

AGENCY OF NATURAL RESOURCES  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
WATERSHED MANAGEMENT DIVISION  
ONE NATIONAL LIFE DRIVE, MAIN BUILDING, 2<sup>ND</sup> FLOOR  
MONTPELIER, VT 05620-3522

FACT SHEET  
(July 2016)

**DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT  
TO DISCHARGE TO WATERS OF THE UNITED STATES**

**PERMIT NO:** 3-1111  
**PIN:** SJ96-0264  
**NPDES NO:** VT0100595

**NAME AND ADDRESS OF APPLICANT:**

Town of Lyndon  
P.O. Box 167  
Lyndonville, VT 05851

**NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:**

Lyndon Wastewater Treatment Facility  
217 Rose Lane  
Lyndonville, Vermont

**RECEIVING WATER:** Passumpsic River

**CLASSIFICATION:** Class B with a waste management zone. Class B waters are suitable for swimming and other forms of water-based recreation, and irrigation of crops and other agricultural uses without treatment; good aesthetic value; aquatic biota and wildlife sustained by high quality aquatic habitat; suitable for boating, fishing, and other recreational uses; acceptable for public water supply with filtration and disinfection. A waste management zone is a specific reach of Class B waters designated by a permit to accept the discharge of properly treated wastes that prior to treatment contained organisms pathogenic to human beings.

I. Proposed Action, Type of Facility, and Discharge Location

The Vermont Agency of Natural Resources (Agency) received a renewal application for the permit to discharge into the designated receiving water from the above-named applicant on December 29, 2011. At this time the Agency has made a tentative decision to reissue the discharge permit. The facility is engaged in the treatment of municipal wastewater. The discharge is from the outfall of the Lyndon Wastewater Treatment Facility to the Passumpsic River.

## II. Description of Discharge

A quantitative description of the discharge in terms of significant effluent parameters is based on state and federal laws and regulations, the discharge permit application, and the recent self-monitoring data.

## III. Limitations and Conditions

The effluent limitations of the permit, the monitoring requirements, and any implementation schedule (if required), may be found on the following pages of the permit:

Effluent Limitations:           Page 2  
Monitoring Requirements:   Pages 6 and 7

## IV. Receiving Water

The receiving water for this discharge is the Passumpsic River, a designated Cold Water Fish Habitat. At the point of discharge, the river has a contributing drainage area of 198 square miles. The summer 7Q10 flow of the river is 38.89 cubic feet per second (CFS) and the summer Low Median Monthly flow is 110.37 CFS. The instream waste concentration at the summer 7Q10 flow is 0.029 and the instream waste concentration at the summer Low Median Monthly flow is 0.010.

## V. Permit Basis and Explanation of Effluent Limitation Derivation

### ***History and Summary:***

The Town of Lyndon owns and operates the Lyndon Wastewater Treatment Facility. The original extended aeration activated sludge system was constructed in 1977; the extended aeration basins were upgraded to activated sludge basins with anoxic selectors in 2012. The treated water is chlorinated for disinfection followed by dechlorination prior to being discharged to the Passumpsic River.

**Flow** - The effluent flow limitation remains at 0.75 MGD, annual average, based on the facility's design flow. The facility maintains a continuous discharge.

**Biochemical Oxygen Demand (BOD<sub>5</sub>)** – The effluent limitations for BOD<sub>5</sub> remain unchanged from the current permit. The monthly average (30 mg/L) and weekly average (45 mg/L) reflect the minimum level of effluent quality specified for secondary treatment in 40 CFR Part 133.102. In addition, the permit contains a 50 mg/L, maximum day, BOD<sub>5</sub> limitation. This is the Agency standard applied to all such discharges pursuant to 13.4 c. of the Vermont Water Pollution Control Permit Regulations. The Agency implements the limit to supplement the federal technology-based limitations to prevent a gross one-day permit effluent violation to be offset by multiple weekly and monthly sampling events which would enable a discharger to comply with the weekly average and monthly average permit limitations. Mass limits (188 lbs/day, monthly average and 281 lbs/day, weekly average) are derived by multiplying the concentration limits by the permitted flow. The BOD<sub>5</sub> monthly monitoring requirement is unchanged from the current permit.

**Total Suspended Solids (TSS)** - The effluent limitations for TSS remain unchanged from the current permit. The monthly average (30 mg/L) and weekly average (45 mg/L) reflect the

minimum level of effluent quality specified for secondary treatment in 40 CFR Part 133.102. In addition, the draft permit contains a 50 mg/L, maximum day, TSS limitation. This is the Agency standard applied to all such discharges pursuant to 13.4 c. of the Vermont Water Pollution Control Permit Regulations. The Agency implements the limit to supplement the federal technology based limitations to prevent a gross one-day permit effluent violation to be offset by multiple weekly and monthly sampling events which would enable a discharger to comply with the weekly average and monthly average permit limitations. Mass limits (188 lbs/day, monthly and 281 lbs/day, weekly average) are derived by multiplying the concentration limits by the permitted flow. The TSS monthly monitoring requirements are unchanged from the current permit.

**Total Phosphorus (TP)** – Numeric water quality criteria for phosphorus were adopted in the revised Vermont Water Quality Standards (effective October 30, 2014); for future permit reissuance, the criteria will be used to determine the potential of discharges to cause or contribute to eutrophication and/or to adversely impact the aquatic biota downstream of the discharge. The Agency is including *monitory only* requirements in discharge permits for discharges of TP. The Permittee shall monitor the discharge for TP once per month to be consistent with wastewater treatment facilities of similar size in Vermont.

**Total Nitrogen (TN)** – On November 10, 2011, a letter from the EPA (Region I) to the Vermont Agency of Natural Resources indicated that Vermont must establish TN limitations in permits such that the TN load from all facilities in the Connecticut River watershed is consistent with the requirements of the Long Island Sound Total Maximum Daily Load (TMDL).

Section I.B in this permit requires the Permittee have a qualified consultant develop and submit a Nitrogen Removal Optimization Plan by December 31, 2016. The plan shall be provided to the Agency before implementation. Additionally, an annual report will be due to the Agency documenting the pounds of TN discharged as well as removal optimization and efficiencies; the first annual report shall be submitted by January 15, 2018, as an attachment to the December 2017 DMR WR-43 report. Finally, this Condition contains as clause that allows the Agency to reopen the permit to include a wasteload allocation for this facility based on the LIS TMDL.

TN is a calculated value based on Total Kjeldahl Nitrogen (TKN) and Nitrate/Nitrite (NO<sub>x</sub>) Nitrogen. Monthly monitoring will be required for TKN and NO<sub>x</sub>. The sum of TKN and NO<sub>x</sub> shall be used to derive TN.

**Settleable Solids** - The limitation of 1.0 mL/L instantaneous maximum and daily monitoring remain unchanged from the current permit. This numeric limit was established in support of the narrative standard in Section 3-01 B.5 of the Vermont Water Quality Standards.

***Escherichia coli*** - The *E. coli* limitation is 77 colonies/100 mL as specified in Section 3-04 B.3, Vermont Water Quality Standards. Monthly monitoring remains the same as in the current permit.

**Total Residual Chlorine** – The Total Residual Chlorine limit of 0.1 mg/L is based on meeting the instream water quality acute and chronic chlorine criteria (0.019 mg/L and 0.011 mg/L respectively) in the Vermont Water Quality Standards, effective February 9, 2006, for the protection of aquatic biota. Daily monitoring is unchanged from the current permit.

**pH** - The pH limitation remains at 6.5 - 8.5 Standard Units as specified in Section 3-01 B.9 in the Vermont Water Quality Standards. Monitoring remains at daily.

**Whole Effluent Toxicity (WET) Testing** - 40 CFR Part 122.44(d)(1) requires the Agency to assess whether the discharge causes, or has the reasonable potential to cause or contribute to an excursion above any narrative or numeric water quality criteria. The goal of the Vermont Toxic Discharge Control Strategy is to assure that the state water quality standards and receiving water classification criteria are maintained. The draft permit includes a requirement to conduct a two-species WET test in August or September of 2018. If the results of this test indicate a reasonable potential to cause an instream toxic impact, the Department may require additional WET testing, establish a WET limit, or require a Toxicity Reduction Evaluation.

**Waste Management Zone** - As defined under 10 V.S.A. §1251(16), a waste management zone is “a specific reach of Class B waters designated by a permit to accept the discharge of properly treated wastes that prior to treatment contained organisms pathogenic to human beings. Throughout the receiving waters, water quality criteria must be achieved but increased health risks exist due to the authorized discharge”.

The draft permit retains the existing waste management zone that extends downstream from the outfall for approximately 1 mile in the Passumpsic River.

**Operation, Management, and Emergency Response Plans** - As required by the revisions to 10 V.S.A. Section 1278, promulgated in the 2006 legislative session, Condition I.I has been included in the proposed permit. This condition requires that the Permittee implement the Operation, Management and Emergency Response Plans for the wastewater treatment facility, sewage pump/ejector stations, and stream crossings as approved by the Agency on December 12, 2008. This condition also requires the Permittee to develop and implement an Operation, Management and Emergency Response Plan for the collection system.

**Electric Power Failure** - Within 30 days of the effective date of the permit, the Permittee must submit to the Agency updated documentation addressing how the discharge will be handled in the event of an electric power outage. The effluent must receive a minimum of primary treatment (or in the case of ultraviolet light disinfection systems, not less than secondary treatment) plus disinfection and dechlorination.

**Noncompliance Notification** – As required by the passage of 10 V.S.A. §1295, promulgated in the 2016 legislative session, Section II.A.2 has been included in the proposed permit. This condition requires the Permittee to provide public notification of untreated discharges from wastewater facilities. The Permittee is required to post a public alert within one hour of discovery, and submit to the Agency specified information regarding the discharge within 12 hours of discovery.

## VI. Procedures for Formulation of Final Determinations

The public comment period for receiving comments on this draft permit is from **August 1 through September 1, 2016** during which time interested persons may submit their written views on the draft permit. All written comments received by 4:30 PM on **September 1, 2016** will be retained by the Agency and considered in the formulation of the final determination to issue, deny

or modify the draft permit. The period of comment may be extended at the discretion of the Agency.

Written comments should be sent to:

Agency of Natural Resources  
Department of Environmental Conservation  
Watershed Management Division  
One National Life Drive, Main Building, 2<sup>nd</sup> Floor  
Montpelier, VT 05620-3522

Comments may also be faxed to: 802-828-1544 or submitted by e-mail using the e-mail comment provisions included at <http://www.watershedmanagement.vt.gov/>

Any interested person or groups of persons may request or petition for a public hearing with respect to this draft permit. Any such request or petition for a public hearing shall be filed within the public comment period described above and shall indicate the interest of the party filing such request and the reasons why a hearing is warranted.

The Agency will hold a hearing if there is significant public interest in holding such a hearing. Any public hearing brought in response to such a request or petition will be held in the geographical area of the proposed discharge or other appropriate area, at the discretion of the Agency and may, as appropriate, consider related groups of draft permits. Any person may submit oral or written statements and data concerning the draft permit at the public hearing. The Agency may establish reasonable limits on the time allowed for oral statements and may require the submission of statements in writing. All statements, comments, and data presented at the public hearing will be retained by the Agency and considered in the formulation of the final determination to issue, deny, or modify the draft permit.

The complete application, draft permit, and other information are on file and may be inspected by appointment on the 2<sup>nd</sup> floor of the Main Building at One National Life Drive, Montpelier, Vermont. Copies may be obtained by calling 802-828-1535 from 7:45 AM to 4:30 PM Monday through Friday, and will be made at a cost based upon the current Secretary of State Official Fee Schedule for Copying Public Records. The draft permit and fact sheet may also be viewed on the Watershed Management Division's website at <http://www.watershedmanagement.vt.gov/>