



Vermont Department of Environmental Conservation

Watershed Management Division
1 National Life Drive, Main-2
Montpelier VT 05620-3522

Agency of Natural Resources

[phone] 802-828-1535
[fax] 802-828-1544

May 29, 2014

Jon Jewett
Town of Hardwick
PO Box 523
Hardwick, VT 05843

RE: Emergency Pollution Permit 3-1143-EPP#378

Dear Mr. Jewett,

Enclosed is your copy of an Emergency Pollution Permit that has been signed by the Director of the Watershed Management Division on behalf of the Commissioner of the Department of Environmental Conservation. This permit authorizes discharge from your facility during the repair of the liner in Treatment Lagoon #2. This permit will be effective May 28, 2014 through June 13, 2014.

Please read this permit carefully and note the additional limitations, operational, sampling, and reporting requirements. During the term of the permit, the discharge may exceed the permitted monthly average Total Phosphorus effluent limitation. In addition during the term of this permit, sampling for Biochemical Oxygen Demand, Total Suspended Solids, Total Phosphorus and E. coli has been increased to once per week.

Per the requirements of 10 V.S.A. 1268, this permit will be placed on public notice for comment at this time. The notice period will run from June 2, 2014 through July 2, 2014.

If you have any questions concerning this permit, please feel free to contact this office.

Sincerely,

A handwritten signature in black ink that reads "Ernest F. Kelley".

Ernest F. Kelley, Manager
Wastewater Management Program

Cc

Liz Dickson, VT DEC WSMD
Wayne Elliot, A&E Engineering

AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WATERSHED MANAGEMENT DIVISION
1 NATIONAL LIFE DRIVE
MONTPELIER, VERMONT 05620-3522

EMERGENCY POLLUTION PERMIT

Permit Number: 3-1143– EPP No. 378
NPDES Number: VT0100137

Name of Permittee: Town of Hardwick
Address: PO Box 523
Hardwick, VT 05843

Description:

Pursuant to 10 V.S.A. §1268, the Secretary of Natural Resources (Secretary) issues this Emergency Pollution Permit to the Town of Hardwick for corrective actions to be performed at the Hardwick Wastewater Treatment Facility. Specifically, this Permit authorizes the discharge of disinfected, partially treated municipal wastewater from the Hardwick Wastewater Treatment Facility during the repair of Treatment Lagoon #2.

The repair of the treatment lagoon is necessary to fix an unanticipated rupture of a section of the lagoon liner. Treatment Lagoon #2 has not been in use since May 16, 2014 due to the ruptured liner and phosphorus removal cannot be conducted in Treatment Lagoon #1. This corrective action is necessary to enable the Hardwick Wastewater Treatment Facility to reestablish operation of Treatment Lagoon #2 and reliably treat the wastewater to continue to meet the terms and conditions of Discharge Permit No. 3-1143.

During the repair of Treatment Lagoon #2, the discharge from the facility may exceed the normal permitted effluent monthly average limitation for Total Phosphorus. All other terms and conditions in Discharge Permit No. 3-1143 shall remain in effect.

Findings:

Pursuant to 10 V.S.A. §1268, and based on the information contained in the applicant's Emergency Pollution Permit application dated May 22, 2014, 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;*

The Hardwick Wastewater Treatment Facility collects and treats wastewater from the residents and business in the Town. There are no alternative means for the residents and businesses within the sewer area to dispose of their wastewater during the term of this emergency other than through the Town of Hardwick Wastewater Treatment Facility.

2. *the denial of an emergency pollution permit would work an extreme hardship upon the applicant;*

Denial of the emergency pollution permit would prevent the applicant from conducting necessary maintenance of their wastewater treatment facility. If this maintenance is not conducted, the facility will not be able to properly operate which will lead to additional violations of Discharge Permit No. 3-1143 and provisions of the Vermont Water Quality Standards.

3. *the granting of an emergency pollution permit will result in some public benefit;*

Granting this permit will enable the Town of Hardwick to conduct necessary maintenance on its wastewater treatment facility in a timely manner which will ensure its proper operation and long term compliance with Discharge Permit No. 3-1143.

4. *the discharge will not be unreasonably harmful to the quality of the receiving waters; and*

The discharge, as restricted by the Terms and Conditions contained below, will not cause a violation of the water quality standards in the receiving water. Specifically, the increased discharge of Total Phosphorus authorized by this permit will not cause a violation of water quality standards based on the flow of the Lamoille River at the point of discharge or in the Malletts Bay segment of Lake Champlain. Therefore the discharge will not be unreasonably harmful to the quality of the receiving water.

5. *the cause or reason for the emergency is not due to willful or intended acts or omissions of the applicant.*

This emergency is not caused by willful or intended acts or omissions of the applicant. The rupture of the liner in Treatment Lagoon #2 could not be expected and due to the design of the Hardwick Wastewater Treatment Facility, adequate phosphorus removal cannot be conducted in Treatment Lagoon #1.

Therefore subject to the terms and conditions hereinafter specified, the above named permittee is hereby granted permission to discharge waste into the waters of the State pursuant to 10 V.S.A. §1268.

TERMS AND CONDITIONS

1. Location of Discharge: Town of Hardwick Wastewater Treatment Facility
2. Receiving Water: Lamoille River
3. Manner of Discharge: Via outfall S/N 001
4. Wastes Permitted:

Disinfected, partially treated municipal sewage generated during the repair of a section of liner in the Treatment Lagoon #2. During the term of this Permit, the discharge may exceed the permitted monthly average limitation for Total Phosphorus. During the term of this Permit the following specific effluent limitations for Total Phosphorus apply:

Total Phosphorus: 5 mg/l, maximum day

All other effluent limitations specified in Discharge Permit No. 3-1143 remain in effect.

5. Volumes Permitted: 0.371 mgd, annual average
6. Frequency of Discharge: Continuous
7. Monitoring and Reporting Requirements:

In addition to the monitoring specified in Discharge Permit No. 3-1143, the following additional effluent monitoring shall be implemented during the drawdown period:

Biochemical Oxygen Demand:	once per week
Total Suspended Solids:	once per week
Total Phosphorus:	once per week
E. coli bacteria:	once per week

The results of this additional monitoring shall be recorded on the appropriate monthly Discharge Monitoring Report.

Upon completion of the liner repairs and reestablishment of the operation of Treatment Lagoon #2, the once per week monitoring for Biochemical Oxygen Demand, Total Suspended Solids, Total Phosphorus, and E. coli bacteria may be discontinued.

8. Miscellaneous Requirements:

- a. During the repair of Treatment Lagoon #2, the permittee shall implement procedures to maximize treatment of the wastewater in Treatment Lagoon #1. These procedures may include increasing the aeration to ensure secondary treatment is maintained and increasing chlorination and dechlorination to ensure compliance with the E.coli effluent limitation and the Total Residual Chlorine limitation.
- b. The permittee shall provide written notification to the Watershed Management Division within 24 hours of the completion of the repairs and note the date of completion on the WR-43 Discharge Monitoring Report.

9. Effective Dates:

May 28, 2014 through June 13, 2014.

10. Modification of Previously Issued Permit:

To the extent this permit specifies terms and conditions that are different from or in addition to the terms and conditions of Discharge Permit No. 3-1143 issued on August 13, 2004, the issuance of this permit shall constitute modification of Discharge Permit No. 3-1143 for the term of this permit.

11. Revocation:

10 V.S.A. § 1267 provides that the Secretary may, after notice and opportunity for public hearing, revoke any permit issued pursuant to this subchapter upon finding that the permit holder submitted false or inaccurate information in the application or has violated any requirement, restrictions, or condition of the permit. Revocation shall be effective upon actual notice thereof to the permit holder.

12. Enforcement:

The permittee shall comply with all of the terms and conditions of this Permit. Any permit noncompliance constitutes a violation of 10 V.S.A. Chapter 47 and may be cause for an enforcement action pursuant to 10 V.S.A. Chapter 201.

13. Appeals:

Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Division of the Superior Court within 30 days of the date of the decision. 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 Division; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project, or facility with which the appeal is concerned and the name of the applicant or any 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. The address for the Environmental Division is: 2418 Airport Road,
Suite 1, Barre, VT 05641 (Tel. # 802-828-1660).

14. Date of Permit: May 29, 2014

State of Vermont
Agency of Natural Resources

David K. Mears, Commissioner
Department of Environmental Conservation

BY:



Digitally signed by Peter LaFlamme
DN: cn=Peter LaFlamme, o=VTDEC,
ou=Watershed Management Division,
email=pete.laflamme@state.vt.us, c=US
Date: 2014.05.29 09:57:09 -04'00'

Peter LaFlamme, Director
Watershed Management Division



Vermont Department of Environmental Conservation

Watershed Management Division
1 National Life Drive, Main-2
Montpelier VT 05620-3522

Agency of Natural Resources

[phone] 802-828-1535
[fax] 802-828-1544

May 29, 2014

Town of Hardwick
Attn: Alberta Miller, Clerk
PO Box 523
Hardwick, VT 05843

Dear Ms. Miller

Enclosed are copies of a public notice regarding the public comment notice for an emergency pollution discharge permit issued to the Town of Hardwick for the discharge from the Hardwick Wastewater Treatment Facility.

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 black ink that reads "Ernest F. Kelley".

Ernest F. Kelley, Manager
Wastewater Management Program

cc. (w/enclosure)
Board of Selectmen

**AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WATERSHED MANAGEMENT DIVISION
1 NATIONAL LIFE DRIVE
MONTPELIER, VT 05620-3522**

NOTICE: Emergency Pollution Discharge Permit
PUBLIC NOTICE NUMBER: 3-1143-EPP 378
PUBLIC COMMENT PERIOD: June 2, 2014 through July 2, 2014

PERMITTEE INFORMATION

PERMITTEE NAME: Town of Hardwick
PERMITTEE ADDRESS: PO Box 523
Hardwick, VT 05843
PERMIT NUMBER: 3-1143-EPP 378

DISCHARGE INFORMATION

NATURE: Disinfected and partially treated municipal wastewater during repairs to Treatment Lagoon #2 of the Town of Hardwick Wastewater Treatment Facility. During the draw down, the discharge from the facility may exceed normal permitted effluent monthly average limitation for Total Phosphorus. All other terms and conditions in Discharge Permit No. 3-1143 shall remain in effect.

VOLUME: 0.371 mgd, annual average

RECEIVING WATER: Lamoille River

EFFECTIVE DATE: May 28, 2014 through June 13, 2014

DESCRIPTION: This is an Emergency Pollution Discharge Permit issued to the Town of Hardwick for the discharge of disinfected partially treated municipal sewage during repairs of Treatment Lagoon #2 of the Hardwick Wastewater Treatment Facility. The repairs are necessary to fix a rupture in the liner of Treatment Lagoon #2. During the repair project, the discharge may exceed the permitted monthly average effluent limitation for Total Phosphorus. All other terms and conditions in Discharge Permit No. 3-1143 shall remain in effect.

TENTATIVE DETERMINATIONS

Tentative determinations regarding effluent limitations and other conditions to be imposed 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 applicable provisions of 10 VSA Section 1268 will be met.

FURTHER INFORMATION

The complete application, proposed permit, and other information are on file; and may be inspected at the VANR, National Life Drive, Building Main-2, Montpelier, VT. Copies of the permit may be obtained by calling (802) 490-6181; cost of copies is 10 cents per page or at 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 faxed to 802 828-1544 or submitted by e-mail using the e-mail comment provisions included at <http://www.watershedmanagement.vt.gov/>.

Department of Environmental Conservation
Watershed Management Division
1 National Life Drive
Main - 2
Montpelier, VT 05620-3522

The comment period will close at the end of the business day **4:30 pm, July 2, 2014**.

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

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 \$262.50, 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. 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