
- d. The dates of any cooling system maintenance or cleaning shall be noted on the WR-43 Discharge Monitoring Report.
- e. The permittee shall notify the Department, in writing, 5 days prior to commencing cooling operations for the season.

- f. At the end of operating season the permittee shall include a statement with the final monitoring report indicating that the discharge from the cooling system has ended for the season. The permittee is not required to sample the discharge or the receiving water or submit monthly monitoring reports during times when the cooling system is inactive.

## B. REAPPLICATION

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

Reapply for a Discharge Permit by December 31, 2016.

## C. OPERATING FEES

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

## D. 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, 18<sup>th</sup> 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 quarterly on the 15th day of the month after the quarter (July 15<sup>th</sup>, October 15<sup>th</sup>, January 15<sup>th</sup>, April 15<sup>th</sup>), beginning with the quarter 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  
Watershed Management Division  
103 South Main Street, Building 10 North  
Waterbury, Vermont 05671-0408

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 pursuant to 10 V.S.A. Chapters 47, 201 and/or 2011. 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.

### **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 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 as a minimum:

- a. A properly completed application form 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 Clean Water 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 non-compliance. Civil and criminal penalties for non-compliance are provided for in 10 V.S.A. Chapters 47, 201 and 211.

#### **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.

#### **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. §1258 and §1259 of the Vermont Water Pollution Control Act, the Vermont Water Pollution Control Permit Regulations and Section 402 of the Clean Water Act, as amended. 10 V.S.A. §1259 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".

### **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  
   Watershed Management Division  
   103 South Main Street, Building 10 North  
   Waterbury, Vermont 05671-0408

**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.

07/2000; u.12/2011

## Kline, Mike

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**From:** Dolan, Kari  
**Sent:** Monday, June 18, 2012 2:58 PM  
**To:** Doherty, Ray  
**Cc:** Jeff Steblein (jeffrey.g.steblein@saic.com); Thad Leugemors, PMP; Nagy, Ross; Evans, Rob; Kline, Mike; Mears, David; LaFlamme, Pete; McKearnan, Sarah  
**Subject:** RE: Existing PDM Grants & DEC HMGP Planning Grant  
**Importance:** High

Ray,  
Thanks for your email.

I believe that our best option is to remove the reference to the State Hazard Mitigation Plan and pursue FEMA approval under the Five Percent Initiative.

Please refer to page 57 of the Jun 1, 2010 FEMA Hazard Mitigation Assistance Unified Guidance:  
<http://www.fema.gov/library/viewRecord.do?id=4225>:

**Activities that might be funded under the 5% Initiative include [highlight added]:**

- The use, evaluation, and application of new, unproven mitigation techniques, technologies, methods, procedures, or products;
- Equipment and systems for the purpose of warning citizens of impending hazards;
- Purchase of permanently installed generators or related equipment, such as generator hook-ups;
- Hazard identification or mapping and related equipment for the implementation of mitigation activities;
- Geographic Information System (GIS) software, hardware, and data acquisition whose primary aim is mitigation;
- Public awareness or education campaigns about mitigation; and
- Evaluation of model building codes in support of future adoption and/or implementation.

I know that you said that Dick Verville of FEMA HQ stated that this project could not be considered under the 5 Percent Initiative because the result had to be a project. As we fix the budget, we will make sure that the deliverables are spelled out that are aligned with this guidance. The outcome of this proposal are projects.

I welcome your thoughts,  
Kari

Kari Dolan, Manager  
Ecosystem Restoration Program  
Vermont Department of Environmental Conservation  
c: 802/498-7516

**From:** Doherty, Ray  
**Sent:** Monday, June 18, 2012 10:01 AM  
**To:** Dolan, Kari  
**Cc:** Jeff Steblein ([jeffrey.g.steblein@saic.com](mailto:jeffrey.g.steblein@saic.com)); Thad Leugemors, PMP; Nagy, Ross  
**Subject:** Existing PDM Grants & DEC HMGP Planning Grant  
**Importance:** High

Kari,

The latest PDM FY 2012 grant in the process of being approved includes 10 RPCs. Here is the Scope of Work from the grant application:

The communities to be covered by the planning activity will fall within the ten Regional Planning Commissions (RPCs) participating in the program. The RPCs include Addison County RPC, Bennington County RPC, Central Vermont RPC, Lamoille County RPC, Northwest Regional RPC, Northeastern Vermont Development Association (Caledonia, Essex and Orleans Counties), Rutland RPC, Southern Windsor RPC, Two Rivers-Ottawaquechee RPC, and Windham RPC. The communities listed are those identified initially as the priority communities within the participating RPCs. Priority communities will include those that were impacted by damages from Hurricane Irene in August 2011, Lake Champlain flooding from March – May 2011, and those communities whose plans are on the verge of expiring. The following communities have been identified for Mitigation Plan updates: Barre City, Barton, Brattleboro, Bridgewater, Brownington, Cabot, Cambridge, Cavendish, Chester, Clarendon, Danby, Enosburgh, Fairfax, Goshen, Grafton, Hartland, Holland, Hyde Park, Jamaica, Johnson, Londonderry, Manchester, Marlboro, Middleberry, Montgomery, Montpelier, Moretown, Mount Holly, Newfane, Peru, Plymouth, Putney, Reading, Rockingham, Ryegate, Sandgate, Starksboro, Stowe, Stratton, Sunderland, Townshend, Vernon, Wallingford, Wardsboro, Waterbury, Wilmington, Windsor, Wolcott, Woodford, and Woodstock.

The only RPC not participating in the PDM FY 12 grant is the Chittenden RPC. Therefore, you would need to contact Chittenden RPC and inquire if they would sponsor DEC's work under the aegis of a new multijurisdictional plan update for Chittenden county. The only other option is to play hardball and appeal the FEMA HQ decision not to fund your existing application as it is considered duplicative of the PDM FY 09 grant for the state plan update. I will support whatever decision you and Mike Kline wish to take in this matter.

We'll speak about this again in the coming days.

~ Ray

Ray Doherty, State Hazard Mitigation Officer  
Vermont Emergency Management  
103 South Main Street  
Waterbury, VT 05671  
Tel (802) 241-5258 (office)  
Fax (802) 241-5556  
Email: [ray.doherty@state.vt.us](mailto:ray.doherty@state.vt.us)





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

FACT SHEET  
(June 2012)

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

NPDES NO: VT00001457  
FILE NO: 14-18  
PERMIT NO: 3-1540  
PROJECT ID NO: NS09-0404

NAME AND ADDRESS OF APPLICANT:

Springfield Medical Care System, Inc.  
PO Box 2003  
Springfield, VT 05156

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Springfield Community Health Center  
100 River Street Complex  
Springfield, Vermont

RECEIVING WATER: Black 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 June 6, 2011 to the Vermont Department of Environmental Conservation requesting a 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 medical care facility and is proposing to discharge noncontact cooling water to the Black River. The discharge will be located at the existing hydroelectric dam.

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: Page 2 of 14

### IV. Permit Basis and Explanation of Effluent Limitation Derivation

Springfield Medical Care Systems, Inc. is proposing to discharge noncontact cooling water from the Springfield Community Health Center to the Black River. Water will be extracted from the river, pass through filters and a heat exchange system within the building and then will be discharged into the Black River.

**Flow** - The system is designed to discharge up to 576,000 gpd, daily maximum. The average flow is expected to 188,000 gpd, monthly average. These limitations have been included in the draft permit.

**Temperature** - A temperature limitation of 98°F is being proposed in the draft permit. The application indicates that the heat exchange process could increase the temperature of river water used in the cooling system by up to 10°F. Since water temperatures in the Black River can reach 88°F during summer low flow conditions (7Q10), an effluent temperature of 98°F could occur during the summer months.

Both Vermont statute (Chapter 47, §1251) and the Vermont Water Quality Standards, Section 2-04, allow the establishment of a mixing zone not to exceed 200 feet in length to accommodate for temperature increases provided that at the end of the mixing zone the temperature of the receiving water is not increased by more than 1°F (Vermont Water Quality Standards Section 3-01.B1).

The applicant conducted thermal modeling of the discharge at the maximum permitted flow and temperature conditions and this modeling determined that at an effluent temperature of 98° F at 7Q10 flow conditions, the instream temperature would not be raised by more than 1° F at the end of a 200 foot mixing zone. Therefore this discharge could be accommodated within the provisions set forth in statute and the Water Quality Standards.

To ensure that compliance with this mixing zone and the requirements of the Water Quality Standards, temperature sampling is being required of the discharge and in the Black River as follows: upstream of the outfall to determine background conditions; ~100 feet downstream of the outfall to confirm the plume is not a barrier to the migration of fish; and 200 feet downstream of the outfall to ensure compliance with the temperature requirements of the Water Quality Standards.

Temperature monitoring is required daily when the cooling system is in operation.

**pH** - A pH limitation has been included in this permit. The proposed pH limitation is 6.5 to 8.5 SU. This limitation is based on Section 3-01.B.9 of the Vermont Water Quality Standards. Effluent pH sampling will be required once per week.

**Special Conditions:**

Special Condition A.3.a. establishes a 200 foot mixing zone for temperature in the Black River based on Sections 2-04 and 3-01 of the Water Quality Standards. The temperature will not be raised by more than 1° F. at the end of the mixing zone.

Special Condition A.3.b prohibits the discharge of other pollutants.

Special Condition A.3.d requires the dates of any cooling system cleaning or maintenance be reported on the Discharge Monitoring Report.

V. Anti Degradation

Section 1-03. Anti-Degradation Policy of the Vermont Water Quality Standards establishes requirements to protect existing uses and to maintain and protect high quality waters. The VT ANR/DEC Interim Anti-Degradation Implementation Procedure effective October 12, 2010, defines and implements the requirements of this Policy.

Based on Section VII.G. "Thermal Discharges" of the Procedure, this proposed discharge meets the anti-degradation requirements of the Policy.

This proposed discharge will comply with the temperature requirements of the Water Quality Standards at the end of a 200 foot mixing zone. Therefore per Section VII.G.1 of VT ANR/DEC Interim Anti-Degradation Implementation Procedure effective October 12, 2010, the requirements of Tier 2 (High Quality Waters) and Tier 1 (Existing Uses) have been met. In addition since this discharge will not contain any other pollutants and will not result in thermal shock or prevent the full support of uses, per Section VII.G.2., the requirements of the Policy have been met.

VI. Discharge Policy

Per Section 1-04.A of the Vermont Water Quality Standards, new discharges of wastes may be allowed only when all the following criteria are met:

1. The proposed discharge is in conformance with all applicable provisions of these rules including classification of the receiving waters adopted by the Board as set forth in Chapter 4 of these rules.
2. There is neither an alternative method of waste disposal, nor an alternative location for waste disposal, that would have a lesser impact on water quality including the quality of groundwater, or if there is such an alternative method or location, it would clearly unreasonable to require its use.
3. The design and operation of any waste treatment or disposal facility is adequate and sufficiently reliable to ensure the full support of uses and to ensure compliance with these rules and with all applicable state and federal treatment requirements and effluent limitations.

4. Except as provided for in 10 V.S.A. 1259(d) and (f), the discharge of wastes other than nonpolluting wastes and stormwater is prohibited in Class A waters regardless of the degree of treatment provided.
5. Except as provided for in 10 V.S.A. 1259, the discharge of wastes that, prior to treatment, contained organisms pathogenic to human beings is prohibited.
6. The receiving waters will have sufficient assimilative capacity to accommodate the proposed discharge.
7. Assimilative capacity has been allocated to the proposed discharge consistent with the classification set forth in Chapter 4 of these rules.
8. The discharge of wastes to the thermocline or hypolimnion of any lake in manner that may prevent full support of uses is prohibited.
9. The discharge of sewage into Class B waters shall not pose more than a negligible risk public health. Compliance with this criterion shall include as assessment of both the level and reliability of treatment achieved and the impact of the discharge on the water quality of the receiving waters.

The Agency finds that these criteria have been met. Specifically,

1. The discharge conforms with the classification of the receiving water.
2. Due to the site limitations and geologic limitations, infiltration or spray irrigation is not a feasible alternative for disposal of this wastewater. In addition the Town of Springfield Wastewater Treatment Facility does not have the capacity to accept a discharge of this nature. Therefore, the only alternative is to discharge the wastewater to waters of the State.
3. Based on the design of the system, it is adequate and sufficiently reliable to meet the effluent limitations.
4. The discharge is not to a Class A water.
5. The discharge, prior to treatment, does not contain organisms pathogenic to humans.
6. Adequate assimilative capacity exists to accommodate the pollutants (temperature) in this discharge.
7. See 6 above.
8. The receiving water is not a lake.
9. The discharge does not contain sewage

#### VII. Procedures for Formulation of Final Determinations

The public comment period for receiving comments on this draft permit is from July 2, 2012 through August 2, 2012 during which time interested persons may submit their written views on the draft permit.

All written comments received by 4:30 PM on August 2, 2012 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  
Watershed Management Division – Building 10N

103 South Main Street  
Waterbury, VT 05671-0405

Comments may also be submitted by e-mail using the e-mail comment provisions included at <http://www.anr.state.vt.us/dec/ww/Drafts.htm> .

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, VSAC Building, East Allen Street, Winooski, VT. 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.vtwaterquality.org/wastewater.htm](http://www.vtwaterquality.org/wastewater.htm)



**Vermont Department of Environmental Conservation**  
Watershed Management Division  
103 South Main Street, Building 10 North  
Waterbury, VT 05671-0408

*Agency of Natural Resources*

[phone] 802-241-3777  
[fax] 802-338-4890

June 27, 2012

Town of Springfield  
Attn: Meredith Kelley, Clerk  
96 Main Street  
Springfield, VT 05156

Ms. Kelley,

Enclosed are copies of a public notice regarding the public comment period for a draft discharge permit that the Department is proposing to issue to the Springfield Medical Care Systems, Inc. for the discharge of non-contact cooling water from their facility to the Black River.

One of these notices is information for local officials. Would you please post the other in a public place for disseminating this information to local residents?

We are also sending copies of this notice to other local officials and interested persons who have asked to be included on our mailing list. We will be glad to send you additional copies if you desire or add names of interested parties to our mailing list.

Sincerely,

A handwritten signature in cursive script that reads "Randy Bean".

Randy Bean, Environmental Analyst  
Direct Discharge and O&M Section

cc. (w/enclosure)  
Board of Selectmen

**AGENCY OF NATURAL RESOURCES  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
WATERSHED MANAGEMENT DIVISION  
103 SOUTH MAIN STREET  
WATERBURY, VT 05671-0408**

**NOTICE:** Draft Discharge Permit

**PUBLIC NOTICE NUMBER:** 3-1540

**PUBLIC COMMENT PERIOD:** July 2, 2012 through August 2, 2012

**PERMITTEE INFORMATION**

**PERMITTEE:** Springfield Medical Care Systems, Inc.  
PO Box 2003  
Springfield, VT 05156

**PERMIT NUMBER:** 3-1540

**FILE NUMBER:** 14-18

**DISCHARGE INFORMATION**

**NATURE:** Non-contact cooling water

**VOLUME:** 188,000 GPD, monthly average; 576,000 GPD, daily maximum

**RECEIVING WATER:** Black River

**EXPIRATION DATE:** June 30, 2017

**DESCRIPTION:** This is a draft discharge permit proposed for issuance to the Springfield Medical Care Systems, Inc. for the discharge of non-contact cooling water from their facility located at 100 River Street, Springfield, VT to the Black River.

**TENTATIVE DETERMINATIONS**

Tentative determinations regarding effluent limitations and other conditions to be applied on the pending Vermont permit have been made by the State of Vermont Agency of Natural Resources (VANR). The limitations imposed will assure that the Vermont Water Quality Standards will be met.

**FURTHER INFORMATION**

The complete application, proposed permit, and other information are on file; and may be inspected at the VANR, VSAC Building, 10 East Allen Street, Winooski, VT. Copies of the permit may be obtained by calling (802) 338-4809; cost of copies is 10 cents per page or at [www.anr.state.vt.us/dec/ww/wwmd.cfm](http://www.anr.state.vt.us/dec/ww/wwmd.cfm). Office hours are 7:45 a.m. to 4:30 p.m., Monday through Friday

**PUBLIC COMMENTS/PUBLIC HEARINGS**

Public comments on the proposed permit are invited. Comments should be submitted in writing, to the address listed below. All comments received prior to the deadline listed below will be considered in formulations of the final determinations. Any submitted comments should include the permit number next to the VANR address on the envelope and on the first page of comments.

Department of Environmental Conservation  
Watershed Management Division  
103 South Main Street  
Waterbury, VT 05671-0408

The comment period will close at the end of the business day **4:30 pm, August 2, 2012.**

Comments may also be faxed to: 802-338-4890 or submitted by e-mail using the e-mail comment provisions included at <http://www.anr.state.vt.us/dec/ww/Drafts.htm>

Any person, prior to the above date, may submit a written request to this office for an informal public hearing to consider the proposed permit.

Any hearing request shall indicate the interest of the party filing the request and the reasons why a hearing is warranted. A hearing will be held only if the responses to this notice indicate significant public interest.

**FINAL ACTION/RIGHTS TO APPEAL TO THE ENVIRONMENTAL COURT**

At the conclusion of the public notice period and after consideration of additional information received during the public notice period, the VANR will make a final determination to issue or to deny the permit. Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The appellant must attach to the Notice of Appeal, the entry fee of \$250.00, payable to the state of Vermont.

The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Court; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and the description of the property, project or facility with which the appeal is concerned and the name of the applicant or the permit involved in the appeal.

The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

For further information, see the Vermont Rules for Environmental Court Proceedings, available on line at [www.vermontjudiciary.org](http://www.vermontjudiciary.org). The address for the Environmental Court is: 2418 Airport Road - Suite 1, Barre, Vermont 05641, (Tel. 802.828.1660).

David K. Mears, Commissioner  
Department of Environmental Conservation