



Vermont Department of Environmental Conservation

Agency of Natural Resources

FACILITIES ENGINEERING DIVISION
National Life Building, MAIN 1
1 National Life Drive
Montpelier, VT 05620-3510
FAX: (802)828-1552

Stuart Hurd, Town Manager
Authorized Representative
Town of Bennington
205 South Street
Bennington, Vermont 05201

April 18, 2018
Expiration Date: April 18, 2023

**Re: Bennington WWTF Refurbishment Project
Vermont/ USEPA Clean Water Revolving Loan Number RF1-198 & RF1-211
Notice of Intent to Issue a Finding of No Significant Impact**

Dear Mr. Hurd:

The Department of Environmental Conservation intends to issue a Finding of No Significant Impact (FNSI) for the Bennington WWTF Refurbishment Project.

The project has positive environmental impacts consisting of maintaining water quality by controlling pollutants at the Bennington WWTF. The headworks upgrade will help to protect the community's investment in the Bennington WWTF by removing items that can increase maintenance needs and costs.

However, the addition to the headworks building is located proximate to the 100-year flood on the Digital Flood Insurance Rate Map for the area.

Otherwise, this project may have been eligible for Categorical Exclusion from detailed environmental review; additionally, the direct and indirect environmental effects of the project are still not significant enough to necessitate an Environmental Impact Statement (EIS).

The Department's environmental review procedures require a 30-day public comment period following the issuance of a Notice of Intent to Issue a Finding of No Significant Impact. If no public comments received during that period demonstrate that this Notice of Intent is in error, then the Finding of No Significant Impact will become effective. Additionally, a public hearing is required during the comment period. The FNSI hearing is not yet scheduled but is likely to be during the normal Bennington Selectboard meeting either May 14th or May 21st.

Copies of documents supporting a Finding of No Significant Impact are enclosed. Please keep copies of the **enclosed documents**, along with any pertinent reports by your consulting engineers, **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. The public comment period cannot close until the FNSI hearing has been held, therefore the public comment period will be extended through close of business on May 22nd, 2018.

Stuart Hurd, Town Manger & Authorized Representative
Town of Bennington, RF1-198 & RF1-211
Finding of No Significant Impact, Bennington WWTF Refurbishment Project
January 3, 2018

If you have any questions or concerns, please feel free to contact me at (802) 490-6226 or
Lynnette.Claudon@vermont.gov.

Sincerely,



Lynnette W. Claudon, P.E.
Chief Pollution Control Design Engineer
Facilities Engineering Division

Enclosures

Documents Posted for Finding of No Significant Impact Public Comment Period (30 days)

1. **Notice of Intent** to Issue a **Finding of No Significant Impact** (Signed by Eric Blatt, P.E., Director, Facilities Engineering Division, enclosed.)
2. **Evaluation** of Eligibility for Finding of No Significant Impact (Approved by Eric Blatt, P.E., Director, Facilities Engineering Division, enclosed.)
3. **State Environmental Review Procedures** for Projects Funded Through the Vermont/ EPA Revolving Loan Program, <http://dec.vermont.gov/facilities-engineering/water-financing/srf/environmental-review>
4. Environmental Information Document Additional Investigation
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=168192&DVID=0>

Additional Documents Needed for Finding of No Significant Impact Public Comment Period (30 days)

5. **Environmental Information Document** titled "*Environmental Report*", and dated August 21, 2017, by Aldrich + Elliott (A+E). <https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=168190&DVID=0>
6. **Preliminary Engineering Report** entitled "*Bennington, Vermont Wastewater Facility Upgrade Study Preliminary Engineering Report*", and dated September, 2017, by A+E.
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=168189&DVID=0>

COPY LIST

Jeff Fehrs, PE, DCE Supervisor, Facilities Engineering Division, VT-DEC
Jessica Bulova & David DiDomenico, Wastewater Management Program, VT-DEC
Scott Dillon, Archeologist, Division for Historic Preservation, VT Dept of Housing, and Community Affairs
Wayne Elliott, PE, A+E

Facilities Engineering Division
1 National Life Drive, Main 1
Montpelier, VT 05620

Notice of Intent to Issue a Finding of No Significant Impact

**Town of Bennington, Vermont
Bennington WWTF Refurbishment Project**

Vermont/ USEPA Clean Water Revolving Loan Number# RF1-198 & RF1-211

The Department of Environmental Conservation intends to issue a Finding of No Significant Impact (FNSI) for the proposed Bennington Wastewater Treatment Facility Refurbishment Project. The proposed project involves an upgraded headworks facility, an expanded control building with Supervisory Control and Data Acquisition (SCADA), refurbishment of the existing Rotating Biological Contactors (RBCs), refurbishment of the existing anaerobic digesters, and other appurtenant work.

Under the Department's Environmental Review Procedures for Projects Funded Through the Vermont/ EPA Revolving Loan Program, the project is ineligible for Categorical Exclusion (CATEX) from detailed environmental review. The project involves potential impacts to the mapped 100-year flood plain as shown on the Digital Flood Rate Map and therefore exceeds the threshold for CATEX.

Also, the direct and indirect environmental effects of the project are not significant enough to necessitate an Environmental Impact Statement (EIS), under the Department's environmental review procedures. The project will not increase the current permitted flow capacity of the treatment plant, and the project will not include sewer extensions.

Mr. Stuart Hurd, Authorized Representative,
Bennington WWTF Refurbishment Project
Vermont/ USEPA Clean Water Loan Number RF1-198 & RF1-211
April 18, 2018

Further information on the project and this Notice of Intent is available for inspection at the following locations:

Stuart Hurd, Town Manager & Authorized Representative
Town of Bennington
205 South Street
Bennington, Vermont 05201

Telephone: 802-442-1037
Email: shurd@benningtonvt.org

Lynnette Claudon, P.E.
Design and Construction Engineering Section
Facilities Engineering Division
Vermont Department of Environmental Conservation
1 National Life Drive, Main 1
Montpelier, Vermont 05620

Telephone: 802-490-6226
Email: Lynnette.Claudon@Vermont.gov

Wayne Elliott, P.E., Vice President
Aldrich + Elliott, PC
6 Market Place, Suite 2
Essex Junction, Vermont 05452

Telephone: 802-879-7733
Email: welliott@AEengineers.com

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



Eric Blatt, P.E., Director
Facilities Engineering Division

4-18-2018

Date

Department of Environmental Conservation
Vermont Agency of Natural Resources

TO: Eric Blatt, P.E., Director, Facilities Engineering Division *EB*

FROM: Lynnette Claudon, P.E., Chief Pollution Control Design Engineer, Facilities Engineering Division *LWC*

SUBJECT: Town of Bennington, Bennington WWTF Refurbishment Project, Evaluation of Eligibility for Finding of No Significant Impact

DATE: April 18, 2018

CC: Jeff Fehrs, P.E., DCE Supervisor, Facilities Engineering Division

A. Project Identification

Project Name: Town of Bennington, Bennington
Bennington Wastewater Treatment Facility (WWTF) Refurbishment Project

Address: Stuart Hurd, Town Manager & Authorized Representative
Town of Bennington
205 South Street
Bennington, Vermont 05201

Project Location: Bennington WWTF, 244 Harrington Road, North Bennington, Vermont

Vermont/ USEPA Clean Water Revolving Loan Number: RF1-198 & RF1-211

B. Summary of Environmental Review

The Department of Environmental Conservation, Facilities Engineering Division, has reviewed this proposed project in accordance with the Department's State Environmental Review Procedures for Projects Funded Through the Vermont/ EPA Revolving Loan Program.

The Department has reviewed the following planning documents:

- Environmental Information Document titled "*Environmental Report*", and dated August 21, 2017, by Aldrich + Elliott (A+E).
 - Preliminary Engineering Report entitled "*Bennington, Vermont Wastewater Treatment Facility Upgrade Study*", and dated September 2017 by A+E.
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Mr. Stuart Hurd, Authorized Representative,
Bennington WWTF Refurbishment Project
Vermont/ USEPA Clean Water Loan Number RF1-198 & RF1-211
April 18, 2018

A **Finding of No Significant Impact (FNSI)** is the appropriate environmental review response for this project if the issues presented can be resolved with mitigation or permits. This project is **not** eligible for **Categorical Exclusion** from detailed environmental review due to potential impacts to the 100-year flood plain as mapped on the Digital Flood Insurance Rate Map. Also, the project's direct and indirect environmental effects do **not** necessitate issuance of an **Environmental Impact Statement (EIS)**, consistent with the criteria as described in section XI of the Department's Environmental Review Procedures.

1. Project Description

The Town of Bennington is in Bennington County, Vermont in the Battenkill, Hoosic, Walloomsac major watershed. The proposed project involves an upgraded headworks facility, an expanded control building with Supervisory Control and Data Acquisition (SCADA), refurbishment of the existing Rotating Biological Contactors (RBCs), refurbishment of the existing anaerobic digesters, and other appurtenant work. This contract is expected to be constructed with Clean Water State Revolving Fund (CWSRF) loan.

2. Justification for Finding of No Significant Impact

We have determined that the proposed project meets the criteria for issuance of a Finding of No Significant Impact. This project involves earthwork and a new structure located in the 100-year flood plain according to the Digital Flood Insurance Rate Map. Otherwise, this project may have been eligible for Categorical Exclusion from detailed environmental review; additionally, the direct and indirect environmental effects of the project are still not significant enough to necessitate an Environmental Impact Statement (EIS). The project will not increase the current permitted flow capacity of the treatment plant. The project does not include sewer extensions.

A public hearing will be held on either May 14th or May 21st during a normal Selectboard meeting (yet to be scheduled) as part of this FNSI process and a public responsiveness summary will be documented. The public comment period will be extended to May 22nd to accommodate the uncertainty.