



**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

February 29, 2012

Town of Ferrisburgh  
Attn: Chester Hawkins, Clerk  
PO Box 6  
Ferrisburgh, VT 05456

Mr. Hawkins,

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 Powhatan, LLC for the discharge of treated commingled quarry dewatering water and process wastewater from their proposed Satterly quarry to wetlands contiguous with Little Otter Creek.

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 05671-0405**

**NOTICE:** Draft Discharge Permit

**PUBLIC NOTICE NUMBER:** 3-1543

**PUBLIC COMMENT PERIOD:** March 5, 2012 through April 5, 2012

**PERMITTEE INFORMATION**

**PERMITTEE:** Powhatan, LLC  
48 Green Street  
Vergennes, VT 05491

**PERMIT NUMBER:** 3-1543

**FILE NUMBER:** 01-05

**DISCHARGE INFORMATION**

**NATURE:** Quarry dewatering water and process wastewater

**VOLUME:** 120,000 gpd, monthly average

**RECEIVING WATER:** Wetlands contiguous with Little Otter Creek

**EXPIRATION DATE:** March 31, 2017

**DESCRIPTION:** This is a draft discharge permit proposed for issuance to Frank W. Whitcomb Construction Corp. for the discharge of quarry dewatering water and process wastewater from their proposed facility located on Satterly Road, Ferrisburgh, VT to a wetlands contiguous with Little Otter Creek.

**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, 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. 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>

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  
Building 10 North  
103 South Main Street  
Waterbury, VT 05671-0405

The comment period will close at the end of the business day **4:30 pm, April 5, 2012**.

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