AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
1 NATIONAL LIFE DRIVE
MONTPELIER, VERMONT 05620-3521

INDIRECT DISCHARGE PERMIT

Permit No.: ID-9-0251
PIN: BR74-0002.01

SECTION A - "ADMINISTRATION"

In compliance with provisions of 10 V.S.A. §1263, and in accordance with the following conditions, the permittee:

Vermont Creamery, Inc.
40 Pitman Road
Websterville, VT 05678

is authorized to discharge non-sewage dairy processing whey from the Vermont Creamery processing facility located in Websterville, Vermont to a manure pit located in Brookfield, Vermont. The whey/manure mixture is to be managed in accordance with Accepted Agricultural Practices. **This is a permit renewal.**

A1. Permit Summary:

Expiration Date	December 31, 2021
Type of Waste	Dairy processing whey
Disposal System	Discharge of whey into a manure pit followed by management of the whey/manure mixture in accordance with Accepted Agricultural Practices
Manure Pit Capacity Available for Disposal (10% of Total Capacity)	100,000 gallons
Whey Disposal Volume	Not to exceed 50,000 gallons annually
Town	Brookfield

The discharge of dairy processing waste from the Vermont Creamery into a manure pit followed by management of the whey/manure mixture in accordance with Accepted Agricultural Practices satisfies the requirements of the Vermont Guidelines for Land Application of Dairy Processing Wastes.

A2. Compliance Schedule:

The following schedule summarizes the actions and requirements necessary for compliance with the conditions of this permit. The permittee shall complete the requirements in accordance with the dates indicated. See the designated section for specific details.

Condition # & Description		Schedule Date
A3.	Apply for renewal of Indirect Discharge Permit	September 30, 2021
D1.	Whey monitoring and reporting	As specified
D2.	Submit disposal report	Quarterly, by January 15th, April 15th, July 15th and October 15th

A3. Expiration Date:

This permit, unless revoked, or amended shall be valid until December 31, 2021 despite any intervening change in Water Quality Standards or the classification of receiving waters. Renewal of this Indirect Discharge Permit will be subject to all rules applicable at the time of renewal, including biological standards to determine significant alteration of aquatic biota.

The permittee shall apply for an Indirect Discharge Permit renewal by September 30, 2021 for continued authorization to discharge waste. For the purposes of Title 3, an application for renewal of this indirect discharge permit will be considered timely if a complete application is received by the expiration date.

A4. Effective Date:

This permit becomes effective on January 1, 2017.

A5. Revocation:

The Secretary may revoke this permit in accordance with 10 V.S.A. §1267.

A6. Transfer of Permit:

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

a. The transferee shall be a legal entity, financially and technically competent to operate, inspect, maintain and replace the system.

b. The transferee shall demonstrate that they have the legal authority to raise revenues for the proper operation, inspection and maintenance of the system.

c. The transferee shall provide a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittees to the Secretary.

A7. Minor Modifications of Permit:

The Secretary may modify this permit without requiring a permit application, a public notice, or a public hearing to correct typographical errors or to increase monitoring frequency, in accordance with Condition D(3) of this permit.

A8. Indirect Discharge Rules:

This indirect discharge was originally reviewed and qualified for an Indirect Discharge Permit in accordance with the Vermont Water Quality Standards; Section 14-C-1000(D) of the Indirect Discharge Rules (effective February 29, 1996), and the Vermont Guidelines for Land Application of Dairy Processing Wastes.

This indirect discharge was reviewed and qualified for an Indirect Discharge Permit in accordance with the Vermont Water Quality Standards, Section 14-607 of the Indirect Discharge Rules (effective April 30, 2003), and the Vermont Guidelines for Land Application of Dairy Processing Wastes.

A9. Right of the Agency to Inspect:

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

a. To enter upon the premises in which any whey/manure source or treatment is located or in which any records are required to be kept under the conditions of the permit;

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

c. To inspect any monitoring equipment or method required in this permit;

d. To sample any discharge of waste, groundwater, or surface water; and

e. To inspect any collection, treatment, pollution management, and disposal facilities required by this permit.

A10. Permit Availability:

A copy of this permit shall remain at the office of the permittee and, upon request, shall be made available for inspection by the Secretary.

A11. Modifications and Additions to Disposal System:

The permittee may request to add additional manure pits to be utilized for disposal in accordance with the following:

a. submittal of an application for an administrative amendment of this permit to update the authorized list of manure pits in Attachment A.

b. submittal of a written agreement between the permittee and the farmer(s). Each agreement must state the location and volume of the farmer's manure pit, state that the farmer agrees to manage the wastewater/ manure mixture in accordance with the Accepted Agricultural Practices, and be signed and dated by both parties. Documentation verifying the construction and volume of the pit(s) must also be submitted.

A12. Operating Fees:

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

SECTION B - "INDIRECT DISCHARGE"

B1. Nature of Indirect Discharge:

The wastewater authorized for disposal by this permit is whey from the Vermont Creamery processing facility in Websterville, Vermont. The permittee normally transports whey to an area farm for use as animal feed, an activity which does not require a permit. This permit authorizes disposal to the manure pit identified in Attachment A when whey cannot be used as animal feed. The permittee anticipates generating up to 50,000 gallons of whey per year.

The expected range of values from the analysis of the whey (data from 2002-2006) are listed below. These are not effluent limits and occasional values outside of the range are to be expected.

PARAMETER	RANGE
Biochemical Oxygen Demand (5-day)	2,900 - 57,000 mg/L
Total Suspended Solids	14 - 2,920 mg/L
Total Kjeldahl Nitrogen	1.25 - 1,620 mg/L
Ammonia	5.14 - 11.7 mg/L
Nitrite/Nitrate	0.08 - 7.8 mg/L
Total Phosphorus	505 - 953 mg/L
Total Dissolved Phosphorus	94.7 - 853 mg/L
Chlorides	734 - 10,600 mg/L
Sodium	5,170 - 10,937 mg/L
pH	4.09 - 4.70 S.U.

SECTION C - "SYSTEM OPERATION"

C1. General:

The whey/manure mixture shall be handled at all times in a manner that will (1) insure the whey/manure mixture is managed in accordance with Accepted Agricultural Practices; (2) not permit the surface runoff of whey to waters of the State; and (3) not result in a violation of the Vermont Water Quality Standards.

C2. Limits on Disposal:

This permit authorizes the discharge of whey, a dairy processing waste, to the manure pit identified in Attachment A. The amount of whey discharged to the manure pit shall not exceed 50,000 gallons in any calendar year.

C3. Odors:

The Permittee shall report to the Secretary within twenty-four (24) hours any complaints received by the farm identified in Attachment A or by the permittee regarding off-site odors resulting from the discharge or land application of the whey at the farm. The permittee shall indicate the measures taken to resolve the odors.

SECTION D - "MONITORING"

D1. Whey Monitoring:

The permittee shall sample and analyzed the whey as follows:

Parameter	Units	Sample Type	Sample Frequency
Biochemical Oxygen Demand (5-day)	mg/L	grab	Semi-Annually[1]
Total Suspended Solids	mg/L	grab	Semi-Annually[1]
Sodium (Na+)	mg/L	grab	Semi-Annually[1]
Chloride (Cl-)	mg/L	grab	Semi-Annually[1]
Total Phosphorus	mg/L	grab	Semi-Annually[1]
Total Kjeldahl Nitrogen (TKN)	mg/L	grab	Semi-Annually[1]
Nitrate Nitrogen	mg/L	grab	Semi-Annually[1]
pH	S.U.	grab	Semi-Annually[1]

Note 1: A sample is only required to be collected and analyzed if disposal to the manure pit occurs within a semi-annual period (January – June or July – December). Samples shall be taken at the line which is used to fill the transport truck.

The results of the analysis shall be submitted to the Secretary by the 15th day of the second month following the date of sampling.

D2. Quarterly Disposal Report:

On a quarterly basis, the permittee shall submit a written report to the Secretary listing 1) the dates in which disposal occurred, 2) the farm where disposal occurred, and 3) the daily volume in gallons discharged to the manure pit for the previous quarter. The report shall be signed by the permittee under the following certification language:

"I certify under penalty of law that I have personally examined, and am familiar with, the information submitted herein. I believe the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment."

The quarterly reports shall be submitted by the 15th day of January, April, July and October for the previous quarter.

D3. Other Monitoring:

No other water quality monitoring is required under this permit. However, the Secretary reserves the right to require additional monitoring in accordance with Condition A(9) should the of the whey/manure mixture fail to meet the requirements of Condition C(1).

SECTION E - "COMPLIANCE REVIEW"

If the results of any monitoring or reporting indicate that there is a possibility that the Vermont Water Quality Standards may be violated, the Secretary may require monitoring of the ground and surface water. If continued monitoring and analysis indicates that a violation of the whey discharge rate, or a violation of the Vermont Water Quality Standards has occurred, is occurring, or is likely to occur, the Secretary may require the permittee to take appropriate corrective actions to eliminate or reduce the possibility of a violation.

The issuance of this permit, ID-9-0251, to Vermont Creamery, Inc., by the Secretary relies upon the data, designs, judgement and other information supplied by the applicant, the applicant's consultants and other experts who have participated in the preparation of the application. The Secretary makes no assurance that this system will meet the performance objectives of the applicant and no warranties or guarantees are given or implied.

SECTION F - "EFFECTIVE DATE"

This Indirect Discharge Permit, ID-9-0251, issued to Vermont Creamery, Inc., for the discharge of whey to the manure pit identified in Attachment A is effective on January 1, 2017.

Alyssa B. Schuren, Commissioner
Department of Environmental Conservation

By Bryan J. Redmond Date: December 1, 2016
Bryan Redmond, Director
Drinking Water and Groundwater Protection Division

ATTACHMENT A

List of Approved Manure Pits for Disposal of Whey from Vermont Creamery, Inc.

October, 2016

Farm	**Location**	**Manure Pit Capacity[1]**	**Capacity Available for Non-Manure Wastes[2]**
Keith Sprague Farm	6907 VT Route 14 Brookfield, Vermont	1,000,000 gallons	100,000 gallons/year

Notes:

1: Based on measurements provided by Vermont Creamery and verified by the Agency of Natural Resources, the manure pit has a volume of approximately 2,244,000 gallons. However, the farmer indicated a volume of approximately 1,000,000 gallons in the manure pit agreement, possible allowing for freeboard, precipitation and lost volume in the pit over time. To be conservative, the lower volume was used as the manure pit capacity.

2: 10% of the manure pit capacity, in accordance with the Vermont Guidelines for Land Application of Dairy Processing Wastes.