



State of Vermont
Department of Environmental Conservation

Agency of Natural Resources

Facilities Engineering Division
Laundry Building
103 South Main Street
Waterbury, VT 05671-0511

FAX (802) 244-4516

E-Mail Address: tom.joslin@state.vt.us
Direct Telephone (voice mail): (802) 241-3740

Bill Finger, Town Manager
Authorized Representative
Town of Middlebury
94 Main Street
Middlebury, Vermont 05753

October 13, 2009

Re: **Main Pump Station, Wet Well Expansion and Grit Removal Project**
Vermont/ USEPA ARRA Clean Water Revolving Loan Number: AR1-043

Categorical Exclusion from Detailed Environmental Review

Dear Mr Finger:

The Department of Environmental Conservation has determined that the Town's proposed Main Pump Station, Wet Well Expansion and Grit Removal project may be excluded from the detailed environmental review procedures that are required for projects that have significant environmental effects. The Department's environmental review procedures require a **30 day public comment period** following the issuance of a Notice of Determination of Eligibility for Categorical Exclusion. If no public comments received during that period demonstrate that this Determination is in error, then the Categorical Exclusion exempting the project from detailed review will become effective.

Copies of documents supporting a Categorical Exclusion are enclosed. Please keep copies of the **enclosed documents available for public inspection** during a public comment period of 30 days. A full listing of the documents that must be available for public inspection is attached. Please call **(241-3740)** if you have any questions or concerns.

Sincerely,

Thomas G. Joslin, P.E.
Environmental Engineer
Design Section

TGJ/tgj

Enclosures



Bill Finger, Town Manager, Authorized Representative, Town of Middlebury, Vermont
Main Pump Station, Wet Well Expansion and Grit Removal Project
Categorical Exclusion from Detailed Environmental Review
October 13, 2009

Documents Enclosed for Categorical Exclusion Public Comment Period (30 days)

1. **Notice of Determination** of Eligibility for **Categorical Exclusion**
(Signed by Larry R. Fitch, P.E., Director, Facilities Engineering Division.)
2. **Evaluation** of Eligibility for Categorical Exclusion
(Approved by Larry R. Fitch, P.E., Director, Facilities Engineering Division.)
3. **Environmental Review Procedures** for Projects Funded Through the Vermont/ EPA Revolving Loan Program
4. **Environmental information document** titled "*Town of Middlebury, Vermont; Main Pumping Station, Wet Well Expansion and New Grit Removal System*", and dated September 2009, by Forcier Aldrich & Associates, Inc, of Essex Junction, Vermont.
5. **ANR Environmental Interest Locator Map**
(Created by Tom Joslin, P.E., Facilities Engineering Division)
6. **Categorical Exclusion Request Letter**, Town of Middlebury

COPY LIST

Daniel Werner, Director of Operations, Public Works Department, Town of Middlebury

Bob Wells, Wastewater Division Supervisor, Public Works Department, Town of Middlebury

Wayne Elliott, P.E., Forcier Aldrich & Associates, Inc

Liz Dickson, Environmental Analyst, Discharging Treatment Facilities Section, VT-DEC, Wastewater Management Division

Everett Marshall, Information Manager, Nongame and Natural Heritage Program, VT Dept of Fish & Wildlife

Mic Metz, District Wetlands Ecologist, Wetlands Section, VT-DEC, Water Quality Division, **Rutland** Regional Office

Chuck Schwer, Chief, Site Management Section, VT-DEC, Waste Management Division

Scott Dillon, Archeologist, Division for Historic Preservation, VT Dept Housing and Community Affairs



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Notice of Determination of Eligibility for Categorical Exclusion

**Town of Middlebury, Vermont
Main Pump Station, Wet Well Expansion and Grit Removal Project**

Vermont/ USEPA ARRA Clean Water Revolving Loan Number: **AR1-043**

In accordance with section VII of the Department's Environmental Review Procedures for Projects Funded Through the Vermont/ EPA Revolving Loan Program, the **Town of Middlebury** has requested that its proposed **Main Pump Station, Wet Well Expansion and Grit Removal** project be evaluated for eligibility for a Categorical Exclusion from the detailed environmental review that is described in the Procedures and required for projects with significant environmental effects.

Consideration of the **Town of Middlebury** request for Categorical Exclusion included a review of the following documents:

Environmental information document titled "*Town of Middlebury, Vermont; Main Pumping Station, Wet Well Expansion and New Grit Removal System*", and dated September 2009, by **Forcier Aldrich & Associates, Inc.**, of Essex Junction, Vermont.

Facilities plan titled "*Town of Middlebury, Vermont; Main Pumping Station, Wet Well Study, Preliminary Engineering Report*", and dated August 2009, by **Forcier Aldrich & Associates, Inc.**

Upon completion of its independent evaluation, the Department has determined that the proposed project meets the criteria for issuance of a Categorical Exclusion.

The project will not increase the design hydraulic capacity of the **Middlebury** wastewater treatment plant, and it will not increase the design organic treatment capacity (equivalent population served). Also, the project will not create a new discharge to surface waters or groundwater, and there will be no increase of permitted effluent pollutant loadings (pounds per day).

Further, the project does not involve (create) serious local or environmental issues, or meet any of the criteria that would result in denial of an Exclusion.



**Town of Middlebury, Vermont
Main Pump Station, Wet Well Expansion and Grit Removal Project
Notice of Determination of Eligibility for Categorical Exclusion from Detailed Environmental Review
October 8, 2009**

Further information on the project and this Determination is available for inspection at the following locations:

Bill Finger, Town Manager
Town of Middlebury
94 Main Street
Middlebury, Vermont 05753

voicemail (802) 388-8100 x.200
bfinger@town.middlebury.vt.us

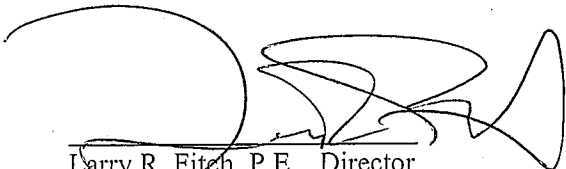
Tom Joslin, P.E.
Vermont Department of Environmental Conservation
Facilities Engineering Division
Laundry Building, 103 South Main Street
Waterbury, VT 05671-0511

voicemail (802) 241-3740
tom.joslin@state.vt.us

Wayne Elliott, P.E.
Forcier Aldrich & Associates, Inc
6 Market Place, Suite 2
Essex Junction, Vermont 05452

voicemail (802) 879-7733
welliott@forcieraldrich.com

No significant administrative action will be taken on this project for thirty (30) days from issuance of this Notice of Determination, to allow for public response.



Larry R. Fitch, P.E., Director
Facilities Engineering Division

Department of Environmental Conservation
Vermont Agency of Natural Resources

OCT 9, 2009
Date



State of Vermont
Department of Environmental Conservation

Agency of Natural Resources

Facilities Engineering Division
Laundry Building
103 South Main Street
Waterbury, VT 05671-0511

FAX (802) 244-4516

E-Mail: tom.joslin@state.vt.us
Direct Telephone (voice mail): (802) 241-3740

TO: Larry Fitch, Director, Facilities Engineering Division *Power 7 10/9/09*

FROM: *TJ* Tom Joslin, Environmental Engineer, Design Section, Facilities Engineering Division

SUBJECT: **Town of Middlebury
Main Pump Station, Wet Well Expansion and Grit Removal Project**

**Evaluation of Eligibility for Categorical Exclusion
from Detailed Environmental Review**

DATE: October 8, 2009

A. Project Identification

Project Name: **Town of Middlebury
Main Pump Station, Wet Well Expansion and Grit Removal**

Address: Bill Finger, Town Manager
Town of Middlebury
94 Main Street
Middlebury, Vermont 05753

Project Location: Middlebury, Vermont
End of Lucius Shaw Lane

Vermont/ USEPA ARRA Clean Water Revolving Loan Number: **AR1-043**



Town of Middlebury, Vermont
Main Pump Station, Wet Well Expansion and Grit Removal Project
Evaluation of Eligibility for Categorical Exclusion from Detailed Environmental Review
October 8, 2009

B. Summary of Environmental Review

In accordance with section VII of the Department's Environmental Review Procedures for Projects Funded Through the Vermont/ EPA Revolving Loan Program, the **Town of Middlebury** has requested that its proposed **Main Pump Station, Wet Well Expansion and Grit Removal** project be evaluated for eligibility for a Categorical Exclusion from the detailed environmental review that is described in the Procedures and required for projects with significant environmental effects.

The applicant's request, along with the following planning documents, have been reviewed, and our findings are summarized below:

- **Environmental information document** titled "*Town of Middlebury, Vermont; Main Pumping Station, Wet Well Expansion and New Grit Removal System*", and dated September 2009, by **Forcier Aldrich & Associates, Inc.**, of Essex Junction, Vermont.
- **Facilities plan** titled "*Town of Middlebury, Vermont; Main Pumping Station, Wet Well Study, Preliminary Engineering Report*", and dated August 2009, by **Forcier Aldrich & Associates, Inc.**

1. Project Description

The Town of Middlebury is located in **Addison** County, Vermont. The proposed project will increase the volumetric capacity of the wet well of its existing main wastewater pump station, located at the end of Lucius Shaw Lane. The project will also add new vortex-type grit removal equipment to be housed in a new building to be located upstream from the existing main pump station and downstream from the existing mechanical screening building at the same site. In addition, the project will improve the ventilation and heating of the mechanical screening building.

The proposed wet well capacity expansion is expected to reduce the occurrence of wet weather sewage overflows from the pump station, helping to bring the Town of Middlebury into compliance with the Vermont Combined Sewer Overflow Control Policy of 1990. The increased wet well pump operating volume will allow for longer pump run times, preventing pump short-cycling that wears out equipment prematurely. The additional emergency storage volume above the pump operating zone will reduce the occurrence of overflows. Multiple wet well cells will allow the cells to be cleaned as needed.

Town of Middlebury, Vermont
Main Pump Station, Wet Well Expansion and Grit Removal Project
Evaluation of Eligibility for Categorical Exclusion from Detailed Environmental Review
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The proposed grit removal facility will reduce the amount of grit entering the new and existing wet wells at the pump station, thereby reducing pump impeller wear, wet well cleaning requirements and loss of wet well capacity. The grit removal facility will also keep grit out of the long 18 inch diameter existing forcemain pipe to the wastewater treatment plant that is located at the end of Industrial Avenue.

The existing mechanical screening building was designed to be ventilated by pulling air into an outdoor biofilter odor control system, but that system has been abandoned because of operational problems. The existing water lines and heating units in the screening building have corroded because of the harsh moist environment and lack of ventilation. The Town does not wish to renovate the biofilter system because of a lack of odor complaints to date. The proposed air supply and exhaust fans and replacement electrical heaters will provide a safer working environment and protect mechanical and electrical equipment.

The contract documents will contain standard requirements to limit hours of construction and to control noise, dust and discharges of pollutants during construction.

2. Justification for Categorical Exclusion

We have determined that the proposed project meets the criteria for issuance of a Categorical Exclusion.

The project will not increase the design hydraulic capacity of the **Middlebury** wastewater treatment plant, and it will not increase the design organic treatment capacity (equivalent population served).

The project will not create a new discharge to surface waters or groundwater, and there will be no increase of permitted effluent pollutant loadings (pounds per day).

The project is not expected to adversely affect wetlands, wetlands buffer zones, floodplains, historic sites, archeological sites; habitats of rare, threatened or endangered species; or other environmentally or culturally sensitive areas.

The project does not involve (create) serious local or environmental issues, or meet any of the criteria that would result in denial of an Exclusion.

Vermont Department of Environmental Conservation
Facilities Engineering Division

Environmental Review Procedures for
Projects Funded Through the
Vermont/EPA Revolving Loan Program

I. Purpose and Policy

- a. Section 602(b)(6) of Title VI of the Federal Clean Water Act requires that states have an environmental review process for Title VI projects. This process can be the same as that applied to Title II projects under the National Environmental Policy Act (NEPA) or can be modified if the intent of NEPA is met. The State of Vermont, Department of Environmental Conservation (VT DEC) provides state grant funds to projects under Title II and Title VI and applies the NEPA process to Title II projects. It is our intent to apply substantially the same process to Title VI projects. A statement of the process follows.

II. Definitions

- a. Terminology. All terminology used in this part will be consistent with the terms as defined in 40 CFR Part 1508 (the CEQ Regulations). Any qualifications will be provided in the definitions set forth in each subpart of the procedure.
- b. The term "environmental review" means the process whereby an evaluation is undertaken by the VT DEC to determine whether a proposed project may have a significant impact on the environment and therefore require the preparation of an EIS.
- c. The term "environmental information document" means any written analysis prepared by an applicant or contractor describing the environmental impacts of a proposed project. This document will be of sufficient scope to enable the responsible official to assess the environmental impacts of the proposed project.
- d. The term "loan" means a loan of funds by a written loan agreement from the VT/EPA Revolving Loan Fund (SRF).
- e. "Applicant" means any local authority which has filed an application for loan assistance from the SRF.
- f. "Responsible official" means the Director, VT Public Facilities Division, or a designated representative thereof, who is authorized to fulfill the requirements of these procedures.
- g. The term "record of decision" (ROD) means a document prepared and issued by the VT DEC responsible official on the environmental impact statement which includes an identification of mitigation measures.
- h. The term "planning/design loan" means a loan which is issued for the purpose of preparation of a plan (including environmental review process) and/or preparation of design drawings

and specifications for a potential construction project.

- i. The term "project" means a construction project which receives a loan for the purpose of building a publicly owned treatment works.

III. Applicability

These procedures apply to all construction projects funded wholly or partly from funds within the VT/EPA Revolving Loan Fund which are derived from the federal capitalization grant, except as provided in Section IV. These procedures may be carried out during the planning/design project which received a loan from the revolving fund.

IV. Overview of the Environmental Review Process

The process for conducting an environmental review of wastewater facility construction projects includes the following steps:

- a. Consultation. The applicant is encouraged to consult with VT DEC early in project formulation or the facilities planning stage to determine whether a project is eligible for a categorical exclusion from the remaining substantive environmental review requirements of these procedures, to determine alternatives to the proposed project for evaluation, to identify potential environmental issues and opportunities for public recreation and open space, and to determine the potential need for partitioning the environmental review process and/or the need for an Environmental Impact Statement (EIS).
- b. Determining categorical exclusion eligibility. At the request of an applicant, VT DEC will determine if a project is eligible for a categorical exclusion as described in Section VII of these procedures.
- c. Documenting environmental information. If the project is determined to be ineligible for a categorical exclusion, or if no request for a categorical exclusion is made, the potential applicant subsequently prepares an Environmental Information Document (EID) for the project.

In the event that the proposed action is of a limited nature, but does not qualify for a categorical exclusion, and that an EID has been approved previously by the US EPA or VT DEC for wastewater facilities, the responsible official may determine to what extent updated information may suffice to provide the requisite environmental review of the project.

- d. Assessing environmental impacts. The VT DEC reviews the environmental information document and based upon an assessment of the environmental impacts of the proposed project, the VT DEC:
 1. Prepares and issues a Finding of No Significant Impact (FNSI); or
 2. Prepares and issues a Notice of Intent to prepare an original or supplement EIS and Record of Decision (ROD).
- e. Monitoring. The construction and post-construction operation and maintenance of the facilities are monitored to ensure implementation of mitigation measures identified in the FNSI or ROD.

V. Consulting During the Facilities Planning Process

The responsible official shall initiate the environmental review process early to identify environmental effects, avoid delays, and resolve conflicts. The environmental review process should be integrated throughout the facilities planning process. Potential applicants should consult with VT DEC early in the facilities planning process to determine the appropriateness of a categorical exclusion, the scope of an Environmental Assessment, or the appropriateness of the early preparation of an Environmental Impact Statement (EIS). The consultation would be most useful during the evaluation of project alternatives prior to the selection of a preferred alternative to assist in resolving any identified environmental problems.

VI. Coordination With Other Environmental Review and Consultation Requirements

Various state and federal laws and executive orders address specific environmental concerns and review procedures. The responsible official shall integrate to the greatest practicable extent those concerns and applicable procedures during implementation of the environmental review process to ensure an interdisciplinary approach to assessing impacts including adherence to other state and federal environmental objectives. Coordination shall be implemented early with the State Clearinghouse Review Process.

Referenced below are pertinent laws, regulations, or executive orders which should be included in this coordinated effort:

- a. Landmarks, historical, and archaeological sites
 - 1. Historic Sites Act;
 - 2. National Historic Preservation Act;
 - 3. Archaeological and Historic Preservation Act;
 - 4. Executive Order 11593, "Protection and Enhancement of the Cultural Environment;"
 - 5. Executive Order 12372, "Intergovernmental Review of Federal Programs;"
- b. Wetlands, floodplains, important farmlands, coastal zones, wild and scenic rivers, fish and wildlife, and endangered species.
 - 1. Executive Order 11990, "Protection of Wetlands;"
 - 2. Executive Order 11988, "Floodplain Management;"
 - 3. Farmland Protection Policy Act;
 - 4. EPA Policy to Protect Environmentally Significant Agricultural Lands, September 8, 1978;
 - 5. Coastal Zone Management Act;
 - 6. Wild and Scenic Rivers Act;

7. Fish and Wildlife Coordination Act; and
8. Endangered Species Act.

c. Air Quality-Clean Air Act, as amended in 1977.

VII. Categorical Exclusions

a. At the request of an applicant, the responsible official shall determine from existing information and documents whether an action is consistent with the categories eligible for exclusion from review identified in VII (b) and not inconsistent with the criteria in VII (c).

b. Categories of actions eligible for exclusion. For these procedures actions consistent with any of the following categories are eligible for a categorical exclusion:

1. Actions for which the facilities planning is solely directed toward minor rehabilitation of existing facilities, functional replacement of equipment, or toward the construction of new ancillary facilities adjacent or appurtenant to existing facilities which do not affect the degree of treatment or capacity of the existing facility by more than 20%. Such actions include, but are not limited to, infiltration and inflow corrections, replacement of existing facility, equipment or structures, and the construction of additional treatment structures on existing sites.
2. Actions in communities of less than 10,000 persons which are for minor upgrading and minor expansion of existing treatment works or collection lines, or for on-site disposal systems.
3. Other actions developed in accordance with paragraph (d) of this section.

c. Criteria for not granting a categorical exclusion.

1. The full environmental review procedures must be followed if undertaking an action consistent with the categories described in paragraph (b) may involve serious local or environmental issues, or meets any of the criteria listed below:
 - a. The facilities to be provided will create a new discharge to surface or groundwater;
 - b. The facilities will result in substantial increases in the volume of discharge or the loading of pollutants from an existing source or from new facilities to receiving waters;
 - c. The facilities would provide capacity to serve an equivalent population 30% greater than the existing equivalent population;
 - d. The action is known or expected to have a significant negative effect on the quality of the human environment, either individually, cumulatively over time; or in conjunction with other federal, state, local, or private actions;

e. The action is known or expected to directly or indirectly affect: (1) cultural resource areas such as archaeological and historic sites, (2) habitats of endangered or threatened species, (3) environmentally important natural resource areas such as floodplains, wetlands, important farmlands, aquifer recharge zones, or (4) other resource areas identified in supplemental guidance issued by the VT DEC; or

f. The action is known or expected not to be cost-effective or to cause significant public controversy.

2. Notwithstanding the provisions of paragraph (b), if any of the above conditions exist, the responsible official shall ensure:

a. That a categorical exclusion is not granted or, if previously granted, that it is revoked according to paragraph e2(c) of this part;

b. That either a FNSI or an EIS and ROD are prepared and issued.

d. Developing new categories of excluded actions. The responsible official or other interested parties may request that a new category of excluded actions be created, or that an existing category be amended or deleted. The request shall be made in writing to the Director, and shall contain adequate information to support the request. Proposed new categories shall be developed by VT DEC. The following shall be considered in evaluating proposals for new categories:

1. Actions in the proposed category should seldom result in the effects identified in Paragraph VIII.(c)(1);
2. Based upon previous environmental reviews, actions consistent with the proposed category have not required the preparation of an EIS; and
3. Whether information adequate to determine if a potential action is consistent with the proposed category will normally be available when needed.

e. Proceeding with loan agreements.

1. After a categorical exclusion on a proposed treatment works has been granted, and notices published, loan agreements may proceed without being subject to any further environmental review requirements, unless the responsible official determines that the project, or the conditions at the time of the categorical determination was made, have changed significantly since the independent VT DEC review of information submitted by the applicant in support of the exclusion.

2. For categorical exclusion determinations five or more years old, the responsible official shall re-evaluate the project, environmental conditions and public views, and prior to a loan agreement, either:

a. Reaffirm--issue a public notice reaffirming the original environmental determination to proceed with the project without need for any further environmental review;

b. Supplement--update the information in the decision document on the

categorically excluded project and prepare, issue, and distribute a revised notice; or

- c. Reassess--revoke the categorical exclusion and require a complete environmental review to determine the need for an EIS, followed by preparation, issuance, and distribution of a FNSI, or EIS and ROD.

VIII. Environmental Review Process

- a. Review of completed facilities plans. VT DEC shall review the completed facilities plan with particular attention to the Environmental Information Document (EID) and its utilization in the development of alternatives and the selection of a preferred alternative. An adequate Environmental Information Document shall be an integral part of any facilities plan submitted to Vermont DEC. The EID shall be of sufficient scope to enable the responsible official to make determinations on requests for partitioning the environmental review process and for preparing a FNSI.
- b. Environmental assessment. The environmental assessment process shall cover all potentially significant environmental impacts. VT DEC personnel shall assess environmental impacts before the facilities plan approval if needed for compliance with environmental review requirements. Each of the following subjects, and requirements, shall be included in the EID so that Vermont DEC personnel may objectively identify potentially significant environmental concerns and the potential impacts.
 1. Description of the existing environment. For the delineated facilities planning area, the existing environmental conditions relevant to the analysis of alternatives, or to determining the environmental impacts of the proposed action, shall be considered.
 2. Description of the future environment without the project. The relevant future environmental conditions shall be described. The no action alternative should be discussed.
 3. Purpose and need. This should include a summary discussion and demonstration of the need, or absence of need, for wastewater facilities in planning area, with particular emphasis on existing public health or water quality problems and their severity and extent.
 4. Documentation. Sources of information used to describe the existing environment and to assess future environmental impacts should be clearly referenced. These sources should include regional, state, and federal agencies with responsibility or interest in the environmental concerns.
 5. Analysis of alternatives. This discussion shall include a comparative analysis of feasible alternatives, including the no action alternative, throughout the study area. The alternatives shall be screened with respect to capital and operating costs; direct, indirect, and cumulative environmental effects; physical, legal, or institutional constraints; and compliance with regulatory requirements. Special attention should be given to: The environmental consequences of long-term, irreversible, and induced impacts; and that applicants have satisfactorily demonstrated analysis of potential recreation and open-space opportunities in the planning of the proposed treatment works. The reasons for rejecting any alternatives shall be presented in addition to any

significant environmental benefits precluded by rejection of an alternative. The analysis should consider when relevant to the project:

- a. Flow and waste reduction measures, including infiltration/flow reduction and pretreatment requirements.
 - b. Appropriate water conservation measures;
 - c. Alternative locations, capacities, and construction phasing of facilities;
 - d. Alternative waste management techniques, including pretreatment, treatment and discharge, wastewater reuse, land application, and individual systems;
 - e. Alternative methods for management of sludge, other residual materials, including utilization options such as land application, composting, and conversion of sludge for marketing as a soil conditioner or fertilizer.
 - f. Improving effluent quality through more efficient operation and maintenance;
 - g. Appropriate energy reduction measures; and
 - h. Multiple use including recreation, other open space, and environmental education.
6. Evaluating environmental consequences of proposed action. A full range of relevant impacts of the proposed action shall be discussed, including measures to mitigate adverse impacts, any irreversible or irretrievable commitments of resources to the project and the relationship between local short-term uses of the environment and the maintenance and enhancement of long-term productivity. Any specific requirements, including loan conditions and area wide waste treatment management plan requirements, should be identified and referenced. In addition to these items, the responsible official may require environmental review requirements be included with the facilities plan. Such requirements should be discussed whenever meetings are held with applicants.
7. Minimizing adverse effects of the proposed action.
- a. Structural and nonstructural measures, directly or indirectly related to the facilities plan, to mitigate or eliminate adverse effects on the human and natural environments, shall be identified during the environmental review. Among other measures, structural provisions include changes in facility design, size, and location; nonstructural provisions include staging facilities, monitoring and enforcement of environmental regulations, and local commitments to develop and enforce land use regulations.
 - b. The Vermont DEC shall not accept a facilities plan, nor approve loan assistance for its implementation, if the applicant has not made, or agreed to make, changes in the project, in accordance with determinations made in a FNSI or the ROD for a EIS. The Vermont DEC shall condition a loan or seek other ways to ensure that the applicant will comply with such environmental

review determinations.

- c. FNSI/EIS determination. The responsible official shall apply the criteria under Section XI to the following:

1. A complete facilities plan;
2. The EA; and
3. Other documentation deemed necessary by the responsible official adequate to make an EIS determination by Vermont DEC. Following an independent environmental review of the project, the responsible official shall document

in writing the reasons for his determination to issue a FNSI or to prepare an EIS. The responsible official's determination to issue a FNSI or to prepare an EIS shall constitute final Vermont DEC action.

IX. Partitioning the Environmental Review Process

- a. Purpose. Under certain circumstances, the building of a component/portion of a wastewater treatment system may be justified in advance of completing all environmental review requirements for the remainder of the system(s). When there are overriding considerations of cost or impaired program effectiveness, the responsible official may approve a loan for a discrete component of a complete wastewater treatment system(s). The process of partitioning the environmental review for the discrete component shall comply with the criteria and procedures described in paragraph (b) of this section. In addition, all reasonable alternatives for the overall wastewater treatment works system(s) of which the component is a part shall have been previously identified and each part of the environmental review for the remainder of the overall facilities plan shall comply with all requirements under Section VIII.

- b. Criteria for partitioning. The project component must:

1. Immediately remedy a severe public health, water quality, or other environmental problem;
2. Not foreclose any reasonable alternatives identified for the overall wastewater treatment works system(s);
3. Not cause significant adverse direct or indirect environmental impacts including those which cannot be acceptably mitigated without completing the entire wastewater treatment system of which the component is a part; and
4. Not be highly controversial.

- c. Request for partitioning. The applicant's request for partitioning must contain the following:

1. A description of the discrete component proposed for construction before completing the environmental review of the entire facilities plan;

2. How the component meets the above criteria;
 3. The environmental information required by Section VIII for the component; and
 4. Any preliminary information that may be important to Vermont DEC in an EA determination for the entire facilities plan.
- d. Approval of requests for partitioning. The responsible official shall:
1. Review the request for partitioning against all requirement of this procedure;
 2. If approvable, prepare and issue a FNSI;
 3. Include a loan condition prohibiting the building of additional or different components of the entire facilities plan for which the environmental review is not complete.

X. Finding of no Significant Impact (FNSI) Determination

- a. Criteria for producing and distributing a FNSI. If, after completion of the environmental review, Vermont DEC determines that an EIS will not be required, the responsible official shall issue a FNSI. The FNSI will be based on Vermont DEC independent review of the EID and any other environmental information deemed necessary by the responsible official consistent with the requirements of Section VIII. The FNSI shall list mitigation measures necessary to make the recommended alternative environmentally acceptable.
- b. Proceeding with loan agreement.
1. Once the issued FNSI becomes effective for the facilities plan for the study area, a loan agreement may proceed without preparation of an additional FNSI, unless the responsible official determines that the project or environmental conditions have changed significantly from that which underwent environmental review.
 2. For an Environmental Assessment/FNSI five or more years old, the responsible official shall re-evaluate the project, environmental conditions, and public views, and, prior to approval of loan agreement, either:
 - a. Reaffirm--issue a public notice reaffirming the original environmental determination to proceed with the project without revising the Environmental Assessment;
 - b. Supplement--require an update of the Environmental Assessment, issue and distribute a revised FNSI; or
 - c. Reassess--withdraw the FNSI and publish a notice of intent to produce an Environmental Assessment, followed by the preparation, issuance, and distribution of the Environmental Assessment and ROD.

c. Revisions to the Project.

1. Statement of Findings. If the project scope of work is revised after FNSI has been issued, but the revision is determined by the VT DEC to be a minor revision, the VT DEC shall issue a Statement of Findings (SOF) documenting the reason for the revision and its impact, if any, on the environment. The SOF shall be distributed to parties who previously indicated interest in the project environmental review process.
2. Amendment. If the project scope of work is revised after a FNSI has been issued, but the revision is determined by the DEC to be significant, the DEC shall issue an amendment to the FNSI with proper public notification as identified in Section XV and shall provide for a public meeting to discuss the amendment.

XI. Criteria for Initiating Environmental Impact Statements (EIS)

- a. Conditions requiring an EIS. The responsible official shall assure that an EIS will be prepared and issued when it is determined that the treatment works or collector system will cause any of the conditions to exist, or when:
 - b. The project may significantly affect the pattern and type of land use (industrial, commercial, agricultural, recreational, residential) or growth and distribution of population;
 - c. The effects resulting from any structure or facility constructed or operated may conflict with local, regional, or state land use plans or policies;
 - d. The project may have significant adverse effects on wetlands, including indirect and cumulative effects, or any major part of the project may be located in significant wetlands;
 - e. The project may significantly affect a habitat identified on the Department of the Interior' or the state's threatened and endangered species lists, or may be located in the habitat;
 - f. Implementation of the project may directly cause or induce charges that significantly:
 1. Displace population;
 2. Alter the character of existing residential areas;
 3. Adversely affect a floodplain; or
 4. Adversely affect significant amounts of important farmlands or agricultural operations on this land.
 - g. The project may directly, indirectly, or cumulative have significant adverse effects on parklands, preserves, other public land, or areas of recognized scenic, recreational,

archaeological, or historic value;

- h. The project may directly, or through induced development, have a significant adverse effect upon local ambient air quality, local ambient noise levels, surface water or groundwater quality or quantity, water supply, fish, shellfish, wildlife, and their natural habitats;
- i. The treated effluent is being discharged into a body of water where the present classification is too lenient or is being challenged as too low to protect present or recent uses, and the effluent will not be of sufficient quality or quantity to meet the requirements of these uses; or
- j. Other conditions. The responsible official shall also consider preparing an EIS if: the project is highly controversial; the project, in conjunction with related federal, state, or local resource projects, produces significant cumulative impacts; or if it is determined that the treatment works may violate federal, state, or local laws or requirements imposed for the protection of the environment.

XII. Environmental Impact Statement (EIS) Preparation

- a. Steps in preparing the EIS. In addition to the other requirements specified in this procedure, the responsible official will conduct the following activities:
 - 1. Notice of intent. If a determination is made that an EIS will be required, the responsible official shall prepare and distribute a notice of intent.
 - 2. Scoping. As soon as possible, after the publication of the notice of intent, the responsible official will convene a meeting of affected federal, state, and local agencies, the applicant and other interested parties to determine the scope of the EIS. As part of the scoping meeting, VT DEC will, as a minimum:
 - a. Determine the significance of issues for and the scope of those significant issues to be analyzed in depth in the EIS;
 - b. Identify potential cooperating agencies and determine the information or analyses that may be needed from cooperating agencies or other parties;
 - c. Discuss the method for EIS preparation and the public participation strategy;
 - d. Identify consultation requirements of other environmental laws; and
 - e. Determine the relationship between the EIS and the completion of the facilities plan and any necessary coordination arrangements between the preparers of both documents.
 - 3. Identifying and evaluating alternatives. Immediately following the scoping process, the responsible official shall commence the identification and evaluation of all potentially viable alternatives to adequately address the range of issues identified in the scoping process. Additional issues may be

addressed, or others eliminated, during this process and the reasons documented as part of the EIS.

- b. Method for preparing EIS. After Vermont DEC determines the need for an EIS, it shall select one of the following methods for its preparation:
 1. By Vermont DEC contracting directly with a qualified consulting firm;
 2. By utilizing a third party method whereby the responsible official enters into "third party agreements:" for the applicant to engage and pay for the services of a third party to prepare the EIS. Such agreement shall not be initiated unless both the applicant and the responsible official agree to its creation. A third party agreement will be established prior to the applicant's EID and eliminate the need for the comment. In proceeding under the third party agreement, the responsible official shall carry out the following practices:
 - a. In consultation with the applicant, choose the third party contractor and manage that contract;
 - b. Select the consultant based on ability and absence of conflict of interest. Third party contractors will be required to execute a disclosure statement prepared by the responsible official signifying they have no financial or other conflicting interest in the outcome of the project; and
 - c. Specify the information to be developed and supervise the gathering, analysis, and presentation of the information. The responsible official shall have sole authority for approval and modification of the statements, analyses, and conclusion included in the third party EIS.

XIII. Record of Decision (ROD) for the EIS and Identification of Mitigation Measures

- a. Record of Decision. After a final EIS has been issued, the responsible official shall prepare an issue a ROD prior to, or in conjunction with, the approval of the facilities plan. The ROD shall include identification of mitigation measures derived from the EIS process including loan conditions which are necessary to minimize the adverse impacts of the selected alternative.
- b. Specific mitigation measures. Prior to the approval of a facilities plan, the responsible official must ensure that effective mitigation measures identified in the ROD will be implemented by the applicant. This should be done by revising the facilities plan, initiating other steps to mitigate adverse effects, or including conditions in loans requiring actions to minimize effects. Care should be exercised if a condition is to be imposed in a loan document to assure that the applicant possesses the authority to fulfill the conditions.
- c. Proceeding with loan agreements.
 1. Once the ROD has been prepared on the selected or preferred alternative(s) for the facilities plan described within the EIS, loan agreements may proceed without preparation of a supplemental EIS unless the responsible official determines that the project or the environmental conditions described within

the current EIS have changed significantly from the previous environmental review.

2. For EISs five or more years old, the responsible official shall re-evaluate the project, environmental conditions, and public views, and compare them to the information contained within the EIS and, prior to loan agreement, make a determination to either:
 - a. Reaffirm--prepared, issue, and distribute a FNSI affirming the original environmental determination to proceed with the project, and documenting that no additional significant impacts were identified during the re-evaluation which would require supplementing the EIS; or
 - b. Supplement--conduct additional studies and prepare, issue, and distribute a supplemental EIS and document the original or any revised decision in an addendum to the ROD.

XIV. Monitoring for Compliance

- a. General. The responsible official shall ensure adequate monitoring of mitigation measures and other loan conditions identified in the FNSI or ROD.
- b. Enforcement. If the applicant fails to comply with loan conditions, the responsible official may consider applying the following sections:
 1. withhold payment
 2. suspend or terminate the loan agreement for cause
 3. suspend the applicant as an eligible applicant
 4. take other appropriate administrative action or
 5. institute judicial proceedings

XV. Public, Federal Agency, and Other State Agency Involvement

- a. The VT DEC shall make diligent efforts to involve the public in the environmental review process consistent with program statutes, regulations and State Clearinghouse for Intergovernmental Review policies on public participation. The responsible official shall ensure that public notice is provided and shall ensure that public involvement is carried out following state policies and guidelines on public participation.

General. Consistent with state public participation regulations, it is VT DEC policy that certain public participation steps be achieved before the VT DEC completes the environmental review process. As a minimum, for projects not qualifying for a categorical exclusion, potential applicants shall conduct:

1. One public meeting when alternatives have been developed, but before an alternative has been selected, to discuss all alternatives under consideration and the reasons for rejection of others; and
2. One public hearing prior to formal adoption of a facilities plan to discuss the

proposed facilities plan and any needed mitigation measures. In the event that a full-scale facilities plan is not prepared, or an existing facilities plan is amended because the proposed action is determined to be of a limited nature, the responsible official may approve the substitution of a public meeting with appropriate public notice instead of a public hearing for this requirement.

- b. Publication of notices of intent. As soon as practicable after a decision is rendered to issue a categorical exclusion or FNSI, or to prepare an EIS (but before initiating the process), the responsible official shall send the notice of intent to interested and affected members of the public, and shall publish the notice of intent in a newspaper of general circulation in the community of the project.

The responsible official shall not take administrative action on the project for at least thirty (30) calendar days after release of the notice of determination on the categorical exclusion or release of the FNSI to allow time for public response.

- c. Record of Decision. The responsible official shall disseminate the record of decision to those parties which commented on the draft of final EIS. One copy shall be submitted to EPA.
- d. EIS. The responsible official shall follow, as applicable, procedures identified at 40 CFR, Part 6, Subpart B, for official filing requirements, availability of documents, commenting process, and supplements to the EIS.
- e. Scope. The responsible official may institute additional NEPA-related public participation procedures as are deemed necessary during the environmental review process.

XVI. The Environmental Impact Statement Format

Preparers of EIS must use plain language and may use appropriate graphics so that decision makers and the public can readily understand them. Statements shall be based upon the analyses and supporting data from the natural and social sciences and the environmental design. The format used for the EIS shall encourage good analysis and clear presentation of alternatives, including the proposed action, and their environmental, economic, and social impacts. The following standard format for EISs should be used unless the responsible official determines that there is a compelling reason to do otherwise:

- a. Cover Sheet;
- b. Executive Summary;
- c. Table of Contents;
- d. Purpose of and need for action;
- e. Alternatives including proposed action;
- f. Affected environment;

- g. Environmental consequences of the alternative;
- h. Coordination (includes list of agencies, organizations, and persons to whom copies of the EIS are sent);
- i. List of preparers;
- j. Index (commensurate with complexity of EIS);
- k. Appendices.

XVII. Executive Summary

The executive summary shall describe in sufficient detail (10-15 pages) the critical facets of the EIS so that the reader can become familiar with the proposed project or action and its net effects. The executive summary shall focus on:

- a. The existing problem;
- b. A brief description of each alternative evaluated (including the preferred and no action alternatives) along with a listing of the environmental impacts, possible mitigation measures relating to each alternative, and any areas of controversy (including issues raised by governmental agencies and the public); and
- c. Any major conclusions.

A comprehensive summary may be prepared in instances where the EIS is unusually long in nature. The comprehensive summary may be circulated in lieu of the EIS; however, both documents shall be distributed to any federal, state, and local agencies who have EIS review responsibilities and also shall be made available to other interested parties upon request.

XVIII. Body of the EIS

- a. Purpose and need. The EIS shall clearly specify the underlying purpose and need to which VT DEC is responding.
- b. Alternatives including the proposed actions. In addition to alternatives indicated in 40 CFR 1502.14, the EIS shall discuss:
 - 1. Alternatives considered by the applicant. This section shall include a balanced description of each alternative considered by the applicant. These discussions shall include size and location of facilities, land requirements, operation and maintenance requirements, auxiliary structures such as pipelines and construction schedules. The alternative of no action shall be discussed and the applicant's preferred alternative(s) shall be identified. For alternatives which were eliminated from detailed study, a brief discussion of the reasons for their having been eliminated shall be included.
 - 2. Alternatives available to VT DEC. VT DEC alternatives to be discussed shall

include:

- a. Taking an action; or
 - b. Taking an action on a modified or alternative project, including an action not considered by the applicant; and
 - c. Denying the action.
3. Identifying preferred alternative. In the final EIS, the responsible official shall signify the preferred alternative.
- c. Affected environment and environmental consequences of the alternatives. The affected environment on which the evaluation of each alternative shall be based includes, for example, hydrology, geology, air quality, noise, biology, socioeconomic, energy, land use, and archeology and historic subject. The discussion shall be structured so as to present the total impacts of each alternative for easy comparison among all alternatives by the reader. The effects of a "no action" alternative should be included to facilitate reader comparison of the beneficial and adverse impacts of other alternatives to the applicant doing nothing. A description of the environmental setting shall be included in the "no action" alternative for the purpose of providing needed background information. The amount of details in describing the affected environment shall be commensurate with the complexity of the situation and the importance of the anticipated impacts.
 - d. Coordination. The EIS shall include:
 1. The objections and suggestions made by local, state, and federal agencies before and during the EIS review process must be given full consideration, along with the issues of public concern expressed by individual citizens and interested environmental groups. The EIS must include discussions of any such comments concerning our actions, and the author of each comments should be identified. If a comment has resulted in a change in the project of the EIS, the impact statement should explain the reason.
 2. Public participation through public hearings or scoping meetings shall also be included. If a public hearing has been held prior to the publication of the EIS, a summary of the transcript should be included in this section. For the public hearing which shall be held after the publication of the draft EIS, the date, time, place, and purpose shall be included here.
 3. In the final EIS, a summary of the coordination process and VT DEC responses to comments on the draft EIS shall be included.

XIX. Incorporation by Reference

Material may be incorporated by reference as provided by 40 CFR 1502.21. In addition such material shall be organized to the extent possible into a Supplemental Information Document and be made available for review upon request. No material may be incorporated by reference unless it is reasonably available for inspection by potentially interested persons within the period allowed for comment.

XX. List of Preparers

When the EIS is prepared by contract, either under direct contract to VT DEC or through an applicant's or grantee's contractor, the responsible official must independently evaluate the EIS prior to its approval and taken responsibility for its scope and contents. The VT DEC officials who undertake this evaluation shall also be described under the list of preparers.

**TOWN OF MIDDLEBURY, VERMONT
MAIN PUMPING STATION
WET WELL EXPANSION AND NEW GRIT REMOVAL SYSTEM**

ENVIRONMENTAL INFORMATION DOCUMENT

September 2009

A. PROJECT IDENTIFICATION

Project Name: Town of Middlebury, Vermont
Main Pumping Station
Wet Well Expansion and New Grit Removal System

Contact and Address: Daniel Werner, Director of Operations
Town of Middlebury
94 Main Street
Middlebury, VT 05753

Project Location: Lucius Shaw Lane
Middlebury, Vermont

B. SUMMARY OF ENVIRONMENTAL REVIEW

The "Town of Middlebury, Vermont, Main Pumping Station, Wet Well Study, Preliminary Engineering Report" dated August 2009, has been reviewed and in accordance with State/Federal regulations, the findings of our environmental review are summarized below.

1. Project Description

- a. The proposed project is located in the Town of Middlebury, Addison County, Vermont. The Town of Middlebury is located at the intersection of VT Route 7 and Route 30 on the Otter Creek River. Refer to the overall map, Figure No. 1, in Attachment No. 1.
- b. The proposed project consists of upgrades at the Main Pumping Station, the site of the original wastewater treatment facility. Refer to the "Proposed Site Plan", Figure No. 2, in Attachment No. 1. A brief description of the project is provided as follows:
 - i. Wet Well Expansion: The wet well expansion includes a new cast-in-place concrete buried wet well, approximately 62' X 62', with exposed concrete cover. An additional operating volume of approximately 57,500 gallons and emergency storage volume of approximately 125,000 gallons is provided to supplement the existing wet well.

- ii. New Grit Removal System: A new 10' diameter vortex grit chamber will be added downstream of the Screenings Building. This new grit chamber will consist of a new below grade cast-in-place concrete structure. A new building will house the grit pump and classifier for removal and handling of the grit.
 - iii. Screenings Building Upgrades: Upgrades include: an intermittent operated ventilation system with two new exhaust fans, replacement of the unit heaters, addition of a new gas detection system, replacement of the garage door frame, and replacement of the interior water piping.
- c. The upgrade project is anticipated to be constructed under one (1) contract for a duration of about ten (10) months. Construction is scheduled to begin in April 2010.
 - d. The Town of Middlebury will continue to own, and operate the upgraded facilities.

2. Purpose and Need

- a. The Main Pumping station was upgraded in 2001 during construction of the new wastewater treatment facility. When this pumping station was placed into operation, the design capacity of 6.2 mgd was provided with 2 pumps operating to meet the peak flow conditions. Since then, the pumping capacity has decreased to about 4.5 mgd. Overflows have been recorded at this location during significant wet weather events due to the undersized wet well and reduced pumping capacities.
- b. Conditions are included in the State Discharge Permit to monitor the overflows through May 31, 2011. A report containing the results of the monitoring and a statement on whether or not each overflow structure complies with the CSO Control Policy is due by September 30, 2011. This project only addresses the Main Pumping Station overflow identified as S/N 013.
- c. Rainfall monitoring and automatic flow gauging equipment were installed in October 2007. Five (5) overflow events have been recorded with the largest event occurring during 1.91" of total rainfall and discharge of about 84,000 gallons. Abatement of the overflow for up to 2.5", 24 hour total rainfall is required.
- d. Addition of the new wet well provides additional operating capacity to supplement the existing wet well, and temporary storage above the high water level to minimize the occurrence of an overflow.
- e. The new grit removal system will remove the grit prior to the Main Pumping Station wet well so that this material does not continue to accumulate in the existing forcemain. By addition of the additional storage and new grit removal, the Town plans to clean the existing forcemain so that the pumping capacity can be increased to the original design capacity of 6.2 mgd.
- f. Upgrades in the Screenings Building are anticipated to address existing deficiencies to the plumbing, heating/ventilation systems.

3. Discussion of Alternatives

A detailed alternatives analysis was completed in the "Preliminary Engineering Report" completed in August 2009 for the wet well expansion and grit system alternatives. A total of four (4) wet well expansion alternatives were evaluated and are briefly discussed as follows:

- #1: New Emergency Storage Tank:** This approach only provides the temporary storage during high flow periods and the flow drains back into the existing wet well by gravity once the pumps can keep up with the incoming flow.
- #2: New Off-Line Storage Tank and Pump Station:** This approach only provides the temporary storage off-line during high flow periods, but requires pumping of the flow back to the existing wet well once the flows recede.
- #3: New Off-Line Storage Tank - Gravity:** This approach only provides the temporary storage off-line during high flow periods. Once the flows recede, a valve is opened to drain the tank back to the wet well.
- #4: Wet Well Expansion:** This approach provides additional wet well operating capacity and temporary emergency storage. All flow passes through both structures so that the new tank drains by gravity back to the wet well.

Alternative No. 4, Wet Well Expansion, was selected as the preferred approach because the wet well operating volume is increased and temporary storage is also provided. A total of four (4) grit removal system were evaluated and are briefly discussed as follows:

- #1: Aerated Grit Removal:** This approach is based on a new aerated grit removal system with a grit pump, grit classifier, and grit aeration blower located upstream of the existing Screenings Building.
- #2: Vortex Grit Chamber:** This approach is based on a new vortex grit chamber with grit pump and grit classifier located downstream of the existing Screenings Building.
- #3: Horizontal Flow Grit Chamber:** This approach is based on a new horizontal flow grit chamber with grit classifier located upstream of the existing Screenings Building.
- #4: Hydrodynamic Separator:** This approach is based on a new hydrodynamic separator and grit classifier located upstream of the existing Screenings Building.

Alternative No. 2, Vortex Grit Chamber, was selected as the preferred approach because the new grit system can be constructed downstream of the screenings, and is more energy efficient.

4. Impact of Proposed Project on the Environment

a. Direct Impacts

i. Air Quality

During construction, noise and dust will be generated by construction equipment. Mufflers and other noise reduction devices will be utilized to minimize noise levels on construction equipment and calcium chloride and/or water will be utilized as required to minimize dust generation. The project will limit the work hours of construction to regular working hours, and specify methods to be used for dust control during construction.

ii. Water Quality and Quantity

The primary purpose of this project is to abate the combined sewer overflow for up to the 2.5", 24 hour total rainfall to comply with the CSO Control Policy. Currently, an overflow is recorded during rainfall events with high intensities, so by minimizing the overflow, the water quality of the Otter Creek will be improved.

There will be no significant change in the handling of surface runoff or the amount of runoff by this project. Temporary erosion control measures will be required during construction to minimize the impacts on the adjacent receiving waters of the Otter Creek River. This project will be subject to the State General Permit for Stormwater Runoff and submittal of the Notice of Intent as a low risk site.

iii. Environmentally Sensitive Areas

Floodplains and Wetlands: All of the construction at the Main Pumping Station site will occur within the existing perimeter fence. These areas have been disturbed by previous work at the site. New structures will be constructed adjacent to pre-existing structures in grassed and paved areas and will not impact floodplain or wetlands areas.

Prime Agricultural Land: All of the work at the Main Pumping Station site will occur within the existing perimeter fence and will not impact adjacent agricultural lands.

Wildlife Habitat: All of the work at the Main Pumping Station site will occur within the existing perimeter fence and will not impact wildlife habitat.

Stream Modification: All of the work at the Main Pumping Station site will occur within the existing perimeter fence and will not impact streams.

iv. Socio-Economic Impacts

The projected construction cost of the upgrade is \$1,368,500 using an assumed ENR cost index of 9150 for December 2010. The total project cost has been estimated at \$1,800,000 which is eligible for ARRA stimulus funding. The Town plans to utilize the ARRA loan subsidy in the amount of \$900,000 and ARRA loan for \$900,000 to fund the project. A bond vote in the amount of \$1,800,000 is scheduled for October 15, 2009.

v. Historical/Archaeological Sites

All of the work at the Main Pumping Station site is being performed within the existing perimeter fence and previously disturbed areas. The wet well expansion is in the same location as the original primary settling tank, and the new grit removal system is located adjacent to the Screenings Building, influent pipeline, and other yard piping. Work at the Screenings Building is being performed in the interior of the building.

vi. Endangered Species

All of the work at the Main Pumping Station site occurs within the existing perimeter fence and will not impact endangered species.

vii. Coastal Zone Management

Not applicable

viii. Wild and Scenic Rivers

Not applicable

5. Mitigation of Environmental Impacts

There are no significant, long-term, adverse impacts anticipated as a result of construction of this project. Minor impacts will be mitigated as follows:

a. Air Quality

During construction, dust and equipment exhaust may temporarily adversely impact air quality. These impacts will be mitigated by requiring the contractor to utilize calcium chloride for dust control. The contract documents will specify that the contractor must control emissions to the maximum extent possible using the latest available techniques.

Noise generated during construction will be controlled by the installation of adequate muffling devices on construction equipment and proper regulation of working hours as will be required in the contract documents.

b. Water Quality and Quantity

Temporary and permanent erosion control measures are required to be installed at critical locations on the project site. These measures will be incorporated on the plans and in the specifications.

c. Environmentally Sensitive Areas

The construction of this project will be performed in a manner which will not impact any environmentally sensitive areas, including wetlands and floodplains.

d. Socio-Economic Impacts

The project will not require mitigation of socio-economic impacts.

e. Historical/Archaeological Sites

The project will not require mitigation of historical/archaeological sites.

f. Endangered Species

The project will not require mitigation of endangered species.

g. Coastal Zone Management

Not applicable

h. Wild & Scenic Rivers

Not applicable

6. Summary of Agency and Public Consultation

- a. Discussions were conducted with the District 6 Coordinator for the State Agency of Natural Resources and information was been submitted to determine if an Act 250 permit is required. A response was received dated September 17, 2009, that an Act 250 permit is not required for this project.
- b. The State DEC Facilities Engineering Division is involved in the project, and will also be responsible for technical review of the final designs prior to construction.
- c. The Town has scheduled a bond vote on October 15, 2009, which includes a public hearing on October 14, 2009.

7. List of Agencies and Groups Consulted During the Environmental Review Process

- a. Federal
 - None
- b. State of Vermont
 - Facilities Engineering Division
 - Wastewater Management Division
 - Water Quality Division
 - District 6 Act 250 Coordinator
- c. Local – Town of Middlebury
 - Public Works
 - Town Manager
 - Selectboard

C. PREPARER'S SIGNATURE

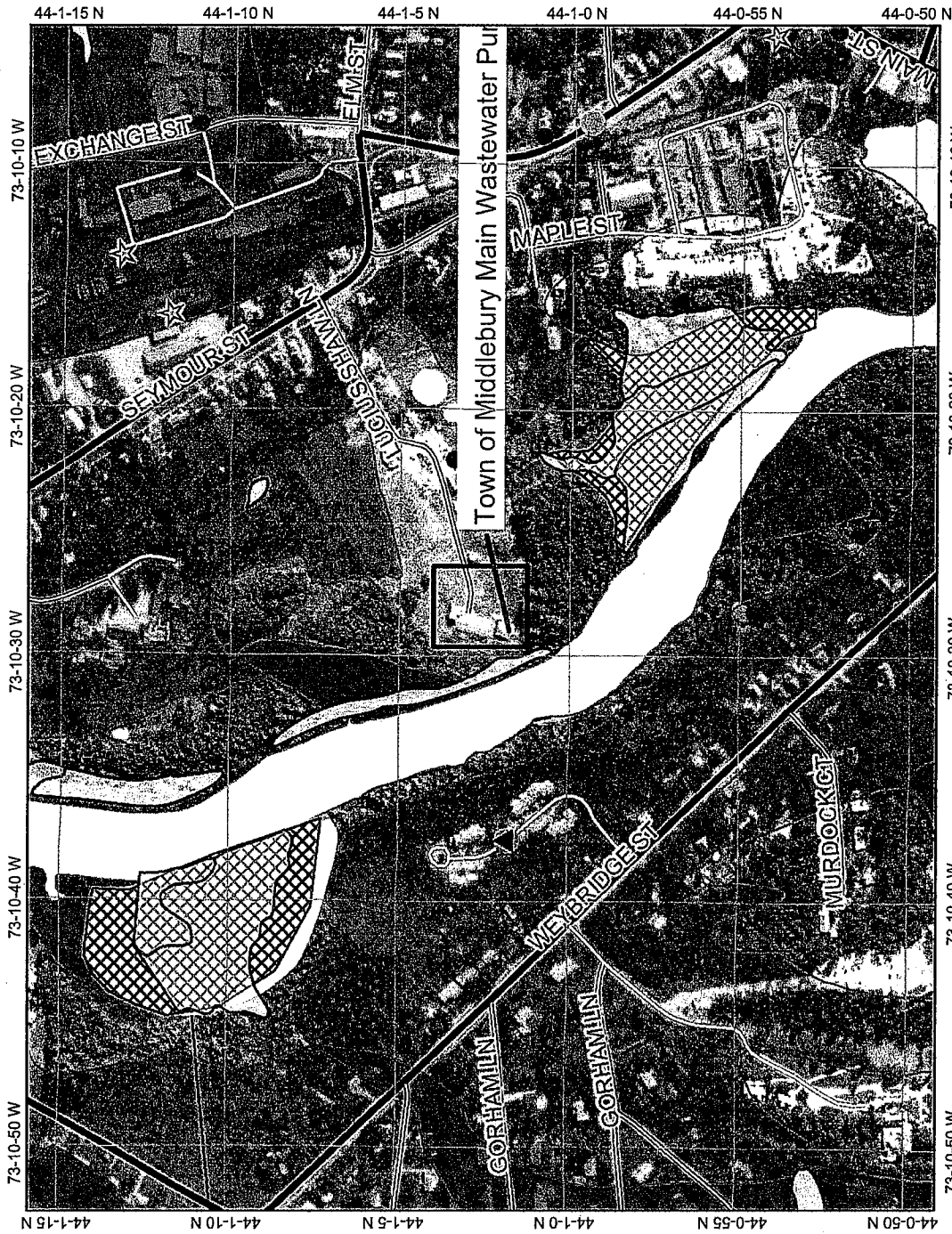
Forcier Aldrich & Associates

Wayne A. Elliott, PE
Vice President



ANR Environmental Interest Locator

Vermont Agency of Natural Resources (ANR) **Town of Middlebury, Main Wastewater Pump Station**



0 550 1100 1650 ft.

Map center: 445913, 168794

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. VCGI and the State of Vermont make no representations of any kind, including but not limited to the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

URL: http://maps.vermont.gov/imf/sites/ANR_NATRESViewer/jsp/launch.jsp

Legend

- Brownfields
- Stormwater Permits (Status: Issued)
- Stormwater Permits (Status: Pending)
- Administratively Incomplete
- Below 2004 Threshold
- On Hold per Applicant
- Pre-1978
- Public Notice
- Refer to 3-9010
- Refer to 3-9015
- Refer to INDS
- Under Administrative Review
- Under Technical Review
- Hazardous Waste Site
- Hazardous Waste Site Generator
- Underground Storage Tank
- Roads
- US Highway
- Vermont State Highway
- Class One
- Class Two
- Light Trail
- Emergency U-Turn Area
- Proposed Class Two
- Proposed Class Three
- Proposed Vermont State Highway
- Proposed US Highway
- Proposed Interstate
- Discontinued
- Interstate
- Class Three
- Class Four
- State/National Forest Highway
- Military Road (No Public Access)
- Private Road
- Welland Advisory Layer: Town Wetland
- Mapping
- VSWI
- Class 1 Wetland
- Class 2 Wetland
- Class 3 Wetland
- Proposed VSWI
- Proposed Wetland
- Wetland



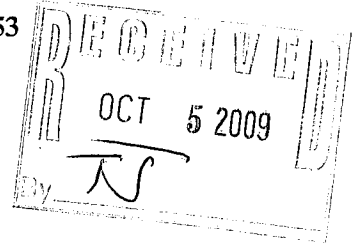
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TOWN OF MIDDLEBURY, VERMONT

94 MAIN STREET, MIDDLEBURY VT 05753



September 30, 2009



(802) 388-8100
FAX: (802) 388-4364

Extensions:

- 200 Bill Finger,
Town Manager
- 201 Joe Colangelo,
Asst. Manager
- 202 Beth Dow,
Manager's Office
- 203 Jackie Sullivan,
Treasurer
- 204 Louise Fitzsimmons,
Bookkeeping
- 205 Tom Anderson,
Parks & Recreation
- 206 Bill Benton,
Assessor
- 207 Leslie Leggett,
Lister's Office
- 208 Fred Dunnington,
P&Z
- 209 Tom Scanlon, P&Z
- 210 Ted Dunakin, P&Z
- 211 Ann Webster,
Town Clerk
- 212 Ronnie Parrish,
Asst. Clerk
- 213 Asst. Clerk
- 216 Rec. Dept. Info.
- 222 Carolyn Nixon,
Rec Dept.

Mr. Tom Joslin
Facilities Engineering Division
Vermont Department of Environmental Conservation
Agency of Natural Resources
103 South Main Street, Laundry Building
Waterbury, VT 05671

Re: Town of Middlebury
Main Pumping Station
Wet Well Expansion and New Grit Removal System
Request for Categorical Exclusion

Dear Tom,

The "Environmental Information Document" dated September 2009 has been submitted by Forcier Aldrich & Associates for your review and to meet the requirements of the environmental review procedures for the Main Pumping Station, Wet Well Expansion and New Grit Removal System. Expansion of the wet well and addition of a new grit removal system is proposed at the Main Pumping Station and is described in this document.

Since this project consists of upgrades at the original wastewater treatment facility site and does not include a capacity increase, it is eligible for a categorical exclusion. Therefore, the Town of Middlebury requests that a Categorical Exclusion be issued for this project.

Please call with any questions, (802) 388-4045.

Sincerely,

Daniel R. Werner
Director of Operations

PUBLIC WORKS DEPT

Dan Werner
388-4045

HIGHWAY DIV
Dale Hazzard
388-4045

WATER DIV
Rick Chaput
388-4045

WASTEWATER
Bob Wells
388-6514

Cc: Wayne Elliott, Forcier Aldrich & Associates