

August 29, 2007

Subject: Operation, Management and Emergency Response Plan

Dear Municipal Official,

In 2006 the Vermont legislature passed legislation which created new discharge permit requirements for municipal wastewater treatment facilities. That legislation (Act 154), requires all municipal wastewater treatment facilities to prepare and implement an Operation, Management and Emergency Response Plan (also known as a Sewage Spill Prevention Plan). The Act became effective on July 1, 2007.

Sewage spills and overflows continue to present a liability to Vermont's environment as well as to those municipalities who own and operate wastewater treatment facilities and collection systems. The Agency urges municipalities to take steps now to prepare Sewage Spill Prevention Plans and reduce the risk of sewage spills. In an effort to help municipalities comply with this new requirement the Agency has developed Guidelines For Preparing Sewage Spill Prevention Plans (attached). The Guidelines are also available at the following web address; <http://www.anr.state.vt.us/dec/ww/opman.htm>.

The Agency has discussed implementation of Act 154 with several groups outside the Agency including, the Vermont League of Cities and Towns, the Conservation Law Foundation and the Green Mountain Water Environment Association. After considering several options the Agency has adopted the following protocol for implementing Act 154.

- All facilities have until April 1, 2008 to submit all parts of the SSPPs (Sections II, III, & IV of the Guidelines) except for collection systems (Section V of the Guidelines) regardless of when a permit expires since much of this information should already be available to permit holders. For discharge permits which expire prior to July 1, 2010 the reissued permits will be accompanied by an Order with a schedule for submittal of the collection system part of the Plan by no later than July 1, 2010, to the extent it has not been submitted and completed at the time of application for permit renewal. We therefore urge municipalities to begin the process of preparing the plans now in order to ensure compliance with the April 1, 2008 deadline for submittal of Sections II, III, & IV of the SSPPs and the July 1, 2010 deadline for submittal of Section V.



- For discharge permits which expire on or after July 1, 2010 submittal of a complete Plan will be required at the time of permit application. Failure to submit the Plan with the application will mean the application is incomplete and the Agency will not be able to reissue the permit until all elements of the Plan are submitted.

You are encouraged to contact the Agency's Operation and Management Section staff if you have questions concerning the preparation of Sewage Spill Prevention Plans (802-241-3822).

Sincerely,

A handwritten signature in cursive script that reads "Christine Thompson". The signature is written in black ink and includes a horizontal flourish at the end.

Christine Thompson,
Director, Wastewater Management Division
Vt. Dept. of Environmental Conservation