

AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DRINKING WATER AND GROUNDWATER PROTECTION DIVISION
ONE NATIONAL LIFE DRIVE - MAIN 2
MONTPELIER, VERMONT 05620-3521

GENERAL PERMIT FOR
EXISTING INDIRECT DISCHARGES OF SEWAGE

Permit Number: ID-9-9001

SECTION I. COVERAGE UNDER THIS PERMIT

This GENERAL PERMIT covers *Existing Indirect Discharges of Sewage* that meet the criteria identified in **Section II. A.** In accordance with the Indirect Discharge Rules, effective April 30, 2003, an *Existing Indirect Discharge of Sewage* means an indirect discharge of sewage with a design flow of 6,500 gallons per day or more that existed on or before May 17, 1986.

This GENERAL PERMIT is issued in accordance with 10 V.S.A. §§ 1259 and 1263, and the Indirect Discharge Rules (Environmental Protection Rules, Chapter 14).

SECTION II. APPLICATION REQUIREMENTS

A. Criteria

To obtain coverage under this GENERAL PERMIT FOR EXISTING INDIRECT DISCHARGES OF SEWAGE (GENERAL PERMIT) all the following criteria must be met:

- (1) The applicant must hold a current indirect discharge permit unless this requirement has been waived by the Secretary;
- (2) The applicant is in compliance with all terms and conditions of the current indirect discharge permit;
- (3) The indirect discharge collection, treatment and disposal system must have a design capacity of 15,000 gallons per day or less;
- (4) The indirect discharge must be an *Existing Indirect Discharge of Sewage* as defined above;

- (5) The indirect discharge collection, treatment and disposal system must be currently operating in a manner that:
- (a) does not permit the discharge of sewage onto the surface of the ground;
 - (b) does not result in the surfacing of sewage;
 - (c) does not result in the direct discharge of sewage into the waters of the State; and
 - (d) does not cause a violation of the Vermont Water Quality Standards in the receiving waters.
- (6) A certified operator is not required to operate the system.

B. Application for Coverage

Any person who wishes to obtain authorization for an *Existing Indirect Discharge of Sewage* under this GENERAL PERMIT shall file a Notice of Intent Application (NOI) on a form provided by the Secretary and shall submit a copy of an Annual Inspection Report completed within the past 365 days by a professional engineer registered in Vermont, unless the inspection report has already been submitted to the Secretary.

The completed and signed NOI, the annual inspection report and the administrative processing fee identified in 3 V.S.A. § 2822(j)(2) shall be submitted to the following address:

Vermont Department of Environmental Conservation
Drinking Water and Groundwater Protection Division
Indirect Discharge Program
One National Life Drive – Main 2
Montpelier, Vermont 05620-3521

C. Requiring an Individual Permit

The Secretary may require an applicant who has filed an NOI requesting authorization to discharge under this GENERAL PERMIT to apply for an individual permit instead if:

- (1) The applicant's indirect discharge does not qualify for coverage under this GENERAL PERMIT pursuant to Section II.A;
- (2) The applicant is required to apply for an individual permit in accordance with §14-606 of the Indirect Discharge Rules, effective April 30, 2003; or
- (3) The applicant is required to apply for an Individual permit due to failure of the disposal system in accordance with Section IV.C of this GENERAL PERMIT.

D. Coverage Under Existing Individual Permit

A permittee who is authorized to discharge under an individual indirect discharge permit is not required to obtain coverage under this GENERAL PERMIT.

E. Failure to Obtain Coverage

Any person who fails to obtain authorization to discharge under this GENERAL PERMIT or who fails to obtain authorization to discharge under an individual indirect discharge permit, and thus discharges without a permit, is in violation of 10 V.S.A. Chapter 47.

SECTION III. OPERATIONAL REQUIREMENTS**A. General Operating Requirements**

The collection, treatment and disposal system shall be operated at all times in a manner that will:

- (1) not permit the discharge of wastewater onto the surface of the ground;
- (2) not result in the surfacing of wastewater;
- (3) not result in the direct discharge of wastewater into the waters of the State; and
- (4) not result in a violation of the Vermont Water Quality Standards.

B. Annual Inspection

Annually during the month of April, the permittee shall retain a Vermont registered professional engineer to thoroughly inspect and evaluate the collection, treatment and disposal system and to prepare a report on the inspection. For collection, treatment and disposal systems which operate only seasonally (e.g. campgrounds, children's camps), the annual inspection shall be conducted during the month of June.

The engineer's inspection shall include, at a minimum, 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 excessive infiltration;
- (2) evaluating the accumulation of solids and scum in all the septic tanks and determining if the tanks should be pumped out that year unless the septic tanks are pumped annually;
- (3) checking the proper operation of all pumps, alarms and controls in all pump stations and/or siphons (if applicable);

- (4) verifying that there is proper flow distribution through distribution boxes or similar devices (if applicable);
- (5) walking the disposal field areas, noting the general condition of the areas and checking for any evidence of surfacing effluent or other signs of failure; and
- (6) noting any necessary repairs or maintenance that needs to be performed.

C. Annual Inspection Report

By July 1st each year (August 1st for seasonally operated systems), the permittee shall have a Vermont registered professional engineer submit an annual report to the Secretary which includes 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 (if applicable) and
- (3) a discussion of the recommended repairs and maintenance required

D. Implementation Schedule

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

E. Septage Disposal

During the system's annual inspection, the sludge and scum depths shall be measured in all septic tanks (if applicable). 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 septic tank pumper and the municipal sewage treatment facility, or other facility approved by the Secretary, where the septage was or is to be disposed.

F. Reporting of Failures

The permittee shall immediately report any failure of the collection, treatment and disposal system to the Secretary, first by telephone within 24 hours of the failure and then in writing within five (5) days of the failure. A failed system is a system that is functioning in a manner:

- (1) that allows wastewater to be exposed to the open air, pool on the surface of the ground, discharge directly to surface water, or back up into a building or structure;
- (2) that results in a potable water supply being contaminated and rendered not potable; or
- (3) that presents a threat to human health.

The written notice shall include a discussion of the actions taken or to be taken to correct the failure.

G. Discharge Restrictions

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

H. System Operation and Maintenance

The collection, treatment and disposal system shall be operated and maintained at all times in compliance with this permit 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.

I. Operating Fees

The collection, treatment and disposal system is subject to operating fees unless the system serves a public school. The permittee shall submit operating fees in accordance with procedures provided by the Secretary.

SECTION IV. GENERAL REQUIREMENTS**A. Right of 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:

- (1) To enter upon the permittee's premises where any collection, treatment or disposal system is located, or in which any records are required to be kept under the conditions of the permit;

- (2) To have access to and copy any records required to be kept under conditions of this permit;
- (3) To sample any discharge of wastewater, groundwater or surface water; and
- (4) To inspect any collection, treatment, pollution management or disposal system required by this permit.

B. Minor Modifications to System

Minor modifications of the collection, treatment and disposal system covered under this General Permit which do not reduce the treatment effectiveness or increase the disposal capacity of the approved treatment and disposal system may be approved in writing by the Secretary without an Individual Indirect Discharge Permit application. 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.

C. Replacement of Failed System

In the event the wastewater disposal system fails, the permittee shall apply for an individual Indirect Discharge Permit for the replacement disposal system that meets the requirements of the Indirect Discharge Rules. The engineering plans must be reviewed and approved by the Secretary before any construction occurs.

D. Revocation

The Secretary may revoke an authorization to discharge under this GENERAL PERMIT in accordance with §14-606 of the Indirect Discharge Rules, effective April 30, 2003.

E. Effective Date

This GENERAL PERMIT shall become effective on January 1, 2019.

F. Appeal

This 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.

G. Expiration Date

This GENERAL PERMIT shall expire on December 31, 2023.

Emily Boedecker, Commissioner
Department of Environmental Conservation

By: Mary Clark
Mary Clark, Program Manager
Indirect Discharge Program

Date: Nov. 14, 2018