



State of Vermont

AGENCY OF NATURAL RESOURCES
Department of Environmental Conservation
Drinking Water and Groundwater Protection Division
1 National Life Drive, Main 2
Montpelier, VT 05620-3521
(802) 585-4911

February 3, 2016

Stephen Reid
Fat Toad Farm, LLC
787 Kibbee Road
Brookfield, VT 05036

RE: Indirect Discharge Permit ID-9-0323

Dear Mr. Reid,

Enclosed is your final Indirect Discharge Permit which has been signed by the Director of the Drinking Water and Groundwater Protection Division for the Commissioner of the Department of Environmental Conservation. We did not receive any comments on the draft indirect discharge permit during the public comment period; therefore the final permit is essentially the same as the draft that we sent to you.

Please read the entire permit carefully and become familiar with all of its terms and conditions and feel free to call me at (802) 505-0972 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "BH", written in a cursive style.

Bryan Harrington
Indirect Discharge Permit Section

Enclosure: Indirect Discharge Permit ID-9-0323

CC: ID-9-0323 Permit file



AGENCY OF NATURAL RESOURCES
Department of Environmental Conservation
1 National Life Drive, Main 2
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**INDIRECT
DISCHARGE PERMIT**

Permit No.: ID-9-0323
PIN: BR08-0079

SECTION A – “ADMINISTRATION”

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

Fat Toad Farm, LLC
787 Kibbee Road
Brookfield, VT 05036

is authorized to discharge non-sewage, food processing wastewater from the manufacturing of caramel sauce from goats milk at the permittee’s facility in Brookfield, Vermont to manure pits located in Randolph and Braintree, Vermont. The wastewater will be generated from the cleaning of tanks and equipment. The resulting manure/ wastewater mixture will be managed in accordance with the Vermont Agency of Agriculture’s Accepted Agricultural Practices. This is a new indirect discharge permit.

A1. Permit Summary:

Expiration Date	December 31, 2020
Type of Waste	Non-Sewage Process Wastewater
Waste Generated	Approx. 48,000 gallons per year
Disposal System	Discharge of wastewater to manure pits and then managed in accordance with Accepted Agricultural Practices
Drainage Basin	White River
Total Manure Pit Capacity	1,496,461 gallons
Capacity Available for Non-Manure Wastes (10% of Total Pit Capacity)	149,646 gallons

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 # & Description</u>	<u>Schedule Date</u>
A3. Apply for renewal of Indirect Discharge Permit	September 30, 2020
D1. Perform wastewater sampling and analyses	Semi-Annually
D2. Submit disposal report	Quarterly
D3. Other monitoring	As required

A3. Expiration Date:

This permit, unless revoked or amended, shall be valid until December 31, 2020 despite any intervening change in the Vermont Water Quality Standards or the Vermont Guidelines for Land Application of Dairy Processing Wastes. Renewal of this Indirect Discharge Permit will be subject to all rules applicable at the time of application for renewal, including biological standards to determine significant alteration of aquatic biota.

The permittee shall apply for an Indirect Discharge Permit renewal by September 30, 2020. 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 the date of signature.

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 permittee 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 increase the frequency of monitoring or reporting in accordance with Condition D(3) of this permit.

A8. Indirect Discharge Rules:

This indirect discharge was reviewed and qualified for an Indirect Discharge Permit in accordance with the Vermont Water Quality Standards; Section 14-1902(c) of the Indirect Discharge Rules; and the Vermont Guidelines for Land Application of Dairy Processing Wastes.

A9. Right of the Agency to Inspect:

The permittee shall make arrangements to insure that the Secretary or the Secretary's authorized representatives, upon the presentation of their credentials and at reasonable times:

A9. Right of the Agency to Inspect (continued):

- a. To enter upon any field or inspect any manure pit being used as a disposal site;
- b. To enter upon permittee's premises in which any effluent source, treatment or storage system is located or in which any records are required to be kept under the conditions of the permit;
- c. To have access to and copy any records required to be kept under conditions of this permit;
- d. To inspect any monitoring equipment or method required in this permit;
- e. To sample any discharge of waste, groundwater or surface water; or
- f. To inspect any collection, treatment, pollution management or disposal facility 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 a food processing wastewater generated from the cleaning of tanks and equipment used in the manufacturing of caramel sauce from goats' milk at the permittee's address in Brookfield, Vermont. The wastewater will be collected in a 5,000 gallon in-ground storage tank before being transported from the facility by a commercial hauler and disposed of in one of the manure pits identified in Attachment A. The permittee anticipates generating approximately 4,000 gallons of wastewater per month, or roughly 48,000 gallons per year.

Based on analytical results of the wastewater from three sampling events, the wastewater is expected to have the following approximate concentrations:

Biochemical Oxygen Demand (BOD)	3,300 – 5,400 mg/L
Total Kjeldahl Nitrogen (TKN)	68 – 140 mg/L
Nitrate Nitrogen	< 0.4 mg/L
Total Phosphorus	140 – 160 mg/L
Chloride	220 – 280 mg/L
Sodium	380 – 470 mg/L
pH	4.80 – 4.90 S.U.

These are not permit limits and exceedences of these values may occur.

B2. Chemicals Used:

The permittee has submitted a description of the chemicals, including amounts used and the Material Data Safety Sheets, for the chemicals which will be used for cleaning tanks and equipment at the facility. These chemicals are typical cleaning and sanitizing agents used in the food processing industry and are the only chemicals which could potentially be found in the wastewater. Prior to making any changes in the chemicals used, the permittee shall submit a request for evaluation of the new chemicals to the Secretary. If the Secretary determines that the change in chemicals is a significant change, the permittee shall be required to apply for a permit amendment. Minor changes in chemicals used, as determined by the Secretary, will not require permit amendment. For those chemicals which are obtained from a different supplier or source and are identical to the chemicals listed in the application, the permittee shall notify the Secretary of the change and no evaluation will be necessary.

SECTION C - "SYSTEM OPERATION"

C1. General:

The wastewater shall be handled at all times in a manner that will (1) not permit the surface runoff of wastewater to waters of the State and (2) not result in a violation of the Vermont Water Quality Standards.

C2. Limits on Disposal:

This permit authorizes only the discharge of non-sewage process wastewater from the Fat Toad Farm in Brookfield, Vermont to the manure pits identified in Attachment A. The maximum disposal capacity is 149,646 gallons per calendar year for non-manure wastes. The resulting manure/wastewater mixture is to be managed in accordance with the Vermont Agency of Agriculture's Accepted Agricultural Practices.

SECTION D - "MONITORING"

D1. Monitoring Requirements:

Upon the effective date of this permit, the permittee shall sample and analyze the wastewater as follows:

<u>Parameter</u>	<u>Units</u>	<u>Sample Type</u>	<u>Sample Frequency</u>
Sodium (Na+)	mg/L	grab	Semi-annual
Chloride (Cl-)	mg/L	grab	Semi-annual
Total Phosphorus	mg/L	grab	Semi-annual
Potassium (K)	mg/L	grab	Semi-annual
Total Kjeldahl Nitrogen (TKN)	mg/L	grab	Semi-annual
Total Nitrogen	mg/L	grab	Semi-annual
pH	S.U.	grab	Semi-annual

Semi-annual periods are January - June and July - December. If any disposal of wastewater occurs in a semi-annual period, a sample is required to be collected and analyzed. Samples shall be taken from the holding tank after agitation of the contents of the tank.

D1. Monitoring Requirements (continued):

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

The laboratory utilized for analyzing the samples shall demonstrate successful performance for U.S. EPA check samples for all parameters and shall analyze any check samples provided by the Secretary. Failure to obtain an acceptable result for either the Secretary or EPA check samples may be a basis for requiring an alternate analytical laboratory.

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 pits 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 Water Quality Monitoring:

No other water quality monitoring of the system is required under this permit. However, the Secretary reserves the right to require additional monitoring of the system in accordance with Condition A(9) should operation of the system fail to meet the requirements of Sections C(1) and C(2).

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 groundwater and/or surface water. If continued monitoring and analysis indicates that a violation of the wastewater 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 Indirect Discharge Permit, ID-9-0323, to Fat Toad Farm, LLC by the Secretary relies upon the data, design, judgment 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 applicants and no warranties or guarantees are given or implied.

SECTION F - "EFFECTIVE DATE"

This Indirect Discharge Permit, ID-9-0323, issued to Fat Toad Farm, LLC for the discharge of non-sewage process wastewater from the Fat Toad Farm in Brookfield, Vermont to the manure pits listed in Attachment A, is effective on this 3rd day of February, 2016.

Alyssa B. Schuren, Commissioner
Department of Environmental Conservation
VT Agency of Natural Resources

By:

A handwritten signature in blue ink that reads "Christine Thompson". The signature is written in a cursive, flowing style.

Christine Thompson, Director
Drinking Water and Groundwater Protection Division

ATTACHMENT A

Fat Toad Farm, LLC

List of Approved Manure Pits for Disposal of Non-Sewage Wastewater
February, 2016

Farm	Location	Manure Pit Capacity¹	Capacity Available for Non-Manure Wastes²
Pinello Farm	1759 South Randolph Road, Randolph Center	952,599 gallons	95,260 gallons/year
Boudro Farm	1060 Boudro Road, Randolph Center	177,737 gallons	17,774 gallons/year
Gifford Farm	1697 VT Route 14 S, Randolph Center	179,150 gallons	17,915 gallons/year
Illsley Farm	3897 VT Route 12, Braintree	186,975 gallons	18,698 gallons/year

Notes:

- 1: Based on information provided by the Natural Resources Conservation Service or the Vermont Agency of Agriculture.
- 2: Based on 10% of the manure pit capacity in accordance with the Vermont Guidelines for Land Application of Dairy Processing Wastes.