



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

## PUBLIC NOTICE

### DRAFT Indirect Discharge Permit Amendment ID-9-0052-2

**PUBLIC COMMENT PERIOD:** March 7, 2018 – March 16, 2018

#### PERMITTEE INFORMATION

PERMITTEE NAME: Ben & Jerry's Homemade, Inc.  
PERMITTEE ADDRESS: 900 Industrial Park Road  
St. Albans, VT 05478

PERMIT NUMBER: ID-9-0052-2  
PIN: WY98-0006

#### DISCHARGE INFORMATION

TYPE OF WASTE: Dairy Processing Wastewater  
DISPOSAL LOCATIONS: Franklin and Randolph, Vermont  
DRAINAGE BASINS: Pike and White Rivers  
PERMIT EXPIRATION DATE: March 31, 2019

#### DESCRIPTION:

This is a proposed amendment to indirect discharge permit ID-9-0052-1 which the Department of Environmental Conservation proposes to issue to Ben & Jerry's Homemade, Inc. to add the Vermont Technical College digester to the list of approved disposal locations for the permittee's dairy processing wastewater as a conditional approval of up to 851,000 gallons per year (an average of 16,365 gallons per week), and to increase the disposal limit to the Riverview Farm digester in Franklin, Vermont from 7,000 gallons to 14,000 gallons per week. The amendment also removes disposal by land application from the permit. No other substantive changes have been made to the indirect discharge permit.

[OVER]



**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 10 V.S.A. Chapter 47 will be met.

**FURTHER INFORMATION**

The complete application, draft permit, and other information are on file and may be inspected at the VANR office in Montpelier, Vermont. The draft permit may be viewed and downloaded from our website at <http://dec.vermont.gov/water/public-notices/draft-permits>. Copies may also be obtained by calling (802) 477-3312 from 8:00 a.m. to 4:00 p.m., Monday - Friday.

**PUBLIC COMMENTS/PUBLIC HEARINGS**

Public comments to the proposed permit are invited and should be submitted in writing by **4:30 p.m. March 16, 2018** to the Agency of Natural Resources, Department of Environmental Conservation, 1 National Life Drive - Main 2, Montpelier, VT 05620-3521. Any person, prior to such date, may submit a request in writing to this office for an informal public hearing to consider the proposed permit. A hearing will be held only if response to this notice indicates significant public interest. The permit number (**ID-9-0052-2**) should appear next to the VANR address on the envelope and on the first page of any submitted comments. All comments received by the above date will be considered in formulation of the final determinations.

Comments may also be submitted by e-mail to [ANR.DWGWPDraftPermitComments@vermont.gov](mailto:ANR.DWGWPDraftPermitComments@vermont.gov). Be sure to include the permit number, **ID-9-0052-2**, in the subject line of the e-mail message and submit the comments by **4:30 p.m. March 16, 2018**.

**FINAL/ACTION APPEAL**

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 attach the applicable filing fee to the Notice of Appeal, made payable to the State of Vermont.

The Notice of Appeal must specify the parties making 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 online at [www.vermontjudiciary.org](http://www.vermontjudiciary.org). The address for the Court is Vermont Superior Court – Environmental Division, 32 Cherry Street, Suite 303, Burlington, VT 05401 (Tel. # 802-951-1740).

Commissioner  
Department of Environmental Conservation