

Environmental Permitting

▶ Programs

Vermont Agency of Natural Resources

December 2017



Major Environmental Permit Programs



Major Federal Environmental Permit Programs

- ▶ Clean Air Act (1970). Regulates emissions from stationary sources. Establishes national air quality standards.
- ▶ Clean Water Act (1972). Regulates pollutants from point sources, dredge and fill activities, and some stormwater discharges.
- ▶ Safe Drinking Water Act (1974). Regulates persons who provide drinking water to 25 or more persons.
- ▶ Resource Conservation and Recovery Act (1976). Regulates the generation, transport, storage, treatment, and disposal of hazardous waste.
- ▶ Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund) (1980).

Major State Environmental Permit Programs

- ▶ Vermont Water Pollution Control Act (Act 103 of 1973); Vermont Clean Water Act (Act 64 of 2015)*.
- ▶ Vermont Air Pollution Control Act (Act 212 of 1971)*.
- ▶ Vermont Waste Management Act (Act 78 of 1987)*; Universal Recycling Act (Act 148 of 2011).
- ▶ Vermont Safe Drinking Water Act (Act 71 of 1991)*.
- ▶ Vermont Flood Hazard Area, River Corridor and Stream Alteration Act (Act 138 of 2011).
- ▶ Vermont Shoreland Protection Act (Act 172 of 2013).

DEC Permits and Act 250

The background of the slide is white with abstract green geometric shapes on the right and bottom-left sides. These shapes consist of overlapping triangles and polygons in various shades of green, from light lime to dark forest green. A thin, light gray line runs diagonally across the white space, intersecting the green shapes.

DEC Permits and the Act 250 Process

- ▶ Applicants may use DEC issued permits to address some or all impacts under a criterion.
- ▶ NRB Rule 19(E) - Some DEC permits serve as rebuttable presumptions and satisfy all or a portion of a criterion.¹
 - ▶ Criteria 1, 1B, 1G, 2, 3 and 4

¹ <http://nrb.vermont.gov/sites/nrb/files/documents/2015rules.pdf>

Criterion	ANR Permit (*= rebuttable presumption)
1 - Air Pollution	*Air Pollution Control Permit (construction/operation)
1B - Waste Disposal	*Waste Water & Potable Water System Permit *Stormwater Permit (construction/operational/MSGP/NPDES) *Indirect Discharge Permit *Sewer Line Extension Permit *Underground Injection Control Permit *Solid Waste Certificate *Hazardous Waste Permit *Underground Storage Tank Permit
1G - Wetlands	*Vermont Wetland Permit
2&3 - Water Supply	*Public Water System Permit (source/construction/operation) *Groundwater withdrawal permit
4- Soil Erosion	*Stormwater Construction Permit

DEC Permits and the Act 250 Process

- ▶ Given the growth and maturation of DEC permit programs since 1970, opportunities may exist to expand the role of those permits in the Act 250 process and for those permits to affirmatively satisfy additional aspects of Act 250 criteria.
- ▶ It is important to note that existing state permits do not address certain Act 250 criteria - most notably the natural area and wildlife habitat considerations under Criteria 8 and 8A - and that Act 250 is the primary safeguard for those resources.

¹ <http://nrb.vermont.gov/sites/nrb/files/documents/2015rules.pdf>

Public Involvement in DEC Permitting Processes



Five Permit “Types”

- ▶ **Type 1.** Federal Individual and General Permits under Clean Air and Clean Water Acts
 - ▶ Wastewater Treatment Facility Permits
- ▶ **Type 2.** State Individual Permits
 - ▶ Solid Waste Management Certification
- ▶ **Type 3.** State General Permits & Certain Listed Individual
 - ▶ Dam Orders, Aquatic Nuisance Control
- ▶ **Type 4.** Notices of Intent under General Permits & Certain “Minor” Individual Permits
 - ▶ Public Water Supply Construction Permits
- ▶ **Type 5.** Emergency Permits and Registrations
 - ▶ Shoreland Registration, Stream Alteration Mineral Prospecting

- ▶ Application Administratively Complete
- ▶ Draft Permit/Decision
- ▶ Public Comment Period
- ▶ Public Meeting (Types 1-3 only)
- ▶ Final Permit/Decision(includes response to comments)

NOTE: Permit Types 1, 2, and 3 incorporate all five elements above. Type 4 permits do not have a public meeting option, and Type 5 permits only notice the final permit/final decision.

**Elements
common to Act
150 noticing**

Search Criteria

- Activity Name
- ENB ID
- Activity Type (Permit Type)
- Permit or Other ID #
- Street Address
- Activity Status
- Geographic Location

Search the ENB

Activity Name

ENB ID

Permit #

Address

Filter Activity Type(s)

- AQCD Engineering Services
 - Air Pollution Control Major Source Construction / Subchapter X Operating Permit
 - Air Pollution Control Major Source Construction / Title V Operating Permit
 - Air Pollution Control Major Source Construction Permit
 - Air Pollution Control Minor Source Construction / Subchapter X Operating Permit
 - Air Pollution Control Minor Source Construction / Title V Operating Permit

Filter Town(s)

- Addison
 - Addison
 - Bridport
 - Bristol
 - Cornwall
 - Ferrisburgh
 - Goshen
 - Granville
 - Hancock
 - Leicester

Activity Status

- In Review
- Draft Decision / Comment
- Final Decision / Appeal

Show only Large and Complex Projects

🔍 Search
⌂ Clear
📍 By Location

Search Results

Project/Activity Name	Address	Town	Activity Type	Status	ENB ID	Permit #
Addison County Asphalt Products	Pond Lane Industrial Park	Middlebury	Air Pollution Control Subchapter X Operating Permit	In Review	PN17.0003483	AOP-07-017
Ampersand Gilman Hydro LP	2 Riverside Ave	Lunenburg	Wastewater Discharge Individual Permit	In Review	PN17.0003783	3-1523.1703
Asten Johnson Inc	192 Industrial Avenue	Williston	Air Pollution Control Subchapter X Operating Permit	In Review	PN17.0003460	AOP-06-035
ATC RyeGate LLC	247 Weesner Drive	RyeGate	Air Pollution Control Title V Operating Permit	In Review	PN17.0003457	AOP-15-005
Barre City WWTF	69 Treatment Plant Dr	Barre City	Wastewater Discharge Individual Permit	In Review	PN17.0003848	3-1272.1103

Search By Geographic Location

Click on any red marker to display information about the specific activity in that location. Clicking the activity name will bring you to the activity profile page.

Search address ... Go!

Map Satellite

Ampersand Gilman Hydro, LP ↗ ✕

Wastewater Discharge Individual Permit

Lunenburg
2 Riverside Ave
Phase: InReview

The image shows a map of Vermont with several red location markers. A popup window is open over a marker in Lunenburg, displaying the name 'Ampersand Gilman Hydro, LP' and details about a 'Wastewater Discharge Individual Permit'. The popup also shows the address '2 Riverside Ave' and the status 'Phase: InReview'. The map includes labels for various towns and regions such as Greensboro, Lyndon, Lunenburg, and Concord, as well as major roads like I-91 and I-93. There are also blue circular markers with numbers on the map.

Activity Profile- Draft Decision Phase

From this Page Users Can:

- Select to Follow an activity to receive status updates via email
- Share the Link to the Activity Page
- Submit a Comment
- Request a Public Meeting
- View Related Documents

JM Industries

Activity Info

ENB ID	PN17.0003906
Activity Type	Salvage Yard Permit
Permit#	8-9-17
Activity Name	JM Industries
Address	1 National Life Drive
Town	Montpelier
Applicant(s)	JM Industries
SPAN(s)	40512610717

Large and Complex Project

Project/Activity Description

Application for new salvage yard permit.

Location ([View Project Location in ANR Atlas](#))

Public Notice Timeline

Follow
 Share
 Comment
 Request Meeting

Appl. Received	07/03/2017			
Admin. Complete	08/07/2017			
Draft Decision	08/21/2017	Comment	from 08/21/2017	to 09/22/2017
Final Decision		Appeal*	from	to
Decision Type				

* you MUST comment to appeal a decision

Staff - Contact

Staff Contact	Carol Chamberlin
Phone	8024772982
Email	Carol.Chamberlin@vermont.gov

Related Documents

Document	Date Added
Administratively Complete Application.docx	09/01/2017
Draft Decision.docx	09/01/2017

➤ Subscribe by Distance from a Point

Enter a complete or partial street address including town and the distance in miles from the address for which you want to receive new alerts. Or you can position the circle and adjust the radius to select the distance from a certain point.

Search Address	242 Main Street, Montpelier
Distance (mi)	30.88



OK Cancel