

**AGENCY OF NATURAL RESOURCES**  
**Department of Environmental Conservation**  
**1 National Life Drive, Main 2**  
**Montpelier, VT 05620-3521**

**Response Summary for Comments Received on**  
**Draft Indirect Discharge Permit ID-9-0005 Renewal**

**Magic Wastewater Association**

July 17, 2017

The draft indirect discharge permit ID-9-0005 renewal was placed on public notice from June 8, 2017 to July 7, 2017. During this period, comments were received from the permittee on the draft permit. These comments and the Vermont Agency of Natural Resources' response to the comments are provided below. The actions taken as a result of the comments are indicated at the end of this document.

**Comments re: Application Requests:**

"First of all I would like to thank you for considering my requests and questions. Request 1 was made as an attempt at a cost savings from the lab costs but I understand your point and accept the response. You accepted Request 2, thank you."

**Response:**

No response necessary.

**Comments re: Groundwater Measurements:**

"I still have some concerns over my Request 3. As I see it the requirement that the depth to groundwater be greater than 12" and the ambient temperature are the deciding factors for our spray events. Margaret always ensures that levels are greater than 12" before she starts the spray pumps and often in the spring we cannot spray because of the depths. But I am not sure what the relevance of depth is after a spray event, as long as we don't spray again until the depths are greater than 12", even if it is the next day. As we can see from the data the depths are definitely affected by natural precipitation so if it rains during or after our spray event but before measuring the depths then that impact should be considered, but how? I would much rather see the requirement be left that we need to measure the depths before each spray event as we do now."

**Response:**

The requirement that groundwater levels be measured after spraying was included in the permit as a means for the permittee to demonstrate that groundwater levels did not rise to within one foot of ground surface as a result of spraying when more than 2" of effluent was sprayed. To give the permittee's operator a little more discretion, the second sentence of Condition D2(A) has been removed from the permit. However, the

permittee is still required to maintain at least one foot of separation as a result of spraying for any amount of effluent applied. If there is any question as to whether this requirement is being met, groundwater depths should be measured during or immediately after spraying. Doing so would eliminate the need for the operator to return the following day.

**Comments re: BOD/TSS Sampling:**

“The other complication I see is with the requirement of BOD and TSS be less than 15 mg/l. How will we know the readings for a spray event while we are spraying? We are only required to sample for BOD and TSS monthly, and it takes quite a while to get the results from any spray event. Are you proposing that we sample for BOD and TSS more often? How will we know if we can spray more than 2”, do we use the monthly reading for every spray event in that month?”

**Response:**

The Agency is not requiring more frequent sampling of effluent to determine if the 15 mg/L limit is met. Rather, the permittee should rely on BOD and TSS results from the previous 3-4 months to determine if more than 2” of effluent can be sprayed. If there is a question as to whether the 15 mg/L limit is met during that period, the permittee can perform sampling on a more frequent basis to demonstrate that adequate treatment is being accomplished.

**Comments re: Storage Capacity:**

“In addition, I’ve been studying our draft permit and came up with a few comments/concerns over the contents. In Section C2 the trigger points for new construction talk about a percentage of the total storage capacity available. What is that figure? Is it the 1.2 million gallons of the storage lagoon?”

**Response:**

According to the approved plans, the existing Phase I storage lagoon had a calculated storage capacity (with 3’ freeboard) of 1,274,665 gallons. The as-built plans did not recalculate the constructed volume.

**Comments re: Implementation Schedule:**

“Thank you for the change in Section D4 C for the Implementation Report to August 1, that gives us a bit of time after the engineer’s report.”

**Response:**

No response necessary.

**Comments re: WR-43 forms:**

“In Section D9 the monthly reports are now made on a form called the WR-43’s by Margaret. Is this the form required and if so could you specify that and where we can obtain them? There has been some discussion between us using the forms that all the formulas in the forms are not correct. Do you maintain responsibility for these forms?”

**Response:**

Most wastewater treatment facilities submit monthly reports using electronic copies of WR-43 sheets from Agency generated Excel templates. The templates are available at: <http://dec.vermont.gov/watershed/wastewater/facility-inspections#Monitoring Report Forms>. The Agency can also review and approve WR-43 templates which have been revised to meet specific facility needs. The Agency is not responsible for the validity of electronic copies of WR-43 templates which have been altered but not approved.

Monthly reports are not required to be made on WR-43 forms provided that all the pertinent information required on the WR-43 forms is submitted and a signature block is provided.

**Action Taken as a Result of Public Comment:**

The Agency will issue the final permit with the changes noted in the responses above.