

**Notice of Preliminary Designation of Small MS4s under the National  
Pollutant Discharge Elimination System (NPDES) of the Federal  
Clean Water Act and Public Comment Period**

**NOTICE:** The Vermont Agency of Natural Resources, Department of Environmental Conservation is hereby inviting public comment on its preliminary designation of the City of Rutland, the Town of Rutland, the City of St. Albans, the Town of St. Albans, and the Vermont Agency of Transportation within the geographic boundaries of the municipalities listed above, as small municipal separate storm sewer systems (MS4) subject to regulation under the National Pollutant Discharge Elimination System (NPDES). As a result of this designation, these MS4s will need to obtain coverage under the Department's General Permit 3-9014 (2010) for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems. The Department released a draft of General Permit 3-9014 (2010) on January 22, 2010 for a 45 day public comment period.

**DESCRIPTION:** The Department of Environmental Conservation, as the delegated National Pollutant Discharge Elimination System (NPDES) permitting authority, is hereby providing notice that the following are preliminarily designated as regulated small municipal separate storm sewer systems (MS4): the City of Rutland; the Town of Rutland; the City of St. Albans; the Town of St. Albans; and the Vermont Agency of Transportation within the boundaries of the municipalities listed above. This preliminary designation is made pursuant to criteria developed by the Department as required by federal regulations implementing the federal Clean Water Act (40 CFR 123.35). Each MS4 has been designated as a result of its discharges to state waters that the Secretary has determined are significantly impaired by stormwater runoff and are listed as impaired due to stormwater runoff on the EPA-approved Vermont 303(d) List of Waters prepared pursuant to 33 U.S.C. 1313(d).

This designation will become final when the Department issues a notice of final designation. Upon issuance of a final designation, the designated small MS4s will be required to submit a Notice of Intent (NOI) to the Agency to obtain coverage under General Permit 3-9014. The NOI must describe how the small MS4 will comply with the requirements of the General Permit. A copy of draft General Permit is available on-line at [http://www.vtwaterquality.org/stormwater/hm/sw\\_ms4.htm](http://www.vtwaterquality.org/stormwater/hm/sw_ms4.htm) or by calling 802-241-3770. Comments may be submitted on draft General Permit 3-9014 to the address below through close of business on March 19, 2010.

**PUBLIC COMMENT PERIOD:** The Department is providing a 30-day public comment period on this preliminary designation from February 18, 2010 through March 19, 2010. Interested parties may submit written comments on the preliminary designation at the address below by no later than 4:30 p.m. on March 19, 2010. DEC will review and consider written comments received on the initial designation and will then issue a final designation. Written comments may be submitted to:

Jim Pease, Water Quality Division  
Stormwater Management Section  
10 North Building, 2<sup>nd</sup> Fl., 103. S.Main Street  
Waterbury, VT 05671  
(802) 241-2683, [Jim.Pease@state.vt.us](mailto:Jim.Pease@state.vt.us)