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

April 18, 2012

John Choate, Utility Superintendent
Town of Hartford
173 Airport Road
White River Junction, VT 05001

Re: Final Discharge Permit #3-1225

Dear Mr Choate:

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

During the public notice period comment were received from the Town. Responses to those comments are included in the enclosed Response Summary. If you have any questions concerning your permit, please contact Carol Carpenter at 338-4832.

Sincerely,

Carol Carpenter

Carol S Carpenter
Discharge Permits Section

Enclosures

cc: Wayne Elliot, Aldrich + Elliot

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

Permit No. 3-1225
Project ID No. NS93-0043
NPDES No. VT0101010

Name of Applicant: Town of Hartford
173 Airport Road
White River Junction, VT 05001

Expiration Date: December 31, 2016

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), the Town of Hartford, Vermont (hereinafter referred to as the "permittee") is authorized by the Secretary of the Vermont Agency of Natural Resources (Agency), to discharge from the White River Junction Wastewater Treatment Facility to the Connecticut River in accordance with the following general and special conditions.

This permit shall become effective on the date of signing.

David K. Mears, Commissioner
Department of Environmental Conservation

By: Peter LaFlamme
Peter LaFlamme, Director
Watershed Management Division

Dated: April 12, 2012

I. SPECIAL CONDITIONS

A. EFFLUENT LIMITS

1. **From the date of signing until completion of the facility upgrade and expansion**, the permittee is authorized to discharge from S/N 001 - outfall, the White River Junction Wastewater Treatment Facility, to the Connecticut River, an effluent whose characteristics shall not exceed the values listed below:

DISCHARGE LIMITATIONS							
Effluent Characteristic	**Monthly Average**	**Weekly Average**	**Maximum Day**	**Monthly Average**	**Weekly Average**	**Maximum Day**	**Instantaneous Maximum**
.....	(lbs / day)			.....	(Concentration)	.....	
Flow (Annual Avg)				1.215 MGD			
Biochemical Oxygen Demand, 5-day, 20° C	304	456		30 mg/l	45 mg/l	50 mg/l	
Total Suspended Solids	304	456		30 mg/l	45 mg/l	50 mg/l	
Total Phosphorus				Monitor only, mg/l			
Total Nitrogen: (TKN and Nitrate+Nitrite)	See Special Condition I.A.3.			Monitor only, mg/l			
Settleable Solids							1.0 ml/l
Escherichia coli Bacteria							77/100 ml
pH				Between 6.5 and 8.5 Standard Units			
Toxicity Testing				See Special Condition I.B.			
Annual constituents monitoring				See Special Condition I.F.3.			

2. **Upon completion of the facility upgrade and expansion until December 31, 2016,** the permittee is authorized to discharge from S/N 001 - outfall, the White River Junction Wastewater Treatment Facility, to the Connecticut River, an effluent whose characteristics shall not exceed the values listed below:

DISCHARGE LIMITATIONS							
Effluent Characteristic	**Monthly Average**	**Weekly Average**	**Maximum Day**	**Monthly Average**	**Weekly Average**	**Maximum Day**	**Instantaneous Maximum**
.....	(lbs / day)			.....	(Concentration)		
Flow (Annual Avg)				1.450 MGD			
Biochemical Oxygen Demand, 5-day, 20° C (a)	304	456		30 mg/l	45 mg/l	50 mg/l	
Total Suspended Solids (a)	304	456		30 mg/l	45 mg/l	50 mg/l	
Total Phosphorus				Monitor only, mg/l			
Total Nitrogen: (TKN and Nitrate+ Nitrite)	See Special Condition I.A.3.			Monitor only, mg/l			
Settleable Solids							1.0 ml/l
Escherichia coli Bacteria							77/100 ml
pH				Between 6.5 and 8.5 Standard Units			
Toxicity Testing				See Special Condition I.B.			
Annual constituents monitoring				See Special Condition I.F.3.			

(a) The permittee shall comply with the mass limitations or the concentration limitations, whichever is more restrictive.

3. **Total Nitrogen:**

Total Nitrogen is the sum of Total Kjeldahl Nitrogen and Nitrite+Nitrate ($NO_{x)}$.

The permittee shall operate the facility to meet a Total Nitrogen (TN) interim limitation of **181 pounds per day, annual average**.

The Total Nitrogen 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 x Total Monthly flow) 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

Annually, the permittee shall submit a report to the Agency as an attachment to the December Discharge Monitoring Report form (WR-43), that documents the annual nitrogen discharge load in pounds per day from the facility, summarizes activities related to optimizing nitrogen removal efficiencies, and tracks trends relative to the previous year.

The Department reserves the right to reopen and amend this permit to include an alternate TN limitation based on future monitoring data, results of nitrogen optimization, and/or the final Long Island Sound TMDL.

4. The upgrade and expansion project shall comply with the Basis of Final Design, July 2009 prepared by Forcier, Aldrich and Associates and approved by the Agency on September 10, 2009.

5. The White River Junction Wastewater Treatment Facility Upgrade and Expansion shall be considered complete when:

   a. the permittee notifies the Agency, via an engineer's certification, that the construction of the upgrade and expansion project is complete and that the upgraded and expanded White River Junction Wastewater Treatment Facility is operational and is capable of complying with the applicable effluent limitations specified above and the Agency issues a written acknowledgement of its operational status; and

   b. the permittee completes the Combined Sewer Overflow elimination project and achieves compliance with the State of Vermont Combined Sewer Overflow Control Policy, June 1990, and the Agency issues a written acknowledgement of compliance.

6. 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 water quality standards of the receiving waters.

7. The discharge shall not cause visible discoloration of the receiving waters.

8. The monthly average concentrations of BOD_5 and total suspended solids in the discharge shall not exceed 15 percent of the monthly average concentrations of BOD_5 and total suspended solids in the influent into the permittee's wastewater treatment facilities. For the purposes of determining whether the permittee is in compliance with this condition, samples from the discharge and the influent shall be taken with appropriate allowance for detention times. See Part I, Special Conditions, Paragraph F.2., Effluent Monitoring.

9. When 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.

10. Any action on the part of the Agency in reviewing, commenting upon or approving plans and specifications for the construction of wastewater treatment facilities 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.

11. The permittee shall clean the quartz sleeves of the ultraviolet light disinfection system at a frequency which assures that effective disinfection is maintained and shall replace the ultraviolet light disinfection lamps **as necessary to maintain compliance with the *E. coli* bacteria limitation**. The dates and a description of the ultraviolet light disinfection system maintenance activities shall be included on the monthly monitoring report.

B. TOXICITY TESTING

1. The permittee shall complete the following whole effluent toxicity testing:

   a. One acute Whole Effluent Toxicity (WET) test on *Pimephales promelas* and *Ceriodaphnia dubia* conducted on a 24-hour composite effluent sample taken during the month of **August or September 2013**. The results shall be submitted to the Department by October 31, 2013.

   b. One acute Whole Effluent Toxicity (WET) test on *Pimephales promelas* and *Ceriodaphnia dubia*, conducted on a 24-hour composite effluent sample taken during the month of **January or February 2015**. The results shall be submitted to the Department by March 31, 2015.

Whole Effluent Toxicity tests shall be conducted in accordance with the Methods recommended by EPA: Peltier, W And Weber, CI, Methods for Measuring Acute Toxicity of Effluents to Freshwater and Marine Organisms (the most recent edition).

2. In addition, the permittee shall complete and submit the results of three toxic pollutant tests on the effluent by **June 30, 2016**, The list of pollutants is included in Appendix J, Table 2 of the Code of Federal Regulations, Title 40, Part 122. Samples shall be representative of the seasonal variation in the discharge.

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

C. WASTE MANAGEMENT ZONE

In accordance with 10 V.S.A. Section 1252, this permit hereby establishes a waste management zone that extends from the outfall of the White River Junction Wastewater Treatment Facility in the Connecticut River downstream one mile.

D. 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: June 30, 2016.

E. OPERATING FEES

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

F. MONITORING AND REPORTING

1. Sampling and Analysis

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

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

a. "Most Probable Number" (MPN) method 9223B found in Standard Methods for the Examination of Water and Wastewater, 18th or subsequent approved edition(s). Premade formulations are available as Colilert and Colilert 18 from IDEXX Labs Inc., Westbrook, ME;
b. EPA "membrane filtration" (MF) method 1603 using modified mTEC; or

c. A single step membrane filtration (MF) method using mColiBlue 24 available from Hach Company, Loveland, CO.

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

2. Effluent Monitoring

The permittee shall monitor and record the quality and quantity of discharge(s) S/N 001 - outfall, the White River Junction Wastewater Treatment Facility, according to the following schedule and other provisions until December 31, 2016.

PARAMETER	MINIMUM FREQUENCY OF ANALYSIS	SAMPLE TYPE
Flow	Continuous	Daily Total
BOD_5	1 x weekly	24-hour composite
TSS	1 x weekly	24-hour composite
Total Phosphorus	1 x monthly	24-hour composite
Total Kjeldahl Nitrogen	1 x weekly (1)	24-hour composite
Nitrate+Nitrite Nitrogen	1 x weekly (1)	24-hour composite
Settleable Solids	1 x daily	grab (2)
Escherichia coli Bacteria	1 x weekly	grab (2)
pH	1 x daily	grab (2)

(1) Beginning October 2014, the permittee may decrease monitoring of TKN and Nitrate+Nitrite from weekly to monthly during the months of October through February.

(2) Grab samples shall be collected in an alternating manner to be representative of each SBR cell discharge. (For example, on Monday the sample shall be collected as cell #1 discharges, on Tuesday the sample shall be collected as cell #2 discharges, etc.)

3. **Annually, by December 31**, the permittee shall monitor S/N 001 and submit the results, including units of measurement, as an attachment to the Discharge Monitoring Report form (WR-43) for the month in which the samples were taken for the following parameters:

Temperature
Dissolved Oxygen
Oil & Grease
Total Dissolved Solids
Ammonia (as N)

Grab samples shall be used for temperature, dissolved oxygen, oil & grease, and ammonia. Total Dissolved Solids shall be a composite sample. Samples shall be representative of the seasonal variation in the discharge.

4. 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
Influent Flow	Daily	Daily Total, Min/Max
Influent BOD_5	1 x monthly	8-hour composite, minimum (1)
Influent TSS	1 x monthly	8-hour composite, minimum (1)
Septage received	Daily	Total volume received

(1) Composite samples for BOD_5 and TSS shall be taken during the hours of 6:00 A.M. to 6:00 P.M., unless otherwise specified. Eight hours is the minimum period for the composite.

5. Reporting

The permittee is required to submit monthly reports of monitoring results on form WR-43. Reports are due on the 15th day of each month, beginning with the month following the effective date of this permit.

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

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

Agency of Natural Resources
Department of Environmental Conservation
Watershed Management Division
103 South Main Street
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.

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

6. 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.

7. 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.

G. COMBINED SEWER OVERFLOWS

1. Short Term Controls

The discharges from the combined sewer overflows listed on Attachment A. are authorized by this permit during storm events only, provided the discharges comply with the Vermont Water Quality Standards and contain no septage or holding tank waste and the permittee implements the following controls to abate the combined sewer overflow discharge and its effects on the quality of the receiving water:

a. implementation of proper operation and regular maintenance programs for the sewer system and the combined sewer overflow such as routine catch-basin, sewer, and interceptor cleaning;
b. maximizing the use of the collection system for storage;
c. maximizing wet-weather flow to the wastewater treatment facility;
d. elimination of any discharge from combined sewer overflow during dry weather.
e. control of solid and floatable material in the combined sewer overflow;
f. pollution prevention programs such as litter control and street sweeping to reduce the contaminants in the combined sewer overflow discharge;
g. implementation of a public notification process to ensure that the public receives adequate notification of when and where a combined sewer overflow discharge occurs; and
h. monitoring to characterize the impacts of the combined sewer overflow discharge and to determine the effectiveness of these controls.

2. Long Term Controls

The discharges from the combined sewer overflows listed on Attachment A are authorized by this permit during storm events only, provided the discharges contain no septage or holding tank waste.

3. The permittee shall monitor the CSO outfalls (Attachment A) in order to determine continued compliance with the Agency's 1990 CSO Control Policy. This shall be accomplished by, at a minimum, installing a tell-tale block in the overflow line, checking the block after each significant precipitation event, and documenting the results to include total precipitation (and intensity, if possible). **The results shall be submitted annually as an attachment to the December Discharge Monitoring Report Form WR-43. In addition, a report consolidating all the monitoring data shall be submitted with the permit application due June 30, 2016**.

H. 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.

I. OPERATION, MANAGEMENT, AND EMERGENCY RESPONSE PLAN

The permittee shall implement the Operation, Management and Emergency Response Plans for the wastewater treatment facility, sewage pump/ejector stations, stream crossings, and collection system as approved by the Agency.

J. EMERGENCY ACTION - ELECTRIC POWER FAILURE

The permittee shall indicate in writing to the Secretary **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 waste treatment facilities (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.

The permittee shall either provide an alternative source of power for the operation of its treatment facilities, 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 plant site or purchased from an independent source of electricity, must be separate from the existing power source used to operate the waste treatment facilities. If a separate unit located at the plant site is to be used, the permittee shall certify in writing to the Secretary when the unit is completed and prepared to generate power.

The determination of treatment system storage capacity shall be submitted to the Watershed Management Division upon completion.

K. SEWER ORDINANCE

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

1. Prohibit the introduction by any discharger into the permittee's sewerage system or treatment facilities 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 herein, contains an incompatible pollutant, as further defined herein, 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 methods, to keep records of the results of such monitoring, and to report the results of such monitoring to the permittee. Such records shall be made available by the permittee to the Secretary 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 Secretary 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 to10 V.S.A. Chapters 47, 201, and/or 211. Any anticipated facility expansions 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 Secretary 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 Secretary, 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 permitted facility.

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

i. cause of non-compliance

ii. a description of the non-complying discharge including its impact upon the receiving water;

iii. anticipated time the condition of non-compliance is expected to continue or, if such condition has been corrected, the duration of the period of non-compliance;

iv. steps taken by the permittee to reduce and eliminate the non-complying discharge; and

v. steps to be taken by the permittee to prevent recurrence of the condition of non-compliance.

3. Operation and Maintenance

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

a. The permittee shall, at all times, maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out the operation, maintenance, and testing functions required to insure compliance with the conditions of this permit; and

c. The operation and maintenance of this facility shall be performed only by qualified personnel. The personnel shall be certified as required under the Vermont Water Pollution Abatement Facility Operator Certification Regulations.

4. Quality Control

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

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

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

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

5. Bypass

The diversion or bypass of facilities (including pump stations) necessary to maintain compliance with the terms and conditions of this permit is prohibited, except where authorized under the terms and conditions of an Emergency Pollution Permit issued pursuant to 10 V.S.A. §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 Agency 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, §1268. The permittee shall notify the Agency of the emergency situation by the next working day.

10 V.S.A., Chapter 47, §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 05671-0408.

B. RESPONSIBILITIES

1. Right of Entry

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

a. to enter upon the permittee's premises in which an effluent source or any records required to be kept under terms and conditions of the permit are located;

b. to have access to and copy any records required to be kept under the terms and conditions of the permit;

c. to inspect any monitoring equipment or method required in the permit; or

d. to sample any discharge of pollutants.

2. Transfer of Ownership or Control

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

This request for transfer application must include at a minimum:

a. a properly completed application form as provided by the Secretary and the applicable processing fee.

b. A written statement from the prospective owner or operator certifying:

i. The conditions of the operation that contribute to, or affect, the discharge will not be materially different under the new ownership.

ii. The prospective owner or operator has read and is familiar with the terms of the permit and agrees to comply with all terms and conditions of the permit.

iii. The prospective owner or operator has adequate funding to operate and maintain the treatment system and remain in compliance with the terms and conditions of the permit.

c. The date of the sale or transfer.

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

3. Confidentiality

Pursuant to 10 V.S.A. Section 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;

c. a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or

d. the reopener provision in Section I.A.3. of 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 Federal Act for a toxic pollutant which is present in the permittee's discharge and such standard or prohibition is more stringent than any limitation upon such pollutant in this permit, then this permit shall be revised or modified 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 Secretary 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 applicable water quality standards; and

c. The permittee is not notified by the Secretary 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, "Bypass" (Part II.A., paragraph 5.), "Emergency Action - Electric Power Failures" (Part I, paragraph J.), and "Emergency Pollution Permits" (Part II.A., paragraph 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. 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.

13. 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. 10 V.S.A. §1259 states: "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".

14. 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 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.

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 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
103 South Main Street
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.

ATTACHMENT A

Serial Number S/N 002:	Combined Sewer Overflow #003
Location:	Pump Station on Passumpsic Street
Receiving Water:	Connecticut River
Serial Number S/N 003:	Combined Sewer Overflow #004
Location:	Wilder Pump Station, 200' from Wilder Dam
Receiving Water:	Connecticut River
Serial Number S/N 004:	Combined Sewer Overflow #005
Location:	Approximately 415' south of Nutt Lane
Receiving Water:	Connecticut River
Serial Number S/N 005:	**Combined Sewer Overflow #006: ELIMINATED JUNE 1998**
Serial Number S/N 006:	Combined Sewer Overflow #009
Location:	Behind Municipal Building, 450' from confluence of White & Connecticut Rivers
Receiving Water:	Connecticut River
Serial Number S/N 007:	Combined Sewer Overflow #010
Location:	Maple Street
Receiving Water:	Connecticut River

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

FACT SHEET
(February 2012)

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

NPDES NO: VT0101010
PERMIT NO: 3-1225
PROJECT ID NO: NS93-0043

NAME AND ADDRESS OF APPLICANT:

Town of Hartford
173 Airport Road
White River Junction, VT 05001

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

White River Junction Wastewater Treatment Facility
319 Latham Works Lane
White River Junction, Vermont

RECEIVING WATER: Connecticut River

CLASSIFICATION: Class B with a waste management zone. 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. 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 above named applicant applied on July 13, 2011 to the Vermont Department of Environmental Conservation for renewal of the permit to discharge into the designated receiving water. At this time the Department has made a tentative decision to reissue the discharge permit. The facility is engaged in the treatment of municipal and industrial wastewater. The discharge is from the outfall of the Town of Hartford White River Junction Wastewater Treatment Facility to the Connecticut River.

II. Description of Discharge

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

The complete application, draft permit, and other information used in the development of this permit are on file and may be inspected at the VTDEC, Watershed Management Division, VSAC Building, 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 http://www.vtwaterquality.org/wastewater.htm .

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:	Pages 2 and 3 of 22
Monitoring Requirements:	Pages 5 through 8 and 10 of 22

IV. Permit Basis and Explanation of Effluent Limitation Derivation

The Town of Hartford owns and operates the White River Junction WWTF. The secondary facility was completed in 1988 and the upgrade/expansion to sequential batch reactor (SBR) technology is near completion and services the communities of White River Junction and Wilder within the Town of Hartford.

The Town also owns and operates a combined sewer collection system which collects both stormwater and sewage and conveys it to the wastewater treatment facility. During certain precipitation/runoff events the volume of combined wastewater exceeds the capacity of the existing collection system causing untreated combined wastewater to overflow to the Connecticut River. There are currently five such overflow points within the Town's combined sewer system (see Appendix A of the permit). In response to compliance schedules issued by the Department, the Town has completed several construction projects designed to eliminate combined sewer overflow events. This has included significant sewer separation projects during the 1990s and more recently in 2008. (See also discussion of Combined Sewer Overflows below.)

On May 28, 2009 the Town of Hartford submitted an application to amend their discharge permit to reflect the proposed upgrade and expansion of the White River Junction WWTF. The Agency issued Discharge Permit #3-1225 on November 6, 2009 for the White River Junction WWTF. EPA formally objected to the discharge permit via a letter dated February 12, 2010. Following a public hearing and discussions between the Department and the EPA, the Department has modified this renewed permit (see Total

Nitrogen Section below) to include an interim Total Nitrogen limit to address EPA's concerns.

The 7Q10 flow of the Connecticut River at the point of discharge is 859 CFS, resulting in an in-stream waste concentration of 0.0022 using the design flow of the existing WWTF (1.215 MGD) and 0.0026 using the design flow of the proposed expanded facility (1.45 MGD). The hardness of the Connecticut River is estimated to be 40 mg/l at the point of discharge using USGS water quality data from the North Walpole, NH stream gage site. The above data is utilized to determine compliance with Vermont's aquatic biota based metals criteria as specified in Section 3-01 B.10.c. and Appendix C of the Vermont Water Quality Standards, January 1, 2008.

Flow - The current permit includes a flow limitation of 1.215 MGD, annual average, based on the design capacity of the facility. Upon completion of the upgrade and expansion the flow limitation will increase to 1.45 MGD. Flow monitoring is required daily. This facility maintains a constant discharge.

Biochemical Oxygen Demand (BOD_5) and **Total Suspended Solids (TSS)** - The BOD and TSS mass limitations are 304 lbs/day, monthly average, and 456 lbs/day, weekly average, and are unchanged from the previous permit. These mass limitations are based on concentration limitations and the currently permitted flow from the WWTF (1.215 MGD). These limitations will not change upon completion of the upgrade and expansion project.

The BOD and TSS effluent concentration limits are 30 mg/l, monthly average, and 45 mg/l, weekly average. These limitations are set in accordance with the limitations specified for secondary treatment in 40 CFR Part 133.102. These effluent limitations will not change upon completion of the upgrade and expansion project. The permittee must comply with the mass limitation or the concentration limitation, whichever is more restrictive.

In addition, the current permit contains a 50 mg/l, maximum day, BOD and TSS limitation. This is a limitation which the Agency implements 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. This limitation will not change upon completion of the upgrade and expansion project. The sampling frequency for BOD and TSS is once per week and will remain unchanged upon completion of the upgrade and expansion project.

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.

Settleable Solids - The Settleable Solids limitation is 1.0 ml/l, instantaneous maximum and is established in support of the narrative standard in Section 3-01.B.5 of the Vermont Water Quality Standards. This limitation will be unchanged upon completion of the

upgrade and expansion project. Sampling is required once per day and will be unchanged upon completion of the upgrade and expansion project.

Total Phosphorus - The Agency is currently in the process of proposing scientifically based phosphorus criteria for lakes and streams for review by the Vermont Water Resources Panel for inclusion in the next revision of the Vermont Water Quality Standards. In support of this effort the Department is including requirements in WWTF discharge permits to monitor discharges for total phosphorus. Once adopted the total phosphorus criterion will be used to determine the potential of WWTF discharges to cause or contribute to eutrophication and adversely impact the aquatic biota downstream of the discharge. Monthly Total Phosphorus monitoring is required.

Total Nitrogen - EPA, in a November 10, 2011 letter to the Agency indicated that Vermont must establish total nitrogen limitations in permits such that the total nitrogen load from all facilities in the Connecticut River watershed is consistent with the requirements of the Long Island Sound Total Maximum Daily Load (TMDL). The letter also requested that the Agency submit to EPA a modified permit within 30 days of receipt of EPA's letter (i.e. December 16, 2011). Because the previous permit expired on December 31, 2011 and there was insufficient time to complete the 30-day public notice requirement prior to the expiration date, the Agency is including a nitrogen limit in this proposed renewed permit.

The proposed permit includes an interim Total Nitrogen limit of 181 pounds per day, annual average. This limit is based on the expanded design flow of 1.45 MGD and a concentration limit of 15 mg/l. This concentration limit was based on EPA's 'Response to Comments' from the March 2, 2011 public hearing in White River Junction where the response to Comment #6. states: "The LIS TMDL estimated baseline nitrogen loadings by assuming discharge levels of 15 mg/l total nitrogen at design discharge flows."

The permit includes a reopener provision for TN as follows:
"The Department reserves the right to reopen and amend this permit to include an alternate TN limitation based on future monitoring data, results of nitrogen optimization and/or the final Long Island Sound TMDL."

In addition, at EPA's request, monitoring will be required for Total Kjeldahl Nitrogen and Nitrate+Nitrite (NO_x) Nitrogen. The sum of TKN and Nitrate+Nitrite shall be calculated in order to determine Total Nitrogen. Weekly monitoring is required year round. Beginning in October 2014, the permittee may choose to decrease the winter time monitoring (October through February) to monthly.

***E. coli* Bacteria** – The *E. coli* limitation is 77/100ml, instantaneous maximum and is based on Section 3-04.B.3 of the Vermont Water Quality Standards. This limitation and weekly monitoring requirement will be unchanged upon completion of the upgrade and expansion project.

Total Residual Chlorine (TRC) - The upgrade and expansion project at the WWTF has replaced the chlorine based disinfection system with an ultraviolet light (UV) disinfection system. Therefore, the Total Residual Chlorine limitation has been eliminated and the monitoring requirement terminated.

Toxicity Testing - 40 CFR Part 122.44(d)(1) and the 1994 Vermont Toxic Discharge Control Strategy require the Department to assess whether the discharge causes, has the reasonable potential to cause, or contribute to an excursion above any narrative or numeric water quality criteria. In addition, Part 122.21 requires all publicly owned treatment works (POTW) with flows greater than or equal to one MGD to complete a minimum of four WET tests. WET testing was conducted by the Town in September 2008 and March 2010; also, toxicity scans were completed in July 2009, April 2010, and March 2011. Those results indicated that this discharge did not have an instream toxic impact. Confirmation that those findings are still valid is required at permit renewal. The proposed permit includes (Part I.B.) two two-species acute WET tests during the term of the permit to ensure compliance with Part 122.21, 122.44(d)(1), and the Toxic Discharge Control Strategy. The permit also includes three toxicity scans in compliance with Part 122.21 which must be submitted by June 30, 2016 (when the next application for renewal is due).

If the results of these tests indicate a reasonable potential to cause an instream toxic impact, the Department may require additional testing, establish a WET limit, or require a Toxicity Reduction Evaluation.

Additional Monitoring - For all facilities with a design flow of greater than 0.1 MGD, 40 CFR § 122.21(j), Application for a permit, requires the submittal of effluent monitoring data for those parameters identified in Condition I.F.3. of the permit.

Samples must be collected once annually during various seasons (i.e. include each of the four quarters during the permit period) and the results submitted on that month's Discharge Monitoring Report form.

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 proposed permit retains the existing waste management zone (WMZ) that extends downstream from the outfall for approximately one mile in the Connecticut River.

Electric Power Failure - Within 30 days of the effective date of the permit, the permittee must submit to the Department, 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.

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

Combined Sewer Overflows

The collection system for the White River Junction WWTF is a combined sewer system that collects both stormwater and sanitary sewage and conveys it to the WWTF. During certain precipitation/runoff events the combined flow of stormwater and sewage exceeds the capacity of the collection system resulting in the overflow of untreated combined wastewater to the Connecticut River. There are currently five such overflow points (i.e. combined sewer overflows) within the Town's collection system. See Attachment A of the permit for a description of the location of the overflow points.

Section 402 (q) of the Clean Water Act requires that discharges from municipal combined storm and sanitary sewers conform to the Combined Sewer Overflow Policy signed by EPA on April 11, 1994. That Policy establishes technology based controls and requires the development and implementation of long term control plans designed to abate the discharges from CSOs.

The technology based controls for CSOs are referred to as the Nine Minimum Controls (NMC) in the EPA CSO Policy and are included in this permit under Part I.G.1., with the exception of NMC #3. which requires review and modification of pretreatment requirements to assure CSO impacts are minimized. The Department notes that unlike most other states the administration of the federal pretreatment program is not the responsibility of individual Vermont municipalities since that program was delegated to the State of Vermont, Agency of Natural Resources via a Memorandum of Agreement signed by EPA on March 16 1982. Therefore NMC #3 is not applicable to the Town of Hartford and is not included as a condition of this permit.

With respect to the long term control plan for the CSO discharges, the Town completed several sewer separation projects in the 1990s for the combined sewer collection systems contributory to CSOs #003, 004 and 005. Most recently in 2008 the Town completed a sewer separation project for the combined sewer collection system contributory to CSOs #009 and 010. The Town's compliance schedule for long term abatement of the remaining CSOs was contained in a Stipulated Emergency Order dated December 16, 2005. The Town has complied with the requirements of the Order. Specifically the Town completed the final phase of the combined sewer separation project and has completed effectiveness studies to verify compliance with the Vermont Combined Sewer Overflow Control Policy and is now in the process of conducting an update study for submittal and review by September 30, 2012 (see March 8, 2011 letter from Randy Bean to the Town of Hartford).

Continued monitoring and reporting of overflow events utilizing tell-tales is required during the term of the permit.

V. Procedures for Formulation of Final Determinations

The public comment period for receiving comments on this draft permit is from February 21 through March 22, 2012 during which time interested persons may submit their written views on the draft permit. All written comments received by 4:30 PM on March 22, 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 10 North
103 South Main Street
Waterbury, VT 05671-0408

Comments may also be faxed to: 802-338-4890 or submitted by e-mail using the e-mail comment provisions included at http://www.vtwaterquality.org/wastewater.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.

Comments from the Town of Hartford were received during the public notice period. The Agency's responses to those comments are included in the Response Summary document.

RESPONSE SUMMARY FOR
DRAFT DISCHARGE PERMIT No. 3-1225
Proposed NPDES Municipal Discharge Permit
for the Town of Hartford – White River Junction WWTF

The above referenced draft amended permit was placed on public notice for comment from the period of February 21 through March 22, 2012. The draft permit proposed to renew the existing permit. Comments were received during the public notice period from the Town of Hartford. The following is a summary of the comments received on this draft discharge permit, and the Agency's responses to those comments.

1. **Comment:** The Town of Hartford is not in agreement with how this TN annual average was determined by the Agency but accept the 181 pounds per day annual limit. Allowing this limit to be amended (downward) at any time within the permit period is not a condition we find agreeable. The Town has implemented substantial improvements designed to reduce the level of nitrogen in the WRJ WWTF effluent. The Town should receive credit for the reductions in loading if future optimization or a specific limit is imposed in the future. The Town would like written acknowledgement of the efforts that we have already made since it is likely to be forgotten by EPA and DEC staff.

   Response: In the near future, the Agency will commence a facility-specific wasteload allocation process to determine how to allocate the total nitrogen limit for Vermont that EPA has determined is consistent with the requirements of the Long Island Sound Nitrogen Total Maximum Daily Load. The facility-specific process will be a public process, and the Town of Hartford will have an opportunity to provide input, as will the other Connecticut River municipalities and facilities.

   The Agency recognizes that by changing its treatment technology the Town has decreased the amount of nitrogen being discharged to the Connecticut River from the Town of Hartford – White River Junction facility.

2. **Comment:** The permit requires weekly nitrogen series testing for the next two years (until Oct 2014). Unless there is an approved analysis method that would allow self-monitoring, having the $125/week cost of hiring a contract laboratory run the N series seems excessive. We understand the persulfate digestion method which we can perform is no longer DEC approved.

   Response: A recent cost quote from a Vermont private laboratory indicated that the cost for analysis of a Total Kjeldahl Nitrogen sample is $25., the cost for a Nitrate analysis is $16. and the cost for a Nitrite analysis is $15. for a total of $56. The Agency does not consider this cost to be excessive.

3. **Comment:** Attachment A to the permit lists all the active Combined Sewer Overflow outfalls. CSOs 002 and 003 (Passumpsic Ave Pump Station and Wilder Pump Station) have both met the Agency's Combined Sewer Overflow Control Policy and should be removed from the list for continued monitoring. CSOs 009, 010 and 005 (Municipal Bldg, Maple St and Nutt Lane) continue to be monitored through July 2012 in order to determine compliance with the CSO Control Policy.

   Response: The Agency removes CSOs from a municipality's listing when the CSO discharge point is *physically* eliminated. That is, if the overflow point is plugged or eliminated in some other fashion. While some CSOs have been demonstrated to comply at present with the CSO Control Policy, there is no assurance that they will continue to comply into the future (e.g. increased hydraulic flow into a particular portion of the collection system). As a result, CSOs that aren't physically eliminated will remain identified in permits and continued monitoring will be required to document compliance.