



**Vermont Department of Environmental Conservation
Drinking Water and Groundwater Protection Division**

One National Life Drive - Main 2
Montpelier, VT 05620-3521

www.vermontdrinkingwater.org

Agency of Natural Resources

July 16, 2020

RE: Change in Regulatory Authority for Disposal of Food Processing Wastes

Dear Permittee,

The purpose of this letter is to notify you that there has been a change in the regulatory authority for the disposal of food processing wastes that your facility generates. On July 1, 2020, Governor Phil Scott signed H.656 into law which includes provisions that give the Secretary of the Vermont Agency of Agriculture the authority to regulate substrates such as food processing wastes which are imported to a farm for disposal to a manure pit or as input into an anaerobic digester. Since food processing wastes discharged to a manure pit or used as input in an anaerobic digester are ultimately spread on farm fields by the farm, the Vermont Agency of Agriculture, Food and Markets (AAFM) is the appropriate regulatory authority for this type of activity. As a result, the Indirect Discharge Program is discontinuing the regulation of these discharges. The Program will continue to issue permits and regulate food processing wastes that are land applied by the generators of the wastes. H.656 became effective on July 1, 2020.

To understand what is now required in H.656 to discharge food processing wastes to a manure pit or for use as an input in a methane digester located on a farm, you should contact either Ryan Patch at (802) 272-0323 or ryan.patch@vermont.gov or Maria Steyaart at (802) 477-2517 or maria.steyaart@vermont.gov at AAFM. H.656 requires a person transporting or arranging for the transport of non-sewage waste to a farm for discharge to a manure pit or for use as an input in a methane digester to report to the AAFM Secretary. In the next few weeks, AAFM will be working on what the reporting form will look like but at a minimum it will include: the composition of the material transported, including the source of the material; and the volume of the material transported.

With regard to your indirect discharge permit, you may either request voluntary revocation of your permit or simply let it expire. No annual operating fees will be charged if you just let the permit expire. Monthly disposal reports and sampling of the process waste will no longer be required by the Indirect Discharge Program. However, sampling and reporting may still be required by AAFM.

Please be advised that installation of a new process wastewater holding tank or modification of an existing holding tank at your facility after July 1, 2020 may require a Wastewater System and Potable Water Supply Permit.

Please contact me at (802) 505-0972 or bryan.harrington@vermont.gov if you have any questions regarding revocation of your indirect discharge permit.

Sincerely,

A handwritten signature in black ink, appearing to be 'BH' with a stylized flourish.

Bryan Harrington, Supervisor
Indirect Discharge and Underground Injection Control Programs

CC: Maria Steyaart, AAFM
Ryan Patch, AAFM