

**Agency of Natural Resources
Vermont Department of Environmental Conservation
Drinking Water and Groundwater Protection Division**

**2020 General Operating Permit for Class 1A and 1B Public Transient Non-Community
Drinking Water Systems**

I. Purpose and Authority

Vermont Statute and the Vermont Water Supply Rule (Environmental Protection Rules Chapter 21) prohibit the operation of a public transient non-community (TNC) drinking water system without first receiving a Permit to Operate from the Secretary of the Agency of Natural Resources (Secretary). The Secretary is issuing this General Operating Permit for authorization to operate Class 1A and Class 1B public TNC drinking water systems in accordance with 10 V.S.A. §1675 Chapter 56 and Subchapter 21-3 of the Vermont Water Supply Rule (WSR).

II. Qualifications for Coverage Under this General Operating Permit

Coverage under this General Operating Permit is available for a public TNC drinking water system that meets all the following qualifications:

- A.** The Water System is classified as Class 1A or 1B as defined in Section 12.8 of the WSR.
- B.** The Secretary has determined that the sources are not surface water or groundwater under the direct influence of surface water.
- C.** The Secretary has determined that operation of the water system will comply with 10 V.S.A. § 1675 and the WSR and will not constitute a public health hazard or significant public health risk.

III. Conditions

A. Application for Coverage: Any person who wishes to obtain authorization to operate a water system subject to this General Operating Permit shall file a Notice of Intent to Operate Subject to the General Operating Permit with the Secretary.

B. Water Quality Monitoring

1. Water Quality Monitoring Requirements: The Permittee shall comply with all applicable water quality monitoring requirements set forth in Subchapter 21-6 of the WSR, or required by the Secretary pursuant to the WSR or other related and applicable law, and shall conduct the monitoring in the timeframe identified by the Secretary pursuant to monitoring schedules annually provided to the Permittee. This includes monitoring for contaminants not listed in the WSR when the Secretary determines the additional monitoring is necessary to protect public health. The Secretary shall, on at

least an annual basis, provide the Permittee with a monitoring schedule in order to assist the Permittee with its obligation to comply with the requirements of the WSR.

2. Notification of Water Quality Violations: The Permittee shall notify the Secretary immediately (and no later than 24 hours) following any test result greater than or equal to the maximum contaminant levels (MCL) or the Maximum Residual Disinfectant Level (MRDL) identified in Subchapter 21-6 of the WSR.

3. Reporting of Water Quality Analytical Testing Results: The Permittee shall be responsible for the submission of all water quality monitoring analytical testing results in accordance with the reporting timeframes in Subchapter 12-9 of the WSR.

C. Reporting Requirements

1. When a chemical disinfectant is applied or when water within the distribution system may contain a chemical disinfectant, the Permittee shall:

a) Submit a signed report to the Secretary once a month, no later than ten (10) days following the end of the month, with the daily free chlorine residual entering the distribution system for each day that sodium hypochlorite is introduced; and

b) Report the disinfectant residual in the distribution at the location and frequency corresponding to the approved bacteriological sampling plan and verify the free chlorine concentrations on the laboratory reporting form. If no free chlorine is detectable, the Permittee must measure and report the total chlorine concentration.

2. Seasonal water systems as defined in 40 CFR 141.2 shall submit certification of completion of a State-approved start-up procedure on a form provided by the Secretary no later than ten (10) days following the month of start-up.

D. Sanitary Survey Deficiencies: The Permittee shall resolve all deficiencies identified during a sanitary survey and send the Secretary written correspondence confirming that the deficiencies have been resolved by the deadlines established by the Secretary.

E. Requirement for Certified Operator: The Permittee shall be a certified operator or shall designate a certified operator to carry on the daily operations of the Water System in accordance with Section 12.2 of the WSR. This designation shall be made in writing, signed by both the Permittee and the certified operator, and available to the Secretary upon request. The certified operator shall hold a valid certification equal to or greater than the classification of the Water System. If the Water System only has one certified operator, the Permittee must notify the Secretary with 24 hours of changing their certified operator.

F. Notification of Change in Administrative Contact: The Permittee shall notify the Secretary within 30 days of a change in the Administrative Contact by submitting an administratively complete Water System Officials Contact Form.

G. Bacteriological Sampling Plan: The Permittee shall have and comply with an approved Coliform Sampling Plan. In the event of significant structural or operational changes to the Water System, the Coliform Sampling Plan shall be revised and submitted to the Secretary for review and approval.

- H. Water System Modification Prohibited Without Required Permits:** The Permittee shall obtain all required Public Water System Source Permits and/or Public Water System Construction Permits before proceeding with modifications to the Water System in accordance with Section 4.0 of the WSR.
- I. Reporting of Non-Routine Operating Conditions:** The Permittee shall report to the Secretary whenever atypical or non-routine operating conditions are experienced by the Water System, including but not limited to deviation from within normal operating distribution system pressure ranges, fluctuations in distribution system hydraulic pressure, failure of critical water system infrastructure components, or any operating condition that does not meet the standards of Appendix A of the WSR, and/or a condition that poses a significant health risk. When experiencing atypical or non-routine operating conditions, the Permittee shall:
1. notify the Secretary as soon as possible, not to exceed 12 hours of becoming aware of the non-routine operating conditions;
 2. take appropriate action(s) to safeguard all users of the Water System, including notification to all users as directed by the Secretary when the water supply becomes vulnerable to contamination; and
 3. follow all actions and provide all documentation as directed by the Secretary.
- J. Use of Unpermitted Sources of Water:** The Water System shall not use or connect an unpermitted and/or unauthorized water source, including hauled bulk water and designated emergency sources, to the Water System unless an emergency operating condition exists. When experiencing operating conditions that may require the use of an unpermitted or unauthorized water source, the Permittee shall:
1. notify the Secretary prior to utilizing the unpermitted or unauthorized water source;
 2. provide all public notice as directed by the Secretary, which may include issuing a Boil Water, Do Not Drink, or Do Not Use Notice to all users of the Water System. Notice shall be provided as soon as possible, but not more than 12 hours, after receiving the directive from the Secretary;
 3. follow all actions and provide all documentation as directed by the Secretary; and
 4. not use the unpermitted and/or unauthorized water source for more than 90 cumulative days, unless the Permittee has submitted a written request to the Secretary for an extension and the Secretary has determined that there is good cause for granting an extension.
- K. Posting of Permit:** The Permittee shall post the current valid Authorization to Operate subject to this General Operating Permit in a conspicuous place at the Water System headquarters or treatment plant.
- L. Permit Suspension or Revocation:** The Secretary may suspend or revoke Authorization to Operate subject to this General Operating Permit accordance with Section 3.2 of the WSR.

- M. Requiring an Individual Permit:** The Secretary may require a Permittee to apply for an Individual Permit to Operate if the Water System no longer meets the qualifications for coverage identified in Section II of this General Operating Permit.
- N. Transfer of Ownership or Control:** Authorizations to Operate subject to this General Operating Permit are not transferable or assignable. Should a person different from the Permittee wish to take over operating of the Water System, that person must obtain either an Authorization to Operate subject to the General Operating Permit or an Individual Permit to Operate prior to operating the Water System.
- O. Right of Access to the Water System:** For the purposes of ensuring compliance with this General Operating Permit, the WSR, and other related and applicable law, the Secretary, or any duly authorized representative of the Secretary, upon presentation of the appropriate credentials, may access the Water System and enter the property on which the Water System is located in order to:
1. inspect or investigate any portion of the Permittee's property, fixtures, or other appurtenances belonging to or used by the Permittee for the operation and maintenance of the Water System;
 2. sample, monitor, or test the Water System; and
 3. gain access to and copy any records, reports, or other documents related to the operation and maintenance of the Water System.
- P. Access to Records:** When necessary to confirm compliance with this General Operating Permit or the WSR, upon the request of the Secretary the Permittee shall provide the Secretary with access to records, reports, or other documents related to the operation and maintenance of the Water System.
- Q. Fees:** The Permittee shall pay the annual operating fees specified in 3 V.S.A. § 2822.
- R. Compliance with the WSR and Other Laws:** Compliance with this General Operating Permit does not relieve the Permittee of the need to comply with all applicable provisions of the WSR and all other applicable requirements of Federal, State, and Local laws.
- S. Appeals:** This General Operating Permit may be appealed to the Environmental Division of the Vermont Superior Court within 30 days of the date the final permit is posted to the Environmental Notice Bulletin in accordance with 10 V.S.A. Chapter 220.
- T. Permit Modification:** The Secretary may modify and reissue this General Operating Permit when:
1. the statutes, WSR, or standards adopted pursuant to such authority are revised by adoption or judicial decision after this General Operating Permit is issued and those revisions justify the application of conditions different or absent from this General Operating Permit; or
 2. the Secretary determines that other good cause exists for amendment based on the need to protect human health or the environment.

U. Expiration Date: This General Operating Permit does not expire, but it can be modified and reissued pursuant to Condition T.

V. Effective Date: This General Operating Permit becomes effective on February 29, 2020.

Emily Boedecker, Commissioner
Department of Environmental Conservation
Vermont Agency of Natural Resources

By

Date: November 26, 2019

A handwritten signature in blue ink that reads "Ellen E ParrDoering". The signature is written in a cursive style with a large, looping initial "E".

Ellen E ParrDoering, Assistant Director
Drinking Water and Groundwater Protection Division