

STATE OF VERMONT
WATER RESOURCES BOARD

City of Montpelier
Temporary Pollution Permit #4-1164
10 V.S.A., § 1269

Finding of Fact
Conclusion of Law
and Order

Introduction

On February 9, 1981, the Water Resources Board held a public hearing at Montpelier, Vermont to consider the appeal of the City of Montpelier from Temporary Pollution Permit #4-1164. Present on behalf of the Board were: J. Peter Judge, Deborah Sisco, Roderic Maynes. Parties to this proceeding were; City of Montpelier Schuyler Jackson; the Agency of Environmental Conservation by William Brierley and the Town of Berlin by Deborah Buckham.

Findings of Fact

1. The scope of the City of Montpelier's appeal is limited to the provisions of paragraph #2 section B of the permit's implementation schedule.
2. The Department of Water Resources and the City of Montpelier stipulated that the appeal of the City of Montpelier be granted by the Board on October 6, 1980.
3. The City of Montpelier is currently implementing an abatement schedule through the construction of a secondary treatment facility to be completed by June 1, 1981. Upon that facility's achieving operational status, Montpelier will have complied with all State and Federal requirements and standards for the discharge of municipal wastes and would then be entitled to receive a Discharge Permit under the provision of 10 V.S.A., § 1263 irrespective of the status or existence of any agreement for the use of that facility by any other municipality.

Conclusion of Law

1. The City of Montpelier is in compliance with the requirements of 10 V.S.A., § 1265 (c) and is therefore entitled to a Temporary Pollution Permit.

Order

Pursuant to the above findings of fact and conclusion of law, it is herewith ordered:

The department of water resources shall issue forthwith a Temporary Pollution Permit to the City of Montpelier which

is in all respects the s&e as the permit issued by the department to the City on August 20, 1980, excepting that paragraph 2 of section B. Implementation Schedule, shall be deleted in its entirety.

* Dated at Montpelier, Vermont this 19th day of February 1981.

FOR THE WATER RESOURCES BOARD



William A. Bartlett
Executive Secretary

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