

AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
103 SOUTH MAIN STREET
WATERBURY, VERMONT 05671-0405

**GENERAL PERMIT FOR
INDIRECT DISCHARGES OF SEWAGE**

File Code: GENERAL 9-9001

SECTION I - "COVERAGE UNDER THIS PERMIT"

A. Coverage

This permit covers *Existing Indirect Discharges of Sewage* with design capacities of 6,500 - 15,000 gallons per day. In accordance with the Indirect Discharge Rules, effective April 30, 2003, an *Existing Indirect Discharge of Sewage* means an indirect discharge of sewage with a design flow of 6,500 gallons per day or more that existed on or before May 17, 1986.

B. Criteria

For initial coverage under this GENERAL PERMIT FOR INDIRECT DISCHARGES OF SEWAGE (GENERAL PERMIT) all the following criteria must be met:

- (1) The applicant must previously have had a valid indirect discharge permit unless this requirement has been waived by the Secretary;
- (2) The indirect discharge system must have a design capacity of 15,000 gallons per day or less;
- (3) The indirect discharge must be an *Existing Indirect Discharge of Sewage* as defined above;
- (4) The indirect discharging system must be currently operating in a manner that:
 - (a) does not permit the discharge of sewage onto the surface of the ground;
 - (b) does not result in the surfacing of sewage;
 - (c) does not result in the direct discharge of sewage into the waters of the State; and
 - (d) does not cause a violation of the Vermont Water Quality Standards in the receiving waters.
- (5) A certified operator is not required to operate the system;

- (6) The applicant is in compliance with all terms and conditions of the current indirect discharge permit at the time application is made for coverage under the GENERAL PERMIT (unless the requirement for a current indirect discharge permit has been waived by the Secretary); and
- (7) A complete application is submitted in accordance with **Section II** below.

C. Process

Any person who wishes to obtain authorization for an existing indirect discharge of sewage under this GENERAL PERMIT shall follow the application requirements contained in **Section II**.

D. Legal Authority

This GENERAL PERMIT is issued in accordance with 10 V.S.A. §§ 1259 and 1263, and the Indirect Discharge Rules (Environmental Protection Rules, Chapter 14).

SECTION II “APPLICATION REQUIREMENTS”

A. Notice of Intent Form and Fee

The applicant shall file a Notice of Intent (NOI) on a form provided by the Secretary. The completed and signed NOI shall be submitted with the administrative processing fee [as per Title 3 §2822(j)(2)] to the address in **Section II. C**.

B. Annual Inspection Report

In addition to the NOI, the applicant shall submit a copy of an Annual Inspection Report completed within the past 365 days by a Vermont Registered Professional Engineer (unless this requirement is waived by the Secretary because the most recent report had been submitted previously).

C. Address for Filing NOI, Fee, and Copy of Annual Inspection Report

Vermont Department of Environmental Conservation
Wastewater Management Division
103 South Main Street - The Sewing Building
Waterbury, Vermont 05671-0405

D. Public Notice of NOI

As part of the request for authorization to discharge under the GENERAL PERMIT, the applicant shall provide public notice, on a form provided by the Secretary, to the Town Clerk of the Municipality or Town in which the indirect discharge is located. The Public Notice to the Municipal or Town Clerk shall be submitted to the Municipal or Town Clerk at the time the NOI is filed with the Secretary.

E. Public Comments on Application

For a period of ten days following the receipt of an application, the Secretary shall provide an opportunity for written comment regarding whether the application complies with the terms and conditions of this GENERAL PERMIT.

F. Additional Information

Upon request from the Secretary, the applicant shall submit such additional information that the Secretary deems necessary to enable the Secretary to authorize the indirect discharge under the terms and conditions of this GENERAL PERMIT.

G. Authorization to Discharge

Any applicant who files an application shall be authorized to discharge under the terms of this GENERAL PERMIT upon the receipt of a written determination by the Secretary that the application is complete and that the indirect discharge is eligible for coverage under the terms and conditions of this GENERAL PERMIT.

H. Requiring an Individual Permit

The Secretary may require an applicant to apply for an individual permit if:

- (1) The applicant's indirect discharge does not qualify for coverage under this GENERAL PERMIT; or
- (2) The applicant is required to apply for an individual permit in accordance with §14-606 of the Indirect Discharge Rules, effective April 30, 2003.

I. Coverage Under Existing Individual Permits

Persons who are authorized to discharge by an individual indirect discharge permit are not required to obtain coverage under this GENERAL PERMIT during the term of their individual permit.

J. Failure To Apply

Any person who fails to apply for coverage under this GENERAL PERMIT (as described under **Section II**) or who fails to obtain authorization to discharge under an individual indirect discharge permit, and thus discharges without a permit, is in violation of 10 V.S.A. Chapter 47.

K. Coverage Following Renewal of General Permit

Following renewal of this GENERAL PERMIT, any person who wishes to continue authorization for an existing indirect discharge of sewage under this GENERAL PERMIT shall follow the application requirements contained in the new GENERAL PERMIT. Application shall be made at least 30 days prior to the expiration of this GENERAL PERMIT.

SECTION III “OPERATIONAL REQUIREMENTS”

A. Compliance Schedule

The following schedule summarizes the requirements necessary for compliance with this GENERAL PERMIT. The permittee shall complete the requirements in accordance with the dates indicated. These requirements are described in more detail in **Section III (B) – (G)** below.

<u>Condition & Description</u>	<u>Schedule Date</u>
A Vermont Registered Professional Engineer must complete an inspection of the indirect discharge system	Annually in April (or in July for seasonally operated systems)
Submit Annual Inspection Report	Annually, by July 1 st for April inspections or by August 15 th for July inspections
Submit implementation schedule for required repairs and maintenance	Annually, by July 1 st for April inspections or by August 15 th for July inspections
Notify Secretary of septic tank pumping and septage disposal location	As specified in Section III (E)
Notify Secretary of any failure of the indirect discharge system	As specified in Section III (F)
Submit Operating Fees	In accordance with procedures provided by the Secretary.

B. Annual Inspection

Annually during the month of April, the permittee shall engage a Vermont Registered Professional Engineer to thoroughly inspect and evaluate the complete indirect discharge system and to prepare a report on the inspection. For systems which operate only seasonally (e.g. campgrounds, children's camps), the annual inspection shall be conducted during July.

The engineer's inspection shall include, but not be limited to the following:

- (1) inspecting the collection system, including manholes, to check for inflow and infiltration;
- (2) evaluating the accumulation of solids and scum in the septic tank(s) and determining if the septic tank(s) should be pumped out that year [evaluation not required if the septic tanks are pumped annually];
- (3) checking the proper operation of pumps, alarms and controls in all pump stations and/or siphons (if applicable) ;
- (4) verifying that there is proper flow distribution through distribution boxes or similar devices (if applicable);
- (5) walking the disposal field areas to check for any evidence of surfacing or other malfunction; and
- (6) noting any necessary repairs or maintenance that needs to be performed on the indirect discharge system.

C. Annual Inspection Report

Before July 1st of each year for April inspections, or by August 15th for July inspections, the permittee shall have a Vermont registered Professional Engineer submit an annual report to the Secretary which includes the following items:

- (1) a complete list of the items inspected and the results of the inspection;
- (2) the measured depths of sludge and scum in each septic tank [not required if the septic tanks are pumped annually; however, see Condition E];
- (3) a discussion of the recommended repairs and maintenance required; and
- (4) any additional information requested by the Secretary.

D. Implementation Schedule

Before July 1st for April inspections or August 15th for July inspections, the permittee shall notify the Secretary in writing specifying how the engineer's recommendations are to be implemented, including a schedule for required repairs and maintenance. The implementation schedule shall be subject to the review and approval of the Secretary.

E. Septage Disposal

During the system's annual inspection the sludge and scum depths shall be measured in all septic tanks (measurements not required if all septic tanks are pumped annually). The septic tanks shall be pumped if: 1) the sludge is closer than twelve (12) inches to the outlet baffle or; 2) the scum layer is closer than three (3) inches to the septic tank outlet baffle or; 3) if otherwise recommended by the inspecting engineer. The permittee shall notify the Secretary in writing of the name and address of the septic tank pumper and the municipal sewage treatment facility, or other facility approved by the Secretary, where the septage is to be disposed.

F. Reporting of Failures

The permittee shall immediately report any failure of the indirect discharge system to the Secretary, first by telephone within 24 hours of the failure and then in writing within five (5) days of the failure. The written notice shall include a discussion of the actions taken or to be taken to correct the failure. The permittee shall adhere to the requirements of §14-604 of the Indirect Discharge Rules, effective April 30, 2003, or as amended, when reporting such failures and remedial actions.

G. Operating Fees

The permittee shall submit the statutory operating fees in accordance with procedures provided by the Secretary.

H. Discharge Restrictions

The permittee shall not allow the discharge of anything other than sanitary sewage to the permitted indirect discharge system.

I. System Operation and Maintenance

The indirect discharge system shall be operated and maintained at all times in a manner satisfactory to the Secretary, and in a manner that will not pose a risk to the public health and safety, nor cause contamination of drinking water supplies, groundwater and/or surface water.

SECTION IV "GENERAL REQUIREMENTS"

A. Transfer of Authorization to Discharge:

An authorization to discharge under this GENERAL PERMIT is not transferable without prior written approval of the Secretary. The permittee shall notify the Secretary, in writing, before any sale, lease or other transfer of ownership of the property from which the permitted discharge originates. The proposed transferee shall apply for an authorization to discharge issued in his/her name. Failure to apply shall be considered a violation of this GENERAL PERMIT. Responsibility for compliance with the conditions of this GENERAL PERMIT shall be the burden of the permittee until such time as the transfer of the authorization to discharge to the transferee is complete. All application and operating fees must be paid in full prior to transfer of this authorization to discharge. This authorization to discharge shall be transferred only upon showing by the permittee, or proposed transferee, of compliance with the following conditions:

- (1) The transferee shall be a legal entity, financially and technically competent to operate, inspect, maintain and replace the system.
- (2) The transferee shall demonstrate that they have the legal authority to raise revenues for the proper operation, inspection, and maintenance of the system.
- (3) The transferee shall provide the Secretary a copy of a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee(s).

B. Right of Agency to Inspect

The permittee shall allow the Secretary or the Secretary's authorized representative upon the presentation of his/her credentials and at reasonable times:

- (1) To enter upon the permittee's premises where any effluent source, treatment or disposal system is located or in which any records are required to be kept under the conditions of the permit;
- (2) To have access to and copy any records required to be kept under conditions of this permit;
- (3) To inspect any monitoring equipment or method required in this permit;
- (4) To sample any discharge of waste, groundwater, or surface water; and
- (5) To inspect any collection, treatment, pollution management, disposal facilities, or monitoring equipment required by this permit.

C. Changes to Indirect Discharge System

The permittee shall notify the Secretary of any planned changes to the indirect discharge system which may result in an increased discharge from the system or which change the treatment effectiveness of the system. The Secretary may require the permittee to submit additional information on the proposed changes. The Secretary shall determine whether or not the modified facility is eligible for continued authorization under this GENERAL PERMIT.

D. Minor Modifications to System:

Minor modifications of the engineering design which do not reduce the treatment effectiveness or increase the capacity of the system may be approved in writing by the Secretary.

Before making modifications to the treatment and/or disposal system the permittee shall submit plans to the Secretary for review and approval. These plans must be approved before any of the modifications or additions are made.

E. Revocation

The Secretary may revoke an authorization to discharge under this GENERAL PERMIT in accordance with §14-606 of the Indirect Discharge Rules, effective April 30, 2003.

F. Effective Date

This GENERAL PERMIT shall become effective on January 1, 2009.

G. Expiration Date

This GENERAL PERMIT shall expire on December 31, 2013.

Signed this 3rd day of October, 2008.

Laura Q. Pelosi, Commissioner
Department of Environmental Conservation

By: Christine Thompson
Christine Thompson, Director
Wastewater Management Division