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Notice of Intent (NOI)

for Stormwater Discharges from
Municipal Separate Storm Sewer Systems (MS4)
General Permit 3-9014

VERMONT
ENVIRONMENTAL CONSERVATION

Submission of this Notice of Intent (NOI) constitutes notice that the entity in Section A intends to be authorized to discharge pollutants to waters of the State under Vermont's Municipal Separate Storm Sewer Systems (MS4) permit. Submission of the NOI also constitutes notice that the party identified in Section A of this form has read, understands and meets the eligibility conditions; agrees to comply with all applicable terms and conditions; and understands that continued authorization under the MS4 General Permit is contingent on maintaining eligibility for coverage. In order to be granted coverage, all information required on this form and the Minimum Control Measure attachments must be completed and a complete Stormwater Management Program (SWMP) Plan must be submitted.

A. Permittee Information

Name of MS4: Mllton, Vermont

Name of Principle Executive Officer (PEO) or Chief Elected Official (CEO): Brian Palaia

Title: Town Manager

Mailing Address:
Street/P.O. Box: 43 Bombardier Road

City/Town: Milton State: VT Zip: 05468

Phone: (802) 893-6655 Email: bpalaia@town.milton.vt.us

B. Primary contact responsible for overall coordination of SWMP, if different than PEO/CEO

Name: Craig Plumb - Public Works Director/Town Engineer

Mailing Address:
Street/P.O. Box: 43 Bombardier Road

City/Town: Milton State: VT Zip: 05468

Phone: (802)893-6030 Email: cplumb@town.milton.vt.us

C. Partnering organization responsible for Minimum Control Measure implementation (if applicable)

If you are participating in the CCRPC MOU to implement MCM1 &/or MCM2 check here: ■ MCM 1 ■ MCM 2

Or, if you are relying on another entity to implement a MCM, please complete the following:

Organization: _____ Contact: _____

Minimum Control Measure being implemented: _____

Mailing Address:
Street/P.O. Box: _____

City/Town: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Organization: _____ Contact: _____

Minimum Control Measure being implemented: _____

Mailing Address:
Street/P.O. Box: _____

City/Town: _____ State: _____ Zip: _____

Phone: _____ Email: _____

D. Municipal Separate Storm Sewer System (MS4) Information

Estimate of the square mileage served by the MS4: 60.9

Identify the names of all know waters that receive a discharge from the MS4:

Receiving water	# of outfalls	Impaired status	Nature of impairment
Lamoille River		☒ Yes ☐ No	TMDL for Oxygen
Bridge Brook		☐ Yes ☒ No	
Trout River		☐ Yes ☒ No	
Allen Brook		☐ Yes ☒ No	
Malletts Creek		☐ Yes ☒ No	
Arrowhead Mountain Lake		☒ Yes ☐ No	TMDL for Mercury
		☐ Yes ☐ No	
		☐ Yes ☐ No	
		☐ Yes ☐ No	
		☐ Yes ☐ No	
		☐ Yes ☐ No	

E. Stormwater Impaired Waters Information

Does the MS4 discharge into a stormwater impaired water? ☐ Yes ☒ No

If yes, the MS4 must comply with all requirements listed in Part IV.C. of the permit, including the requirement to develop a Flow Restoration Plan (FRP) for the stormwater impaired water.

F. Certification

This NOI shall be signed by a principal executive officer, ranking elected official or other duly authorized employee consistent with 40 CFR §122.22(b) and certified as follows:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Brian Parker Title: Town Manager

Signature: _____ Date: 5/21/13

Submit this *Original* form and the $1320 fee to:

MS4 Permit Coordinator
VTDEC · Watershed Management Division
Stormwater Management Program
One National Life Drive
Montpelier, Vermont 05620-3522

Instructions for Public Comment, Public Hearings, and Appeals

PUBLIC COMMENT

Public comments concerning this Notice of Intent to discharge under General Permit No 3-9014 and the accompanying Stormwater Management Plan (SWMP) are invited and must be submitted within 10 days of receipt of this Notice by the Municipal Clerk. Comments should address how the application complies or does not comply with the terms and conditions of General Permit No. 3-9014. A letter of interest should be filed by those persons who elect not to file comments but who wish to be notified if the comment period is extended or reopened for any reason. All written comments received within the time frame described above will be considered by the Department of Environmental Conservation in its final ruling to grant or deny authorization to discharge under General Permit No. 3-9014.

All submitted NOIs and SWMPs can be found on the Stormwater Program's website at:
http://www.vtwaterquality.org/stormwater/htm/sw_ms4.htm

Send written comments to:

VT DEC, Watershed Management Division
Stormwater Management Program, MS4 Permit Coordinator
One National Life Drive
Montpelier, VT 05620-3522

PUBLIC HEARING REQUEST

During the notice period, any person may submit a written request to this office for a public hearing to consider the proposed permit authorization. The request must state the interest of the party filing such request and the reasons why a hearing is warranted. A hearing will be held if there is a significant public interest (including the filing of requests or petitions for such hearing) in holding such a hearing. If the Secretary determines that useful information and data may be obtained thereby, the Secretary may hold a public hearing any time prior to the issuance of the authorization. Notice of a public hearing will be circulated 30 days prior to the hearing. (40 C.F.R. § 124.12 and Vermont Water Pollution Control Permit Regulations, Chapter 13.3G)

APPEALS

Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The appellant must attach to the Notice of Appeal the entry fee of $250.00, payable to the state of Vermont.

The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Court; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal.

The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

For further information, see the Vermont Rules for Environmental Court Proceedings, available on line at www.vermontjudiciary.org. The address for the Environmental Court is 2418 Airport Road, Suite 1, Barre, VT 05641 (Tel. # 802-828-1660)

A copy of General Permit No. 3-9014 may be obtained by calling (802) 490-6173; by visiting the Department at the above address between the hours of 7:45 am and 4:30 pm; or by downloading from the Watershed Management Division's Web site at www.vtwaterquality.org.

Attachment A: Selected Minimum Control Measures

BMP ID	Public Education	Responsible Dept. or Person	Measurable Goal
1-1	Maintain SW website	RSEP	Please see attachement 1
1-2,3,4	Participate in RSEP, other regional SW ed. strategy, or submit individual plan	RSEP	Please see attachement 1
1-5a	Develop or acquire informational brochures	RSEP	Please see attachement 1
1-5b	Distribute SW brochures 2x in first year and 1x in subsequent years	RSEP	Please see attachement 1
1-5c	Seek local news media to run at least 2 news or feature stories per year	RSEP	Please see attachement 1
1-5d	For municipalities: Develop school materials and teacher trainings	RSEP	Please see attachement 1
1-5e	For non-traditionals: Develop public ed campaign for facility users	RSEP	Please see attachement 1

Attachment A: Selected Minimum Control Measures

BMP ID	Public Participation	Responsible Dept. or Person	Measurable Goal
2-9	Participate in the Stream Team or other regional SW participation program, or submit individual plan	CCST	Please see attachement 2
Implement a program that includes at least 3 of the following:			
2-1	Form a citizen SW advisory panel	CCST	Please see attachement 2
2-2	Establish or support a WQ monitoring program involving citizen volunteers	CCST	Please see attachement 2
2-3	Insititute an on-going public workshop series on SW awareness	CCST	Please see attachement 2
2-4	Institute a continuing storm drain stenciling project	CCST	Please see attachement 2
2-5	Sponsor periodic community stream corridor clean-up days	CCST	Please see attachement 2
2-6	Establish and support a citizen "stormwater watch" group	CCST	Please see attachement 2
2-7	Create or support an "adopt-a-stream" program	CCST	Please see attachement 2
2-8	Undertake a program similar in content and scope to the above with permission of Secretary	CCST	Please see attachement 2

Attachment A: Selected Minimum Control Measures

BMP ID	Illicit Discharge Detection & Elimination	Responsible Dept. or Person	Measurable Goal
3-1	Develop and enforce a program to detect and eliminate illicit discharges	Town Engineer	Continue program of dry weather monitoring of stormwater outfalls as described in the IDDE program along with mitigation of illicit discharges as necessary.
3-2	Develop and maintain storm sewer GIS or AutoCAD map	Town Engineer/CCRPC	Update Stormwater map as necessary
3-3	Develop and enforce illicit discharge ordinance	Health Officer/Zoning Administer/Town Engineer	Update and Enforce DOH and Stormwater Ordinances as Required.
3-4	Develop and implement illicit discharge detection plan, focus on impaired waters and random dumping	Zoning Administrator/Town Engineer	Continue program of dry weather monitoring of stormwater outfalls as described in the IDDE program along with mitigation of illicit discharges as necessary.
3-5	Inform public of illicit discharge and disposal hazards	Health Officer/Town Engineer	Report to required agency based onthe nature of the illicit discharge.
3-6	Address specific categories of illicit discharges, if necessary		
3-7	Prepare annual report of monitoring and corrective actions taken	Town Engineer	Annual report will be base on the previous calander years activities and will be due no later than April 1st of the following year.

Attachment A: Selected Minimum Control Measures

BMP ID	Construction Site Runoff Control	Responsible Dept. or Person	Measurable Goal
4-1	Develop and implement procedures to ensure MS4 construction activites are properly permitted	Town Engineer/Town Planner	ConductPlan review for compliance with Erosion Control Specifications for all land Disturbances.
4-2	Review existing MS4 regulations for effectiveness in managing construction-related E&S and consistency with state construction permit	Town Engineer/Zoning Administrator	Preform Site inspections and take corrective action when required to ensure compliance.
4-2a	Adopt E&S requirments that are at least as stringent as state requirements	Town Engineer	Review and update Town Specifications to conform to or surpass current State regulations as needed.
4-3	Develop and implement an erosion control ordinance that regulates development not subject to state permitting	Town Engineer/Planning Department	Update current Stormwater Ordinance as needed

Attachment A: Selected Minimum Control Measures

BMP ID	Post Construction Runoff Control	Responsible Dept. or Person	Measurable Goal
5-1	Review existing MS4 regulations for effectiveness in managing stormwater runoff and consistency with state operational permit	Town Engineer	Update Town Specifications as needed to maintain compliance
5-1a	Assess changes to regulations to support LID	Town Engineer/Planning Department/CCRPC/RSEP	
5-1b	Assess changes to regulations to minimize impervious surface through street & parking lot design	Planning Department/Town Engineer	Update Development regulations and Specifications as needed
5-1c	Adopt requirments that are at least as stringent as state requirements	Town Engineer/Planning Department	Update current Stormwater Ordinance as needed
For development and redevelopment that disturbs ≥ 1 acre but is not subject to state permitting:			
5-2	Develop and implement procedures to identify the development	Town Engineer	Update Town Specifications to compliment current State Regulations
5-3	Develop and implement an ordinance that regulates the development	Town Engineer/Planning Director	Update existingf Stormwater Ordinance as needed
5-4	Develop and implement inspection procedures for the development	Town Engineer/Zoning Administrator	Inspect all locally permitted projects for compliance with the Public Works Specifications. Take appropriate action for non compliance. Assist the State with inspection of State permit conditions.
5-5	Develop and implement procedures to ensure MS4 development activites are properly permitted	Town Engineer/Planning Department	Update Town Specifications and Development Requierments as needed to be compliment with current State Regulations

Attachment A: Selected Minimum Control Measures

BMP ID	Pollution Prevention & Good Housekeeping	Responsible Dept. or Person	Measurable Goal
6-1	Describe operation and maintenance program for reducing pollutant runoff from MS4 operations, including, at a minimum:	Public Works Department	Maintaine operation and maintenance programs as identified.
6-1a	New construction and land disturbance	Town Engineer/Zoning Administrator	Inspect all locally permitted projects for compliance with the Public Works Specifications. Take appropriate action for noncompliance. Assist the State with inspection od State permit conditions.
6-1b	Maintenance of fleet and buildings, all municipal garages, parks, open space, contruction and maintenance practices for gravel backroads, snow disposal and stormater systems	Public Works Department	Maintaine operation and maintenance programs as identified.
6-1c	Training, maintenance schedules, and inspection procedures for long term structural controls	Public Works Department Employees/School Employees	Attend Municipal employee training workshop; public education and involvment as described; School personell attend stormwater training.
6-1d	For municipal facilities where fertilizers are applied, prohibit the use of fertilizers containing phosphorus (unless warranted by a soil test)	Public Works Department	Maintaine operation and maintenance programs as identified.
6-2	For Municipal garages, an MS4 may participate in ANR's Municipal Compliance Assistance Program	Public Works Department	Continue to follow and improve upon recommendations from MCAP.
6-3	Provide a list of all industrial facilities that the MS4 owns or operates that are subject to the MSGP	Town Engineer	Comply with permit requirements

Attachment B: Minimum Control Measure Implementation Timeframe

BMP ID	Permit Year One				Permit Year Two				Permit Year Three				Permit Year Four				Permit Year Five				Next Permit
	Spring 2013	Summer 2013	Fall 2013	Winter 2013-2014	Spring 2014	Summer 2014	Fall 2014	Winter 2014-2015	Spring 2015	Summer 2015	Fall 2015	Winter 2015-2016	Spring 2016	Summer 2016	Fall 2016	Winter 2016-2017	Spring 2017	Summer 2017	Fall 2017	Winter 2017	
Public Education																					
1-1																					
1-2,3,4																					
1-5a																					
1-5b																					
1-5c																					
1-5d																					
1-5e																					
Public Participation																					
2-9																					
2-1																					
2-2																					
2-3																					
2-4																					
2-5																					
2-6																					
2-7																					
2-8																					
Illicit Dishare Detection & Elimination																					
3-1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-5	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-7	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

Attachment B: Minimum Control Measure Implementation Timeframe

BMP ID	Permit Year One				Permit Year Two				Permit Year Three				Permit Year Four				Permit Year Five				Next Permit
	Spring 2013	Summer 2013	Fall 2013	Winter 2013-2014	Spring 2014	Summer 2014	Fall 2014	Winter 2014-2015	Spring 2015	Summer 2015	Fall 2015	Winter 2015-2016	Spring 2016	Summer 2016	Fall 2016	Winter 2016-2017	Spring 2017	Summer 2017	Fall 2017	Winter 2017	
Construction Site Runoff Control																					
4-1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
4-2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
4-2a	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
4-3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Post-Construction Runoff Control																					
5-1									X	X	X	X	X	X	X	X	X	X	X	X	
5-1a									X	X	X	X	X	X	X	X	X	X	X	X	
5-1b									X	X	X	X	X	X	X	X	X	X	X	X	
5-1c									X	X	X	X	X	X	X	X	X	X	X	X	
5-2									X	X	X	X	X	X	X	X	X	X	X	X	
5-3									X	X	X	X	X	X	X	X	X	X	X	X	
5-4									X	X	X	X	X	X	X	X	X	X	X	X	
5-5									X	X	X	X	X	X	X	X	X	X	X	X	
Pollution Prevention and Good Housekeeping																					
6-1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-1a	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-1b	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-1c	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-1d	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	