



Vermont Department of Environmental Conservation  
Watershed Management Division  
1 National Life Drive, Main 2  
Montpelier VT 05620-3522

*Agency of Natural Resources*

[phone] 802-828-1535  
[fax] 802-828-1544

April 19, 2016

Mark Schilling, Town Clerk  
Town of Jeffersonville  
85 Church Street  
Jeffersonville, VT 05464

Dear Mr. Schilling:

Enclosed is a copy of a public notice regarding the public comment period for the issuance of a **draft discharge permit to the Smugglers' Notch Management Co. Ltd, authorizing the discharge of filter backwash water from the Smugglers' Notch Water Treatment Facility to an unnamed tributary of the Brewster River.** Please post in a public place for disseminating this information to the local officials and residents. We are also sending copies of this notice to other local officials and interested persons who have asked to be included on our mailing list.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest F. Kelley".

Ernest F. Kelley, Program Manager  
Wastewater and Residuals Management Program  
Watershed Management Division

Enclosures (3)

AGENCY OF NATURAL RESOURCES  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
WATERSHED MANAGEMENT DIVISION  
1 NATIONAL LIFE DRIVE – MAIN 2  
MONTPELIER, VERMONT 05620-3522

NOTICE: DRAFT DISCHARGE PERMIT

PUBLIC NOTICE NUMBER: 3-1409

PUBLIC COMMENT PERIOD: April 25 – May 24, 2016

**PERMITTEE INFORMATION**

PERMITTEE NAME: Smugglers' Notch Management Co. Ltd.

PERMITTEE ADDRESS: 4323 VT Route 108 South  
Jeffersonville, VT 05464

PERMIT NUMBER: 3-1409

PROJECT ID NUMBER: BR76-0002

**DISCHARGE INFORMATION**

NATURE: Water treatment filter backwash water discharge

VOLUME: 0.014 MGD, monthly average

RECEIVING WATER: unnamed tributary of the Brewster River

EXPIRATION DATE: **March 31, 2021**

DESCRIPTION: This is a draft discharge permit proposed for issuance to Smugglers' Notch Management Co. Ltd. for the discharge of water treatment filter backwash from the Smugglers' Notch Water Treatment Facility located on VT Route 108, Jeffersonville, Vermont.

**TENTATIVE DETERMINATIONS**

Tentative determinations regarding effluent limitations and other conditions to be imposed on the pending Vermont permit have been made by the State of Vermont Agency of Natural Resources (VANR). The limitations imposed will assure that the Vermont Water Quality Standards and applicable provisions of the Federal Clean Water Act, PL 92-500, as amended, will be met.

### **FURTHER INFORMATION**

The complete application, proposed permit, and other information are on file and may be inspected by appointment on the 2<sup>nd</sup> floor of the Main Building at 1 National Life Drive, Montpelier, Vermont. Copies, obtained by calling 802-828-1535 from 7:45 AM to 4:30 PM Monday through Friday, will be made at a cost based upon the current Secretary of State Official Fee Schedule for Copying Public Records. The draft permit and fact sheet may also be viewed on the Division's website at: <http://dec.vermont.gov/watershed>

### **PUBLIC COMMENTS/PUBLIC HEARINGS**

Written public comments on the proposed permit are invited and must be received on or before the close of business day (4:30 pm) **May 24, 2016** to the Agency of Natural Resources, Department of Environmental Conservation, Watershed Management Division, 1 National Life Drive – Main 2, Vermont 05620-3522. Comments may also be submitted by e-mail using the e-mail comment provisions included at: <http://dec.vermont.gov/watershed/>. All comments received by the above date will be considered in formulation of the final determinations.

During the notice period, any person may submit a written request to this office for a public hearing to consider the proposed permit. 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.

### **FINAL ACTION/RIGHTS TO APPEAL TO THE ENVIRONMENTAL COURT**

At the conclusion of the public notice period and after consideration of additional information received during the public notice period, the VANR will make a final determination to issue or to deny the permit. 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 submit the Notice of Appeal and include the applicable filing fee, 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 the 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.

The address for the Vermont Environmental Court is: Vermont Superior Court, Environmental Division, 32 Cherry Street, 2<sup>nd</sup> Floor, Suite 303, Burlington VT 05401 (Tel. (802) 951-1740). For further information, see the Vermont Rules for Environmental Court Proceedings, available online at [www.vermontjudiciary.org](http://www.vermontjudiciary.org).

Alyssa B. Schuren, Commissioner  
Department of Environmental Conservation