VERMONT

Vermont Department of Environmental Conservation
Watershed Management Division
1 National Life Drive, Main 2
Montpelier VT 05620-3522
www.watershedmanagement.vt.gov

Agency of Natural Resources

[phone] 802-828-1535
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March 27, 2015

Mr. Barry Howes, Superintendent of Public Works
P.O. Box 187
Readsboro, VT 05350

Re: Draft Discharge Permit #3-1215

Dear Mr. Howes:

We are proposing to issue you the above referenced permit for the discharge of treated wastewater from the Readsboro Wastewater Treatment Facility to the Deerfield River. A draft of this permit is enclosed for your review and comment. Please note that this permit includes the requirements of EPA's Long Island Sound Nitrogen TMDL (See Condition I.A.2). The TMDL requires the Town to monitor for Total Nitrogen, develop and implement a Nitrogen Optimization Plan, assess the adequacy of the Plan, and annually report the Total Nitrogen discharged from your facility.

In order to facilitate the issuance of your permit in the shortest possible time, we are also placing it on the required 30-day public notice immediately. If we do not hear from you within 30 days of the date of this letter and if there is no response within 30 days which requires a public hearing or major permit modification, 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 questions regarding the draft permit or you wish to meet with us to discuss it, please contact Julia Butzler at (802) 490-6182.

Sincerely,

Ernest F. Kelley, Manager
Wastewater Management Program

Enclosures (3)

cc:
Mitchell Holland, Operator
Jeff Fehrs, Wastewater Management Program VT DEC

AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WATERSHED MANAGEMENT DIVISION
ONE NATIONAL LIFE DRIVE, MAIN BUILDING, 2ND FLOOR
MONTPELIER, VT 05620-3522

Permit No.: 3-1215
PIN: NS96-0243
NPDES No.: VT0100731

Name of Applicant: Town of Readsboro
P.O. Box 187
Readsboro, VT 05350

Expiration Date: March 31, 2020

DRAFT
DISCHARGE PERMIT

In compliance with the provisions of the Vermont Water Pollution Control Act as amended (10 V.S.A. chapter 47), the Vermont Water Pollution Control Permit Regulations as amended, and the federal Clean Water Act as amended (33 U.S.C. § 1251 *et seq.*), the Town of Readsboro, Vermont (hereinafter referred to as the "Permittee") is authorized by the Secretary of Natural Resources (Secretary) to discharge from the Readsboro Wastewater Treatment Facility to the Deerfield River in accordance with the following conditions.

This permit shall become effective on the date of signing.

David K. Mears, Commissioner
Department of Environmental Conservation

By: _____ Date: _____
Peter LaFlamme, Director
Watershed Management Division

I. SPECIAL CONDITIONS

A. EFFLUENT LIMITS

1. Until March 31, 2020, the Permittee is authorized to discharge from outfall serial number S/N 001 of the Readsboro Wastewater Treatment Facility (WWTF) to the Deerfield River, an effluent for which the characteristics shall not exceed the values listed below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS							
	Annual Average	Monthly Average	Weekly Average	Maximum Day	Monthly Average	Weekly Average	Maximum Day	Instantaneous Maximum
		Mass (**lbs/day**)			Concentration (**mg/L**)			
Flow	0.075 MGD							
Biochemical Oxygen Demand (5-day, 20° C) (BOD_5)		19	28		30	45	50	
Total Suspended Solids (TSS)		28	28		45	45	50	
Total Phosphorus (TP)							Monitor only	
Total Nitrogen (TN)[1,2]	See Special Condition I.A.2						Monitor only	
Total Kjeldahl Nitrogen (TKN)							Monitor only	
Nitrate/Nitrite Nitrogen (NO_x)							Monitor only	
Settleable Solids								1.0 mL/L
Escherichia coli[3]								77/100 mL
Total Residual Chlorine								0.1 mg/L
pH					Between 6.5-8.5 Standard Units			

[1] TN = TKN + NO_x
[2] See Total Nitrogen Monitoring Report Form WR-43-TN
[3] The *E. coli* effluent limitation is effective from April 1 through October 31, annually. Disinfection is not required from November 1 through March 31.

2. Total Nitrogen

a. Optimization Plan

By **September 30, 2015** the Permittee shall develop and submit to the Agency of Natural Resources (Agency) for review and approval a Nitrogen Removal Optimization Evaluation Plan (the Plan) for the evaluation of alternative methods of operating the existing WWTF to optimize the removal of nitrogen. The methods to be evaluated include: operational, process, equipment changes designed to enhance nitrification and denitrification (seasonal and year-round); incorporation of anoxic zones; septage receiving policies and procedures; and side stream management. The Permittee shall implement these recommended operational changes to maintain the existing mass discharge loading of total nitrogen (TN). The baseline annual average daily TN load discharge from this facility is estimated to be **approximately 6.5 lbs/day**.

This Plan shall be developed by a qualified professional with experience in the operation and/or design of municipal WWTFs in conjunction with the Chief Operator of the facility.

This Plan shall be provided to the Agency for review and approval prior to implementation and shall be revised by the Permittee upon the Agency's request to address equipment or operational changes.

Implementation of the Plan shall commence within 30 days of its approval by the Agency.

b. Plan Evaluation

Within one year following the implementation of the Plan, the Permitee shall evaluate the effectiveness of the Plan. The evaluation shall be conducted by a qualified professional with experience in the operation and/or design of municipal WWTFs in conjunction with the Chief Operator of the facility. The results of the evaluation shall be submitted to the Agency for review and approval within one year and six months following the implementation of the Plan and shall be revised at the Agency's request. Actions to implement the approved nitrogen removal optimization practices, if any, shall be initiated within 90 days of the Agency's approval.

c. Reporting

Annually, beginning with the data from January 2016, the Permittee shall submit a report to the Agency as an attachment to the **December** Discharge Monitoring Report form WR-43 (DMR WR-43) that documents the annual average daily TN discharged (in pounds per day) from the facility, summarizes nitrogen removal optimization and efficiencies, and tracks trends relative to the previous year.

TN = Total Kjeldahl Nitrogen (TKN) + Nitrite/Nitrate (NO_x).

The TN pounds per day, annual average, shall be based on the sum of the Total Monthly Pounds of TN discharged for the calendar year and shall be calculated as follows:

1. Determine the Total Monthly TN in pounds:

Total Monthly TN pounds = (Monthly Average TN concentration (mg/L) x Total Monthly Flow (MGD)) x 8.34

2. Calculate the TN, pounds per day, annual average:

(Sum of the Total Monthly TN pounds for each month of the calendar year)/365 days

d. Wasteload Allocation

This permit does not establish a formal Waste Load Allocation for the facility nor does it convey any right to ownership of the facility's estimated baseline annual average TN load.

The Agency reserves the right to reopen and amend this permit to include an alternate TN limitation and/or additional monitoring requirements based on the monitoring data, the results of nitrogen optimization activities, or a formal Waste Load Allocation promulgated under Vermont's Waste Load Allocation Rule for Total Nitrogen in the Connecticut River Watershed based on the Long Island Sound Total Nitrogen Total Maximum Daily Load.

3. The effluent shall not have concentrations or combinations of contaminants including oil, grease, scum, foam, or floating solids which would cause a violation of the Vermont Water Quality Standards.

4. The effluent shall not cause visible discoloration of the receiving waters.

5. The monthly average concentrations of Biochemical Oxygen Demand (BOD_5) and Total Suspended Solids (TSS) in the effluent shall not exceed 15 percent of the monthly average concentrations of BOD_5 and TSS in the influent into the Permittee's WWTF. For the purposes of determining whether the Permittee is in compliance with this condition, samples from the effluent and the influent shall be taken with appropriate allowance for detention times.

6. If the effluent discharged for a period of 90 consecutive days exceeds 80 percent of the permitted flow limitation, the Permittee shall submit to the Agency projected loadings and a program for maintaining satisfactory treatment levels consistent with approved water quality management plans.

7. Any action on the part of the Agency in reviewing, commenting upon or approving plans and specifications for the construction of WWTFs shall not relieve the Permittee from the responsibility to achieve effluent limitations set forth in this permit and shall not constitute a waiver of, or act of estoppel against any remedy available to the Agency, the State of Vermont or the federal government for failure to meet any requirement set forth in this permit or imposed by state or federal law.

B. WASTE MANAGEMENT ZONE

In accordance with 10 V.S.A. § 1252, this permit hereby establishes a waste management zone that extends from the outfall of the Readsboro WWTF in the Deerfield River downstream one mile.

C. REAPPLICATION

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

Reapply for a Discharge Permit by: September 30, 2019

D. OPERATING FEES

This discharge is subject to operating fees as required by 3 V.S.A. § 2822.

E. MONITORING AND REPORTING

1. Sampling and Analysis

The sampling, preservation, handling, and analytical methods used shall conform to the test procedures published in 40 C.F.R. Part 136.

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. Effluent Monitoring

The Permittee shall monitor and record the quality and quantity of discharge(s) at outfall serial number S/N 001 of the Readsboro WWTF, according to the following schedule and other provisions: until March 31, 2020

PARAMETER	MINIMUM FREQUENCY OF ANALYSIS	SAMPLE TYPE
Flow	Continuous	Daily Total, Max., Min.
Biochemical Oxygen Demand (BOD_5)	1 × month	composite[1]
Total Suspended Solids (TSS)	1 × month	composite[1]
Total Phosphorus (TP)	1 × month	composite[1]
Total Nitrogen (TN)	1 × month	[calculated[2,3]]
Total Kjeldahl Nitrogen (TKN)	1 × month	composite[1,3]
Nitrate/Nitrite Nitrogen (NO_x)	1 × month	composite[1,3]
Settleable Solids	1 × day	grab[4]
Escherichia coli	1 × month	grab[5,6]
Total Residual Chlorine	1 × day	grab[7,8]
pH	1 × day	grab

[1] Composite samples for BOD_5, TSS, TP, TKN and NO_x shall, at a minimum, be taken during the hours 6:00 AM to 6:00 PM, unless otherwise specified. Eight hours is the minimum period for the composite, 24 hours is the maximum for the composite.
[2] TN = TKN + NO_x
[3] Submit results on Total Nitrogen Monitoring Report Form WR-43-TN.
[4] Settleable Solids samples shall be collected between 10:00 AM and 2:00 PM or during the period of peak flow.
[5] The monthly *E. coli* sample shall be collected at the same time and location as a daily Total Residual Chlorine sample. Samples shall be collected between the hours of 6:00 AM and 6:00 PM.
[6] Monitoring for *E. coli* is not required during the period of November 1 through March 31.
[7] Monitoring for Total Residual Chlorine is only required when chlorination is occurring.
[8] Total Residual Chlorine shall be monitored both prior to and following dechlorination.

3. Influent Monitoring

The Permittee shall monitor the quality of the influent according to the following schedule and other provisions.

PARAMETER	MINIMUM FREQUENCY OF ANALYSIS	SAMPLE TYPE
Biochemical Oxygen Demand (BOD_5)	1 × month	composite[1]
Total Suspended Solids (TSS)	1 × month	composite[1]
Total Nitrogen (TN)	1 × quarter	[calculated[2,3]]
Total Kjeldahl Nitrogen (TKN)	1 × quarter	composite[1,3,4]
Nitrate/Nitrite Nitrogen (NO_x)	1 × quarter	composite[1,3,4]

[1] Composite samples for BOD_5, TSS, TKN and NO_x shall, at a minimum, be taken during the hours 6:00 AM to 6:00 PM, unless otherwise specified. Eight hours is the minimum period for the composite, 24 hours is the maximum for a composite.
[2] TN = TKN + NO_x
[3] Submit results on Total Nitrogen Monitoring Report Form WR-43-TN.
[4] The influent TKN and NO_x sample shall be collected on the same day as an effluent TKN and NO_x sample.

4. Reporting

The Permittee is required to submit monthly reports of monitoring results on form DMR 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
Watershed Management Division
One National Life Drive, Main Building, 2nd Floor
Montpelier, VT 05620-3522

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 and the authorization is made in writing and submitted to the Agency;

b. In the case of a partnership, by a general partner;

c. In the case of a sole proprietorship, by the proprietor; or

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.

In addition to the monitoring and reporting requirements given above, daily monitoring of certain parameters for operational control shall be submitted to the Agency on the DMR WR-43. Operations reports (reporting form WR-43) shall be submitted monthly.

5. 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 or measurement;

b. The individual(s) who performed the sampling or measurements;

c. The dates and times the analyses were performed;

d. The individual(s) who performed the analyses;

e. The analytical techniques and methods used including sample collection handling and preservation techniques;

f. The results of such analyses;

g. The records of monitoring activities and results, including all instrumentation and calibration and maintenance records; and

h. 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 DMR WR-43 or other forms approved by the Agency.

6. 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 DMR WR-43. Such increased frequency shall also be indicated.

F. DRY WEATHER FLOWS

Dry weather flows of untreated municipal wastewater from any sanitary or combined sewers are not authorized by this permit and are specifically prohibited by state and federal laws and regulations.

G. OPERATION, MANAGEMENT, AND EMERGENCY RESPONSE PLANS

1. The Permittee shall implement the Operation, Management, and Emergency Response Plan for the WWTF, pump stations, and stream crossings as approved by the Agency on August 13, 2008.

2. **By no later than September 30, 2015**, the Permittee shall prepare and submit to the Agency for review and approval, an Operation, Management and Emergency Response Plan for the sewage collection system.

   Each element of the Plan shall include the following, as applicable to the collection system:

   a. the identification of the components that are determined to be prone to failure based on installation, age, design or other relevant factors and which, if one or more failed, would result in a significant release of untreated or partially treated sewage to waters of the State;

   b. an inspection schedule for the components identified in subsection 2.a above; and

   c. an emergency contingency plan to reduce the volume of a deterred sewage release and to mitigate the effect of such a release on public health and the environment.

   Upon the Agency's approval of the inspection schedule as specified above, the Permittee shall implement the Operation, Management, and Emergency Response Plan for the sewage collection system.

The Permittee shall revise these plans upon the Agency's request or on its own motion to reflect equipment or operational changes.

H. EMERGENCY ACTION - ELECTRIC POWER FAILURE

The Permittee shall indicate in writing to the Agency **within 30 days after the effective date of this permit** that the discharge shall be handled in such a manner that, in the event the primary source of electric power to the WWTF (including pump stations) fails, any discharge into the receiving waters will attempt to comply with the conditions of this permit, but in no case shall the wastes receive less than primary treatment (or in the case of ultraviolet light disinfection systems, not less than secondary treatment) plus disinfection and dechlorination.

The Permittee shall either provide an alternative source of power for the operation of its WWTF, or demonstrate that the treatment facility has the capacity to store the wastewater

volume that would be generated over the duration of the longest power failure that would have affected the facility in the last five years, excluding catastrophic events.

The alternative power supply, whether from a generating unit located at the WWTF or purchased from an independent source of electricity, must be separate from the existing power source used to operate the WWTF. If a separate unit located at the WWTF is to be used, the Permittee shall certify in writing to the Agency when the unit is completed and prepared to generate power.

The determination of treatment system storage capacity shall be submitted to the Agency upon completion.

I. SEWER ORDINANCE

The Permittee shall have in effect a sewer use ordinance acceptable to the Agency which, at a minimum, shall

1. Prohibit the introduction by any person into the Permittee's sewerage system or WWTF of any pollutant which:

   a. is a toxic pollutant in toxic amounts as defined in standards issued from time to time under Section 307(a) of the Clean Water Act;

   b. creates a fire or explosion hazard in the Permittee's treatment works;

   c. causes corrosive structural damage to the Permittee's treatment works, including all wastes with a pH lower than 5.0;

   d. contains solid or viscous substances in amounts which would cause obstruction to the flow in sewers or other interference with proper operation of the Permittee's treatment works; or

   e. in the case of a major contributing industry, as defined in this permit, contains an incompatible pollutant, as defined in this permit, in an amount or concentration in excess of that allowed under standards or guidelines issued from time to time pursuant to Sections 304, 306, and/or 307 of the Clean Water Act.

2. Require 45 days prior notification to the Permittee by any person or persons of a:

   a. proposed substantial change in volume or character of pollutants over that being discharged into the Permittee's treatment works at the time of issuance of this permit;

   b. proposed new discharge into the Permittee's treatment works of pollutants from any source which would be a new source as defined in Section 306 of the Clean Water Act if such source were discharging pollutants; or

c. proposed new discharge into the Permittee's treatment works of pollutants from any source which would be subject to Section 301 of the Clean Water Act if it were discharging such pollutants.

3. Require any industry discharging into the Permittee's treatment works to perform such monitoring of its discharge as the Permittee may reasonably require, including the installation, use, and maintenance of monitoring equipment and monitoring methods, keeping records of the results of such monitoring, and reporting the results of such monitoring to the Permittee. Such records shall be made available by the Permittee to the Agency upon request.

4. Authorize the Permittee's authorized representatives to enter into, upon, or through the premises of any industry discharging into the Permittee's treatment works to have access to and copy any records, to inspect any monitoring equipment or method required under subsection 3 above, and to sample any discharge into the Permittee's treatment works.

The Permittee shall notify the Agency of any discharge specified in subsection 2 above within 30 days of the date on which the Permittee is notified of such discharge. This permit may be modified accordingly.

II. GENERAL CONDITIONS

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 211. Any anticipated facility alterations or expansions or process modifications which will result in new, different, or increased discharges of any 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 Agency of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

In addition, the Permittee shall provide notice to the Agency of the following:

a. any new introduction of pollutants into the treatment works from a source which would be a new source as defined in Section 306 of the Clean Water Act if such source were discharging pollutants;

b. except for such categories and classes of point sources or discharges specified by the Agency, any new introduction of pollutants into the treatment works from a source which would be subject to Section 301 of the Clean Water Act if such source were discharging pollutants; and

c. any substantial change in volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into such works at the time of issuance of the permit.

The notice shall include:

i. the quality and quantity of the discharge to be introduced into the system, and

ii. the anticipated impact of such change in the quality or quantity of the effluent to be discharged from the WWTF.

2. Noncompliance Notification

The Permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

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 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;

c. any unanticipated bypass or upset which exceeds any effluent limitation in the permit;

d. violation of a maximum day discharge limitation for any of the pollutants listed by the Agency in this permit; or

e. other causes such as acts of nature,

the Permittee shall notify the Agency within 24 hours of becoming aware of such condition and shall provide the Agency with the following information, in writing, within five 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 and control facilities and systems (and related appurtenances) installed or used by the Permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the Permittee only when the operation is necessary to achieve compliance with the 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 Wastewater Treatment Facility Operator Certification Rule.

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 Agency.

The Permittee shall demonstrate the accuracy of the effluent flow measurement device weekly and report the results on the monthly report forms. The acceptable limit of error is ± 10%.

The Permittee shall analyze any additional samples as may be required by the Agency to ensure analytical quality control.

5. Bypass

The bypass of facilities (including pump stations) is prohibited, except where authorized under the terms and conditions of an Emergency Pollution Permit issued pursuant to 10 V.S.A. § 1268. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the activity in order to maintain compliance with the conditions of this permit.

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, all calibration and maintenance of instrumentation records and all original chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit and records of all data used to complete the application for this permit shall be retained for a minimum of three years, and shall be submitted to the Agency upon request. This period shall be extended during the course of unresolved litigation regarding the discharge of pollutants or when requested by the Agency.

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 accordance 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. § 1268. The Permittee shall notify the Agency of the emergency situation by the next working day.

10 V.S.A. § 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 at the following address: Agency of Natural Resources, Department of Environmental Conservation, One National Life Drive, Main Building, 2nd Floor, Montpelier VT 05620-3522.

B. RESPONSIBILITIES

1. Right of Entry

The Permittee shall allow the Agency or authorized representative, upon the presentation of proper credentials:

a. to enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

b. to have access to and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;

c. to inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; or

d. to sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

2. Transfer of Ownership or Control

This permit is not transferable without prior written approval of the Agency. 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 Agency **at least 30 days in advance of the proposed transfer date**. The

notice to the Agency shall include a written agreement between the existing and new Permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them. 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 Agency 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; and

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 Agency 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.

Claims for confidentiality for the following information will be denied:

a. The name and address of any permit applicant or Permittee;

b. Permit applications, permits, and effluent data; and

c. Information required by application forms, including information submitted on the forms themselves and any attachments used to supply information required by the forms.

4. Permit Modification, Suspension, and Revocation

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 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.

The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance shall not stay any permit condition.

The Permittee shall provide to the Agency, within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also furnish to the Agency upon request, copies of records required to be kept by this permit.

5. Toxic Effluent Standards

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 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 this permit, then this permit shall be modified or revoked and reissued in accordance with the toxic effluent standard or prohibition and the Permittee so notified.

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. Other Materials

Other materials ordinarily produced or used in the operation of this facility, which have been specifically identified in the application, may be discharged at the maximum frequency and maximum level identified in the application, provided:

a. They are not:

i. designated as toxic or hazardous under provisions of Sections 307 and 311, respectively, of the Clean Water Act, or

ii. known to be hazardous or toxic by the Permittee, except that such materials indicated in (a) and (b) above may be discharged in certain limited amounts with the written approval of, and under special conditions established by, the Agency or his designated representative, if the substances will not pose any imminent hazard to the public health or safety;

b. The discharge of such materials will not violate the Vermont Water Quality Standards; and

c. The Permittee is not notified by the Agency to eliminate or reduce the quantity of such materials entering the watercourse.

8. Navigable Waters

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

9. Civil and Criminal Liability

Except as provided in "Emergency Action – Electric Power Failure" (Section I.H), "Bypass" (Section II.A.5), and "Emergency Pollution Permits" (Section II.A.9), nothing in this permit shall be construed to relieve the Permittee from civil or criminal penalties for noncompliance. Civil and criminal penalties for non-compliance are provided for in 10 V.S.A. Chapters 47, 201, and 211.

10. 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.

11. 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.

12. Other Information

If the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Agency, it shall promptly submit such facts or information.

13. 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.

14. 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 Regulation, and Section 402 of the Clean Water Act, as amended.

15. Definitions

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

Agency – The Vermont Agency of Natural Resources

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.

Bypass – the intentional diversion of waste streams from any portion of the treatment facility.

The Clean Water Act - The federal Clean Water Act, as amended (33 U.S.C. § 1251, *et seq.*).

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 limitations 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.

Discharge – Any wastes, directly or indirectly, that are placed, deposited or emitted into waters of the state.

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

Incompatible Substance – 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 the works or on water quality. This includes all pollutants required to be regulated under the 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 Clean Water 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
One National Life Drive, Main Building, 2nd Floor
Montpelier VT 05620-3522

Waste – effluent, sewage or any substance or material, liquid, gaseous, solid or radioactive, including heated liquids, whether or not harmful or deleterious to waters.

Waste Management Zone – a specific reach of Class B waters designated by a permit to accept the discharge of properly treated wastes that prior to treatment contained organisms pathogenic to human beings. Throughout the receiving waters, water quality criteria must be achieved but increased health risks exist due to the authorized discharge.

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
WATERSHED MANAGEMENT DIVISION
ONE NATIONAL LIFE DRIVE, MAIN BUILDING, 2ND FLOOR
MONTPELIER, VT 05620-3522

FACT SHEET
(MARCH 2015)

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

PERMIT NO: 3-1215
PIN: NS96-0243
NPDES NO: VT0100731

NAME AND ADDRESS OF APPLICANT:

Town of Readsboro
P.O. Box 187
Readsboro, VT 05350

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Readsboro Wastewater Treatment Facility
Harriman Station Road
Readsboro, Vermont

RECEIVING WATER: Deerfield River

CLASSIFICATION: Class B with a waste management zone. Class B waters are suitable for swimming and other forms of water-based recreation, and irrigation of crops and other agricultural uses without treatment; good aesthetic value; aquatic biota and wildlife sustained by high quality aquatic habitat; suitable for boating, fishing, and other recreational uses; acceptable for public water supply with filtration and disinfection. A waste management zone is a specific reach of Class B waters designated by a permit to accept the discharge of properly treated wastes that prior to treatment contained organisms pathogenic to human beings.

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

The Vermont Agency of Natural Resources (Agency) received a renewal application for the permit to discharge into the designated receiving water from the above-named applicant on November 22, 2011. At this time the Agency has made a tentative decision to reissue the discharge permit. The facility is engaged in the treatment of municipal wastewater. The discharge is from the outfall of the Readsboro Wastewater Treatment Facility (WWTF) to the Deerfield 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 21
Monitoring Requirements:	Pages 5 and 6 of 21

IV. Receiving Water

The receiving water for this discharge is the Deerfield River, a designated Cold Water Fish Habitat. At the point of discharge, the river has a contributing drainage area of 210 square miles. The summer 7Q10 flow of the river is 26.75 cubic feet per second (CFS) and the summer Low Median Monthly flow is 71.88 CFS. The instream waste concentration at the summer 7Q10 flow is 0.004 and the instream waste concentration at the summer Low Median Monthly flow is 0.002.

V. Permit Basis and Explanation of Effluent Limitation Derivation

History and Summary:
The Town of Readsboro owns and operates the Readsboro Wastewater Treatment Facility which consists of two aerated lagoons, chlorination for disinfection, and dechlorination before being discharged to the Deerfield River.

The collection system, mostly installed in the 1970's, consists of approximately 11,700 feet of gravity sewer and about 80 manholes. There are five pump stations.

Flow - The effluent flow limitation remains at 0.075 MGD, annual average, based on the facility's design flow. The facility maintains a continuous discharge.

Biochemical Oxygen Demand (BOD_5) – The effluent limitations for BOD_5 remain unchanged from the current permit. The monthly average (30 mg/L) and weekly average (45 mg/L) reflect the minimum level of effluent quality specified for secondary treatment in 40 CFR Part 133.102. In addition, the permit contains a 50 mg/L, maximum day, BOD_5 limitation. This is the Agency standard applied to all such discharges pursuant to 13.4 c. of the Vermont Water Pollution Control Permit Regulations. The Agency implements the limit to supplement the federal technology-based limitations to prevent a gross one-day permit effluent violation to be offset by multiple weekly and monthly sampling events which would enable a discharger to comply with the weekly average and monthly average permit limitations. Mass limits (19 lbs/day, monthly average and 28 lbs/day, weekly average) are derived by multiplying the concentration limits by the permitted flow. The BOD_5 monthly monitoring requirement is unchanged from the current permit.

Total Suspended Solids (TSS) - The effluent limitations for TSS remain unchanged from the current permit. The monthly average (45 mg/L) and weekly average (45 mg/L) reflect the minimum level of effluent quality specified for treatment equivalent to secondary treatment (e.g., aerated lagoons) in 40 CFR Part 133.105. In addition, the permit contains a 50 mg/L, maximum day, TSS limitation. This is the Agency standard applied to all such discharges pursuant to 13.4 c. of the Vermont Water Pollution Control Permit Regulations. The Agency implements the limit to supplement the federal technology-based limitations to prevent a gross one-day permit effluent violation to be offset by multiple weekly and monthly sampling events which would enable a discharger to comply with the weekly average and monthly average permit limitations. Mass limits (28 lbs/day, monthly and 28 lbs/day, weekly average) are derived by multiplying the concentration limits by the permitted flow. The TSS monthly monitoring requirements are unchanged from the current permit.

Total Phosphorus (TP) – The Agency is currently in the process of proposing scientifically-based phosphorus criteria for lakes and wadeable streams for review by USEPA. In support of this effort the Agency is including requirements in discharge permits to monitor discharges for TP. Once adopted, the criteria will be used to determine the potential of discharges to cause or contribute to eutrophication and adversely impact the aquatic biota downstream of the discharge. Monitoring will be required once per month.

Total Nitrogen (TN) – On November 10, 2011, a letter from the EPA (Region I) to the Vermont Agency of Natural Resources indicated that Vermont must establish TN limitations in permits such that the TN load from all facilities in the Connecticut River watershed is consistent with the requirements of the Long Island Sound Total Maximum Daily Load (TMDL).

Section I.A.2 in this permit requires the Permittee have a qualified consultant develop and submit a Nitrogen Removal Optimization Plan by June 30, 2015. The plan shall be provided to the Agency before implementation. Beginning with data from January 2016, an annual report will be due to the Agency documenting the pounds of TN discharged as well as removal optimization and efficiencies. In addition, this Condition contains as clause that allows the Agency to reopen the permit to include a wasteload allocation for this facility based on the LIS TMDL.

TN is a calculated value based on Total Kjeldahl Nitrogen (TKN) and Nitrate/Nitrite (NO_x) Nitrogen. Monthly monitoring will be required for TKN and NO_x. The sum of TKN and NO_x shall be used to derive TN.

Settleable Solids - The limitation of 1.0 mL/L instantaneous maximum and daily monitoring remain unchanged from the current permit. This numeric limit was established in support of the narrative standard in Section 3-01 B.5 of the Vermont Water Quality Standards.

Escherichia coli - The *E. coli* limitation is 77 colonies/100 mL as specified in Section 3-04 B.3, Vermont Water Quality Standards. Monthly monitoring remains the same as in the current permit.

Seasonal disinfection, meaning the required use of chlorine or another disinfection method to kill effluent bacteria between the period of April 1 through October 31 only, is authorized for this discharge, per agreement with the Vermont Department of Health. As a result, the bacteria monitoring and effluent limitation do not apply for the period of November 1 through March 31.

Total Residual Chlorine – The Total Residual Chlorine limit of 0.1 mg/L is based on meeting the instream water quality acute and chronic chlorine criteria (0.019 mg/L and 0.011 mg/L respectively) in the Vermont Water Quality Standards, effective February 9, 2006, for the protection of aquatic biota. Monitoring requirement remains daily when chlorination is occurring.

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. Monitoring remains at daily.

Whole Effluent Toxicity (WET) Testing - 40 CFR Part 122.44(d)(1) requires the Agency to assess whether the discharge causes, or has the reasonable potential to cause or contribute to an excursion above any narrative or numeric water quality criteria. The goal of the Vermont Toxic Discharge Control Strategy is to assure that the state water quality standards and receiving water classification criteria are maintained. Due to the domestic nature of the facility, the dilution factor of the receiving water, and that the Town has no industrial dischargers to the facility, WET testing is not being required of this discharge.

Waste Management Zone - As defined under 10 V.S.A. §1251(16), a waste management zone is "a specific reach of Class B waters designated by a permit to accept the discharge of properly treated wastes that prior to treatment contained organisms pathogenic to human beings. Throughout the receiving waters, water quality criteria must be achieved but increased health risks exist due to the authorized discharge".

The draft permit retains the existing waste management zone that extends downstream from the outfall for approximately 1 mile in the Deerfield River.

Operation, Management, and Emergency Response Plans - As required by the revisions to 10 V.S.A. Section 1278, promulgated in the 2006 legislative session, Section I.G. has been included in the draft permit. This condition requires that the Permittee implement the Operation, Management and Emergency Response Plan for the wastewater treatment facility, sewage pump/ejector stations, and stream crossings as approved by the Agency on August 13, 2008.

An Operation, Management and Emergency Response Plan for the collection system was received by the Agency on July 26, 2007. The Agency reviewed and returned the Plan for revision on November 7, 2007. Section I.G requires that a revised Plan for the collection system that addresses the comments be submitted to the Agency for review and approval by September 30, 2015.

Electric Power Failure - Within 30 days of the effective date of the permit, the Permittee must submit to the Agency updated documentation addressing how the discharge will be handled in the event of an electric power outage. The effluent must receive a minimum of primary treatment (or in the case of ultraviolet light disinfection systems, not less than secondary treatment) plus disinfection and dechlorination.

VI. Procedures for Formulation of Final Determinations

The public comment period for receiving comments on this draft permit is from **March 30 through April 30, 2015** during which time interested persons may submit their written views on

the draft permit. All written comments received by 4:30 PM on **April 30, 2015** will be retained by the Agency 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 Agency.

Written comments should be sent to:

Agency of Natural Resources
Department of Environmental Conservation
Watershed Management Division
One National Life Drive, Main Building, 2nd Floor
Montpelier, VT 05620-3522

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/

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 Agency 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 Agency 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 Agency 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 Agency 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 by appointment on the 2nd floor of the Main Building at One National Life Drive, Montpelier, Vermont. Copies may be obtained by calling 802-828-1535 from 7:45 AM to 4:30 PM Monday through Friday, and will be made at a cost based upon the current Secretary of State Official Fee Schedule for Copying Public Records. The draft permit and fact sheet may also be viewed on the Watershed Management Division's website at http://www.watershedmanagement.vt.gov/

VERMONT

Vermont Department of Environmental Conservation
Watershed Management Division
1 National Life Drive, Main 2
Montpelier VT 05620-3522
www.watershedmanagement.vt.gov

Agency of Natural Resources

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

March 27, 2015

Ms. Amber Holland, Town Clerk
P.O. Box 187
Readsboro, VT 05350

Dear Ms. Holland:

Enclosed is a copy of a public notice regarding the public comment period for the issuance of a **draft discharge permit to the Readsboro Wastewater Treatment Facility, authorizing the discharge of treated municipal wastewater to the Deerfield River**. Please post in a public place for disseminating this information to the local officials and 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.

Sincerely,

Ernest F. Kelley, Manager
Wastewater Management Program

Enclosures (3)

AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WATERSHED MANAGEMENT DIVISION
1 NATIONAL LIFE DRIVE, MAIN BUILDING, 2ND FLOOR
MONTPELIER, VERMONT 05620-3522

NOTICE:	DRAFT DISCHARGE PERMIT
PUBLIC NOTICE NUMBER:	3-1215
PUBLIC COMMENT PERIOD:	March 30 – April 30, 2015

PERMITTEE INFORMATION

PERMITTEE NAME:	Town of Readsboro
PERMITTEE ADDRESS:	P.O. Box 187 Readsboro, VT 05350
PERMIT NUMBER:	3-1215
PROJECT ID NUMBER:	NS96-0243

DISCHARGE INFORMATION

NATURE:	Treated and disinfected municipal wastewater.
VOLUME:	0.075 MGD, annual average
RECEIVING WATER:	Deerfield River
EXPIRATION DATE:	**March 31, 2020**
DESCRIPTION:	This is a draft discharge permit proposed for issuance to the Town of Readsboro for the discharge of treated municipal wastewater from the Readsboro Wastewater Treatment Facility. This permit is a renewal, and implements the requirements for the Long Island Sound Total Maximum Daily Load for Nitrogen.

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 Vermont Water Quality Standards and applicable provisions of the Federal Clean Water Act, PL 92-500, as amended, will be met.

FURTHER INFORMATION

The complete application, proposed permit, and other information are on file and may be inspected by appointment on the 2nd floor of the Main Building at 1 National Life Drive, Montpelier, Vermont. Copies, obtained by calling 802-828-1535 from 7:45 AM to 4:30 PM Monday through Friday, will be made at a cost based upon the current Secretary of State Official Fee Schedule for Copying Public Records. The draft permit and fact sheet may also be viewed on the Division's website at http://www.watershedmanagement.vt.gov/

PUBLIC COMMENTS/PUBLIC HEARINGS

Written public comments on the proposed permit are invited and must be received on or before the close of business day (4:30 pm) **April 30, 2015** to the Agency of Natural Resources, Department of Environmental Conservation, Watershed Management Division, 1 National Life Drive, Main Building, 2nd Floor, Vermont 05620-3522. Comments may also be submitted by e-mail using the e-mail comment provisions included at http://www.watershedmanagement.vt.gov/. All comments received by the above date will be considered in formulation of the final determinations.

During the notice period, any person may submit a written request to this office for a public hearing to consider the proposed permit. The request must state the interest of the party filing such request and the reasons why a hearing is warranted. A hearing will be held if there is a significant public interest (including the filing of requests or petitions for such hearing) in holding such a hearing.

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 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.

The address for the Vermont Environmental Court is: Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington VT 05401 (Tel. (802) 951-1740). For further information, see the Vermont Rules for Environmental Court Proceedings, available online at www.vermontjudiciary.org.

David K. Mears, Commissioner
Department of Environmental Conservation