

**AGENCY OF NATURAL RESOURCES  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
1 NATIONAL LIFE DRIVE, MAIN 2  
MONTPELIER, VT 05620-3521**

**DRAFT INDIRECT  
DISCHARGE PERMIT**

Permit No.: ID-9-0067  
PIN: BR97-0158

**SECTION A - "ADMINISTRATION"**

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

Avery Inns of Vermont, Inc.  
P. O. Box 326  
Fairlee, Vermont 05045

is authorized to discharge treated domestic sewage from an existing subsurface disposal system serving the restaurant/conference center, golf course clubhouse and existing rooms except 21 guest rooms (on a separate system) at Lake Morey Inn in Fairlee, Vermont, to groundwater and indirectly to the Connecticut River. **This is a permit renewal.**

A1. Permit Summary:

Expiration Date	December 31, 2022
Type of Waste	Domestic Sewage
Treatment System	Septic Tanks
Disposal System	Leachfields
Drainage Basin	Upper Connecticut River
Receiving Water	Connecticut River
Drainage Area	>2,825 square miles
Stream Flow:	
Low Median Monthly Flow	>1,000 million gallons per day
Present Theoretical Building	
Sewage Demand	62,625 gallons per day
Disposal Capacity	20,000 gallons per day

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	September 30, 2022
D2(A). Have a Vermont Registered Professional Engineer complete an inspection of sewage collection, treatment and disposal system.	Annually in April
D2(B). Submit Annual Inspection Report	Annually by July 1st
D2(C). Submit schedule for implementing Engineer's recommendations	Annually by August 1st
D3. Notify Secretary of pumping of tanks and septage disposal	As specified
E1. Collect and analyze effluent samples	February and September
E2. Measure and record the depth of ponding	Monthly
E3. Record meter readings	As Specified
E1, E2, E3. Submit results of sampling and measurements	By the 15th of the second month following date of sampling or measurement

A3. Expiration Date:

This permit, unless revoked, or amended shall be valid until December 31, 2022 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 should apply for an Indirect Discharge Permit renewal by September 30, 2022 for continued authorization to discharge treated sewage. 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 January 1, 2018.

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.

A6. Transfer of Permit (continued):

- 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 Permit:

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(6) of this permit.

A8. Indirect Discharge Rules:

This permit authorizes an existing indirect discharge.

This indirect discharge was reviewed and qualified for an Indirect Discharge Permit in accordance with Section 14-403 (a) of the Indirect Discharge Rules for existing indirect discharges of sewage. No increase in sewage volume is allowed without the written approval of the Secretary.

A9. Right of the Agency 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 Upper Connecticut River drainage basin in the Town of Fairlee, Vermont. The indirect discharge can be located on the USGS Fairlee, VT - NH 7.5' quadrangle map at Latitude N 43°54'30" and Longitude W 72°09'25".

B2. Nature of Indirect Discharge:

According to the approved designs for the wastewater system, the wastewater is collected and treated in two 10,000 gallon septic tanks (in series) then pumped to the leachfield disposal area. The disposal area consists of two leachbeds with an approved disposal capacity of 20,000 gallons per day.

The permittee has constructed four new 5,000 gallon per day disposal fields to alternate with the existing bed leachfields. The new fields are trench leachfields with pressure distribution. The new leachfields are operated in pairs with fields A & C receiving the discharge during the first cycle and fields B & D receiving the discharge during the second cycle. A new pump station and emergency storage was added in the form of an external storage tank with a 5,000 gallon capacity.

**SECTION C "SYSTEM APPROVALS"**

C1. Previous Approvals:

The following plans were prepared by William H. Baumann, P.E., of Dubois and King, Inc.:

- a. Sheet 1 of 2, entitled "Lake Morey Inn Subsurface Disposal System, Site Plan", dated April 7, 1978, last revised April, 1978; and
- b. Sheet 2 of 2, entitled "Lake Morey Inn Subsurface Disposal System, Details", dated April 7, 1978, last revised April, 1978.

The system was approved to be constructed according to these plans.

C2. New Leachfields:

The four new 5,000 gpd trench leachfields were constructed in accordance with the following As-Built plans and specifications prepared by John Benson, P.E. of DuBois & King, Inc.:

Sheet 1 of 5 entitled "Lake Morey Inn, Fairlee, Vermont - Wastewater Disposal System Layout Plan" dated September 2005, revised September 7, 2012;

Sheet 2 of 4 entitled "Lake Morey Inn, Fairlee, Vermont - Wastewater Disposal System - Force Main Profile" dated September 2005, revised September 7, 2012;

Sheet 3 of 5 entitled "Lake Morey Inn, Fairlee, Vermont - Wastewater Disposal System - Leach Field Layout Details" dated September 2005;

C2. New Leachfields (continued):

Sheet 4 of 5 entitled "Lake Morey Inn, Fairlee, Vermont - Wastewater Disposal System - Details" dated September 2005; and

Sheet 5 of 5 entitled "Lake Morey Inn, Fairlee, Vermont - Wastewater Disposal System – Pump Station Replacement" dated September 2005, revised September 7, 2012; and

The document entitled "Lake Morey Inn Alternate Wastewater Disposal Fields Technical Specifications" dated September 2005.

**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 20,000 gallons per day except as may occur on an occasional basis during normal operation.

D2. Annual Inspection, Report and Implementation Schedule:

(A) Annual Inspection:

Annually during the month of April, the permittee shall engage a Vermont Registered Professional Engineer to make a thorough inspection, evaluation, and report of the complete sewage collection, treatment and disposal system. The engineer's inspection shall include, but not be limited to the following:

1. inspecting the entire collection system, removing manhole covers to observe the condition of the sewers and manholes, and noting any signs of inflow or excess infiltration;
2. verifying the proper operation of system components, including the dosing station pumps, alarms, and controls, the distribution boxes, and the electronically operated plug valves for the alternate disposal fields;

D2. Annual Inspection, Report and Implementation Schedule (continued):

3. evaluating the accumulation of solids and scum in the septic tanks and grease traps and determining if the septic tanks should be pumped out that year;
4. evaluating the effluent levels in the shallow, in field observation wells and the daily wastewater volume for the past year;
5. verifying the accuracy of the method to determine the wastewater volume applied to the disposal fields; and
6. noting any necessary repairs or maintenance that needs to be performed on the sewage collection, treatment, and disposal system.

(B) Annual Inspection Report:

By July 1st each year, 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 depths of sludge and scum in each septic tank; and
3. a discussion of the recommended repairs and maintenance required.

(C) Implementation Schedule:

By August 1st each year, the permittee shall notify the Secretary in writing stating how the engineer's recommendations were or are to be implemented, including a schedule for the required repair and maintenance items which have not yet been completed.

D3. 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. The permittee shall notify the Secretary in writing of the name and address of the pumper and the municipal sewage treatment facility or other facility approved by the Secretary where the septage was or is to be disposed.



D4. 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.

D5. 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.

D6. 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. Effluent Monitoring:

The effluent from the septic tanks shall be sampled at the pump station to the disposal fields and analyzed for the following parameters:

<u>Parameter</u>	<u>Units</u>	<u>Sample Types</u>	<u>Sample Frequency</u>
Biochemical Oxygen Demand (5-day)	mg/L	grab	Twice per year, February & September
Total Suspended Solids	mg/L	grab	Twice per year, February & September

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

E2. Observation Wells:

The depth of ponding in the in-field observation wells shall be measured and recorded monthly for the disposal fields in use.

The results of these measurements shall be submitted to the Secretary by the 15th day of the second month following the month of measurement.

E3. Wastewater Volume / Plug Valve Counter Readings:

The permittee shall record the wastewater volume applied to the disposal fields weekly. The total weekly wastewater volume and the times the readings were taken shall be submitted to the Secretary by the 15th day of the second month following the month of measurement. When the Inn has an occupancy equal to or exceeding 90%, daily volume readings shall be recorded.

The permittee shall also record the counter readings for the plug valves weekly for each leachfield and report the date of the counter readings and the readings themselves to the Secretary by the 15th day of the second month following the month of measurement.

E4. Sampling and Testing Procedures:

All wastewater sampling, preservation, handling and test procedures used to comply with the monitoring requirements herein shall conform to procedures specified in the most current edition of Standard Methods for the Examination of Water and Wastewater APHA - AWWA - WPCF, and the Vermont Water Quality Standards unless written approval of an alternate method is received from the Agency.

The laboratory utilized for analyzing the samples shall demonstrate successful participation in third party proficiency testing recognized by ISO or NELAP for all parameters and shall analyze any check sample provided by the Secretary. Failure to obtain an acceptable result for either the Secretary's check sample or successful third party proficiency testing may be a basis for requiring an alternate analytical laboratory.

E5. Miscellaneous:

If the permittee monitors any required parameter set forth in this permit for this treatment and disposal system more frequently or at additional locations outside the treatment facility than required by this permit, the results of such monitoring shall be submitted to the Secretary.

E5. Miscellaneous (continued):

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Secretary. Records shall include laboratory bench sheets showing exact location, time and composites of sample as well as analytical procedures used, interim results obtained and all calculations supporting the reported test results.

E6. Monitoring Requirements:

No other 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-9-0067, to Avery Inns of Vermont, Inc., 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-9-0067, issued to Avery Inns of Vermont, Inc., for the discharge of treated domestic sewage from the Lake Morey Inn located in Fairlee, Vermont is effective on January 1, 2018.

Emily Boedecker, Commissioner  
Department of Environmental Conservation

By: \_\_\_\_\_ **DRAFT** \_\_\_\_\_  
Bryan Redmond, Director  
Drinking Water and Groundwater Protection Division