

STATE OF VERMONT  
AGENCY OF NATURAL RESOURCES  
1 NATIONAL LIFE DRIVE  
MONTPELIER, VERMONT 05620-3521

DRAFT  
INDIRECT  
DISCHARGE PERMIT

File Code: WST-9-0238

Permit No.: ID-9-0238  
PIN: NS87-0010

**SECTION A - "ADMINISTRATION"**

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

"Maple Valley Ski Area"  
Frank Mercede  
MVS Associates, LLC  
1200 High Ridge Road  
Stamford, CT 06905

is authorized to discharge treated domestic sewage from an existing subsurface disposal system serving the Maple Valley Ski Area to the groundwater and indirectly to the West River. **This is a permit renewal.**

A1. Permit Summary:

Expiration Date	June 30, 2021
Type of Waste	Domestic Sewage
Treatment System	Septic Tank
Disposal System	Leachfield
Town	Dummerston
Drainage Basin	West River
Receiving Water	West River
Design Capacity	10,000 gpd (0.015 cfs)
Drainage Area	Approx. 400 sq. mi.
Stream Flow:	
Low Median Monthly (LMM)	92.4 cfs (est)
7Q10 Stream Flow	24.8 cfs (est)
Dilution Ratio (at LMM)	
Stream Flow : Effluent	6160 : 1
Dilution Ratio (at 7Q10)	
Stream Flow : Effluent	1653 : 1

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.

<u>Condition # &amp; Description</u>	<u>Schedule Date</u>
A3. Apply for renewal of Indirect Discharge Permit	March 31, 2021
D2. Notify Secretary of Proposed Use of Facilities @ Maple Valley Ski Area	As Specified
D3(A) Have a Vermont Registered Professional engineer complete an inspection of sewage collection, treatment and disposal system.	As Specified
D3(B) Submit Annual Inspection Report	As Specified
D3(C) Submit schedule for implementing engineer's recommendations	As Specified
D4. Notify Secretary of pumping of septic tank and septage disposal	As Specified
E3. Record water usage	Daily while facilities are in use
Submit records	By Jan. 15 <sup>th</sup> , Apr. 15 <sup>th</sup> , Jul. 15 <sup>th</sup> , and Oct. 15 <sup>th</sup>

A3. Expiration Date:

This permit, unless revoked, or amended shall be valid until June 30, 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 March 31, 2021. 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 July 1, 2016.

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. If the transferee is a corporation or an association of unit owners or other legal entity, it shall be demonstrated that such legal entity has 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 permittee(s) to the Secretary.

A7. Minor Modifications of Permits:

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 the monitoring frequency in accordance with Condition E(2) of this permit.

A8. Indirect Discharge Rules:

This permit authorizes an existing indirect discharge.

This permit renewal application has qualified for an Indirect Discharge Permit in accordance with Section 14-603(b) of the Indirect Discharge Rules, effective April 30, 2003. No increase in sewage volume is allowed without the written approval of the Secretary.

A9. Right of Department 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 permittee's premises in which any effluent source, treatment or disposal system 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. Minor Modifications To System:

Minor modifications of the engineering design which do not reduce the treatment effectiveness or increase the capacity of the system may be approved in writing by the Secretary without permit amendment.

Before making modifications to the treatment and/or disposal system the permittee shall submit plans to the Secretary for review and approval. These plans must be approved before any of the modifications or additions are made.

A12. Correction of Failed Systems:

The Secretary may, upon discretion, issue an Amendment to the Indirect Discharge Permit for the design and reconstruction of a failed wastewater disposal system where the replacement system design was not previously approved.

Before reconstruction of the failed system the permittee shall submit plans to the Secretary for review and approval. These plans must be approved before any reconstruction occurs. Due to the urgency of the need to correct failed disposal systems, the Secretary will process these Amendments as soon as possible.

A13. 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. Location of Indirect Discharge:

This existing indirect discharge is located in the West River drainage basin in the Town of Dummerston, Windsor County, Vermont. The indirect discharge can be located on the USGS Brattleboro, VT-NH 15' quadrangle map at Latitude N 42°56' 07" and Longitude W 72° 36' 50".

B2. Nature of Indirect Discharge:

The wastewater is reportedly treated in two septic tanks, then flows by gravity through a distribution box to the leachfield.

The volume of the discharge authorized by this permit is calculated as follows:

$$200 \text{ Cafeteria Seats @ } 50 \text{ gpd/seat} = 10,000 \text{ gpd}$$

**SECTION C "SYSTEM CONSTRUCTION"**

C1. Previous Approvals:

Other than previous indirect discharge permits, there are no known previous approvals for this sewage treatment and disposal system.

This is an existing system and no construction is required at this time.

## SECTION D "SYSTEM OPERATION"

### D1. General Operating Requirements:

The sewage treatment and disposal system shall be operated at all times in a manner that will: (1) not permit the discharge of sewage onto the surface of the ground; (2) not result in the surfacing of sewage; (3) not result in the direct discharge of sewage into the waters of the State; and (4) not result in a violation of the Vermont Water Quality Standards.

In accordance with accepted design practices, the effluent disposal rate to the disposal fields shall not exceed 10,000 gallons per day except as may occur on an occasional basis during normal operation.

### D2. Notification of Re-Opening Ski Area and/or Associated Facilities:

At least two weeks prior to any use of the facilities at the Maple Valley Ski Area the permittee shall notify the Secretary, in writing, of the planned use of the facilities.

### D3. Annual Inspection, Report and Implementation Schedule:

#### A. Annual Inspection

The Maple Valley Ski Area and associated facilities are not in operation at the present time and has been continuously closed since 2001. Following the re-opening of the Ski Area and/or associated facilities, the permittee shall have a Vermont Registered Professional engineer to make a thorough inspection, evaluation, and report of the complete sewage collection, treatment and disposal system. The inspection shall be conducted within two months of re-opening the Ski Area and/or associated facilities and annually in April thereafter. The engineer's inspection shall include, but not be limited to the following:

1. evaluation of the accumulation of solids and scum in the septic tanks and determining whether or not the septic tanks should be pumped that year;
2. walk the area of the disposal field looking for any sign of leachfield failure including surfacing sewage; and
3. noting any necessary repairs or maintenance that needs to be performed on the sewage collection, treatment, and disposal system.

D3. Annual Inspection, Report and Implementation Schedule (continued):

B. Annual inspection Report

Within two months of the initial inspection and by July 1<sup>st</sup> annually for subsequent inspections the permittee shall have a professional engineer submit an annual report including the following items:

1. a complete list of the items inspected and the results of the inspection;
2. the measured depth of scum and sludge in each septic tank; and
3. a discussion of the recommended repairs and maintenance required.

C. Implementation Schedule

Within two months of the initial inspection and by July 1<sup>st</sup> annually for subsequent inspections the permittee shall notify the Secretary in writing stating how the engineer's recommendations are to be implemented and including a schedule for the required repairs and maintenance.

Any use of the facilities at the Maple Valley Ski Area would constitute re-opening and trigger the annual inspection requirements listed above.

D4. Septage Disposal:

During the system's annual inspection the depth of sludge and scum shall be measured in all septic tanks. The septic tanks shall be pumped if: 1) the sludge is closer than twelve (12) inches to the outlet baffle or; 2) the scum layer is closer than three (3) inches to the septic tank outlet baffle or; 3) if otherwise recommended by the inspecting engineer. Before pumping the tanks, the permittee shall notify the Secretary in writing of the name and address of the pumper and the municipal sewage treatment facility where the septage is to be disposed or other facility approved by the Secretary.

D5. System Operation and Maintenance:

The sewage collection, treatment, and disposal system shall be operated and maintained at all times in a manner satisfactory to the Secretary and in a manner that will not pose a risk to the public health and safety, or cause contamination of drinking water supplies, groundwater and/or surface water.

D6. Reporting of Failures:

The permittee shall immediately report any failure of the sewage collection, treatment, or disposal system to the Secretary, first by telephone within 24 hours of the failure and then in writing within 5 days of the failure. The written notice shall include a discussion of the actions taken or to be taken to correct the failure.

D7. Discharge Restrictions:

The permittee shall not allow any person to discharge or cause to be discharged anything other than sanitary sewage to this collection, treatment and disposal system.

**SECTION E "MONITORING"**

E1. Water Usage:

Upon the re-opening of the Ski Area and/or associated facilities, the permittee shall determine and record water usage at the Maple Valley Ski Area on a daily basis while the facility is in use. The permittee shall submit daily water usage records, listing water used in gallons per day, to the Secretary quarterly, by the 15<sup>th</sup> of the following months: January, April, July, and October.

The permittee shall notify the Secretary in writing and within 5 days, if daily water usage exceeds 10,000 gpd for more than two consecutive days. The written notification shall include the dates and reason for excessive water use, if known.

Any use of the facilities at the Maple Valley Ski Area would constitute re-opening and trigger the reporting requirements listed above.

E2. Water Quality Monitoring:

No water quality monitoring of the system is required under this permit. However, the Secretary reserves the right to require monitoring of the system in accordance with Condition A(7) should operation of the system fail to meet the requirements of Sections D(1) and D(4).



**SECTION F "COMPLIANCE REVIEW"**

If the results of any inspection or monitoring indicate that a violation of the effluent disposal rate, or a violation of the Vermont Water Quality Standards, 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-9-0238, to Frank Mercede of MVS Associates, LLC, for the indirect discharge of treated domestic sewage from an existing subsurface disposal system serving the Maple Valley Ski Area, 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 G "EFFECTIVE DATE"**

This Indirect Discharge Permit, ID-9-0238, issued to Frank Mercede of MVS Associates, LLC for the discharge of treated domestic sewage from the Maple Valley Ski Area in West Dummerston, Vermont is effective on July 1, 2016.

Alyssa B. Schuren, Commissioner  
Department of Environmental Conservation

**DRAFT**

By: \_\_\_\_\_ Date: \_\_\_\_\_

George Desch, Acting Director  
Drinking Water and Groundwater Protection Division