

Environmental Notice Bulletin

► Version 2 & You

Vermont Department of Environmental Conservation
Permit Notice and Comment under Act 150
April 2018

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The Department of Environmental Conservation (DEC) manages many different permits, most of which include a period for public notice and comment. Act 150 required DEC to implement standard notice and comment procedures across five permit types, and to relaunch the environmental notice bulletin.

This presentation covers:

- ▶ A summary of Act 150 policy changes that will standardize permit notice & comment procedures
- ▶ Introduction of Environmental Notice Bulletin (ENB) - Version 2
- ▶ Walk through of ENB to:
 - ▶ Retrieve application information
 - ▶ Register to receive notices
 - ▶ Submit comments
 - ▶ RSVP for public meetings



What is Act 150?

► Act 150 is the law that:

- Consolidates almost all DEC permits into one of five “Types” of permits
- Revitalizes the Environmental Notice Bulletin (ENB):
enb.vermont.gov
- Standardizes & Automates public notice & comment process-one stop shopping!

► New under Act 150:

- Requires participation in the comment process in order to appeal
- Requires an administrative record for each permit

► Implementation Start:

- The majority of the provisions took effect January 1, 2018

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 - Indirect Discharge Individual Permit
Type 3	State General Permits & Certain Listed Individual - Dam Orders, Aquatic Nuisance Control General Permit
Type 4	Authorizations under General Permits & Certain Individual Permits - Public Water Supply Construction Permits
Type 5	Emergency/Urgent Permits, Registrations & Public Water Source Operating Permits

*A full list of Permit Types is available on DEC’s website: dec.vermont.gov/permits/enb

Elements common to ENB noticing

- ▶ Application Administratively Complete
 - ▶ All application materials and fees received
- ▶ Draft Permit/Decision
 - ▶ Technical Review has been completed
- ▶ Public Comment Period (Types 1-4)
- ▶ Public Meeting (Types 1-3 only)
- ▶ Final Permit/Decision(includes response to comments)

NOTE: Type 5 permits only notice the final permit/final decision.

Type 1 Permits; Applicability

- ▶ Federally delegated permitting programs under the Clean Air and Clean Water Acts.

For example:

- ▶ Wastewater Discharge Individual Permits
- ▶ Stormwater General Permits
 - ▶ Municipal Separate Storm Sewer Systems 3-9014
 - ▶ Designated Discharges 3-9030

Procedural Elements for Type 1 Permits

Notice

Notice of Application Administratively Complete. Applicant required to give direct notice to adjoining property owners on ANR approved form and certify completion with application submittal.

Notice

Notice of Draft Permit/Decision. Notice through ENB and newspaper notice for Clean Water Act permits. A 15 day period must occur between administratively complete notice and draft decision being posted.

Comment

Minimum 30 day comment period on any draft decisions.

Meeting

A person may request a meeting at any point during the comment period opening. Meeting must be noticed 30 days prior. Comment period cannot close until 7 days following meeting.

Notice

Notice of Final Permit/Decision through ENB. Must include a response to comments.

Type 2 Permits; Applicability

- ▶ Primarily focused on state individual permits.
 - ▶ Issued to individual people or businesses.

For example:

- ▶ Public Water System Source Permit
- ▶ Groundwater Withdrawal Permit
- ▶ Indirect Discharge Individual Permit

Procedural Elements for Type 2 Permits

Notice

Notice of Administratively Complete Application. Applicant required to give direct notice to adjoining property owners on ANR approved form and certify completion with application submittal.

Notice

Notice of Draft Permit/Decision through ENB.

Comment

Minimum 30 day comment period on draft decisions.

Meeting

A person may request a meeting within 14 days from draft decision date. Meeting must be noticed at least 14 days prior. Comment period cannot close until 7 days following meeting.

Notice

Notice of Final Permit/Decision through ENB. Must include a response to comments.

Type 3 Permits; Applicability

- ▶ State General Permits (not federal general permits) & Specific Individual Permits

For example:

- ▶ Public Water System Construction Permit- New Type of Chemical Disinfectant
- ▶ Indirect Discharge General Permit
- ▶ New Stormwater Discharges 3-9010
- ▶ Discharges from Petroleum-related Remediation Activities into Municipal Wastewater Treatment Facilities 3-9016

Procedural Elements for Type 3 Permits

Notice

Notice of Administratively Complete Application. No direct notice to adjoining property owners required.

Notice

Notice of Draft Permit/Decision through ENB.

Comment

Minimum 30 day comment period on draft decisions.

Meeting

A person may request a meeting within 14 days from Draft Decision date. Meeting must be noticed at least 14 days prior to meeting date. Comment period cannot close until 7 days following meeting.

Notice

Notice of Final Permit/Decision through ENB. Must include a response to comments.

Type 4 Permits; Applicability

- ▶ Applies to Authorization Notices of Intent (NOIs) under a general permit.
- ▶ Applies to minor amendments

For example:

- ▶ Public Water Supply Construction Permits
- ▶ Stormwater Multi-Sector NOI 3-9003
- ▶ Discharges to Surface Waters from Petroleum-Related Remediation Activities

Amendments

Major Amendment
Requires technical review

Processed in the same manner as original application

Minor Amendment
Change requirement only, no technical review

Processed as Type 4

Administrative Amendment
Corrects typos, applicant name or mailing address

No process required

Procedural Elements for Type 4 Permits

Notice	Notice of Administratively Complete Application. No direct notice to adjoining property owners required.
Notice	Notice of Draft Permit/Decision through ENB.
Comment	14 day comment period on any draft decisions.
Meeting	Public Meeting Request not applicable.
Notice	Notice of Final Permit/Decision. Must include a response to comments.

Type 5 Permits; Applicability & Procedural Elements

Applies to:

- ▶ Wastewater Emergency Pollution Permits
- ▶ Public Water System Permits to Operate
- ▶ Emergency Sludge and Septage Disposal Permits

Notice:

- ▶ Final Decision/Final Permit posted at the time of issuance.

Comment Period by Permit Type

Type	Comment Period	Public Meeting Request	Post-Meeting Comment Period
1	30 day minimum	Can be requested any time during comment period; must be announced 30 days prior to meeting date	7 days
2	" "	Must be requested within 14 days of draft decision; must be announced 14 days prior to meeting date	" "
3	" "	" "	" "
4	14 day minimum	N/A	N/A
5	N/A	N/A	N/A

Permits Exempt from Act 150

- ▶ Resource Conservation and Recovery Act (RCRA) permits;
- ▶ Hazardous Waste Facility - Certificates of Need;
- ▶ On site wastewater and potable water supply; and
- ▶ Unsafe Dam Orders

NOTE: These permits follow their current process for notice, comment, & decision issuance/amendment. More information is available at dec.vermont.gov/permits

Search the ENB

Activity Name	<input type="text"/>	Permit #	<input type="text" value="Permit / Other"/>
ENB ID	<input type="text"/>	Address	<input type="text" value="Street Address"/>

<input type="text" value="Stormwater"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="Filter Town(s)"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Activity Status
<div><input checked="" type="checkbox"/> Watershed Management Division Stormwater<ul style="list-style-type: none"><input checked="" type="checkbox"/> Discharges From Medium Concentrated Animal Feeding Operations Stormwater General Permit 3-9100 (CAFO GP)<input checked="" type="checkbox"/> Individual Construction Stormwater Permit (INDC)<input checked="" type="checkbox"/> Individual Construction Stormwater Permit (INDC)- Minor Amendment<input checked="" type="checkbox"/> Individual Stormwater Discharge Offset Permit (INDO)<input checked="" type="checkbox"/> Individual Stormwater Discharge Offset Permit (INDO)- Minor Amendment</div>			<div><input type="checkbox"/> Addison<ul style="list-style-type: none"><input type="checkbox"/> Addison<input type="checkbox"/> Bridport<input type="checkbox"/> Bristol<input type="checkbox"/> Cornwall<input type="checkbox"/> Ferrisburgh</div>			<div><input checked="" type="checkbox"/> In Review<ul style="list-style-type: none"><input checked="" type="checkbox"/> Draft Decision / Comment<input type="checkbox"/> Final Decision / Appeal</div>

[ENB User Guide](#)

Search Criteria







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

Activity Status

- In Review (Administratively Complete)
- Draft Decision/Comment (Technically Complete)
- Final Decision/Appeal

Search Results

1 2 3 4 5 6 7 8 9 10

Project/Activity Name ▲	Address	Town	Activity Type	Status	ENB ID	Permit #
1775 Shelburne Road Development 	1775 Shelburne Road	South Burlington	Individual Stormwater Discharge Permit	In Review	PN17.0000157	7819-INDS
2005 Addition to National Hanger 	276 Water Street	Bennington	Previously Permitted Stormwater Discharges General Permit 3-9010: Notice of Intent	Draft Decision / Comment	PN17.0000160	3958-9010
Addison Natural Gas Project 	Mill Pond Road, VT Route 2A and CCCH, Redmond Road, US Route 2, US Route 2A, Charlotte Road, Pond Road, Plank Road, VT Route 17, US Route 7	Colchester	Individual Construction Stormwater Permit (INDS)	In Review	PN17.0000158	6949-INDC.1
AnC Biomedical facility 	172 Bogner Drive	Newport City	New Stormwater Discharges General Permit 3-9015: Notice of Intent	Draft Decision / Comment	PN17.0000114	7227-9015.A
AOT District 4 White River Junction Office Building 	Beswick Drive	Hartford	Individual Stormwater Discharge Permit	In Review	PN17.0000044	7839-INDS
AOT Sharon 1-89 S Salt Shed 	Interstate 89- Sharon Rest Area	Sharon	New Stormwater Discharges General Permit 3-9015: Notice of Intent	In Review	PN17.0000176	3141-9015.1

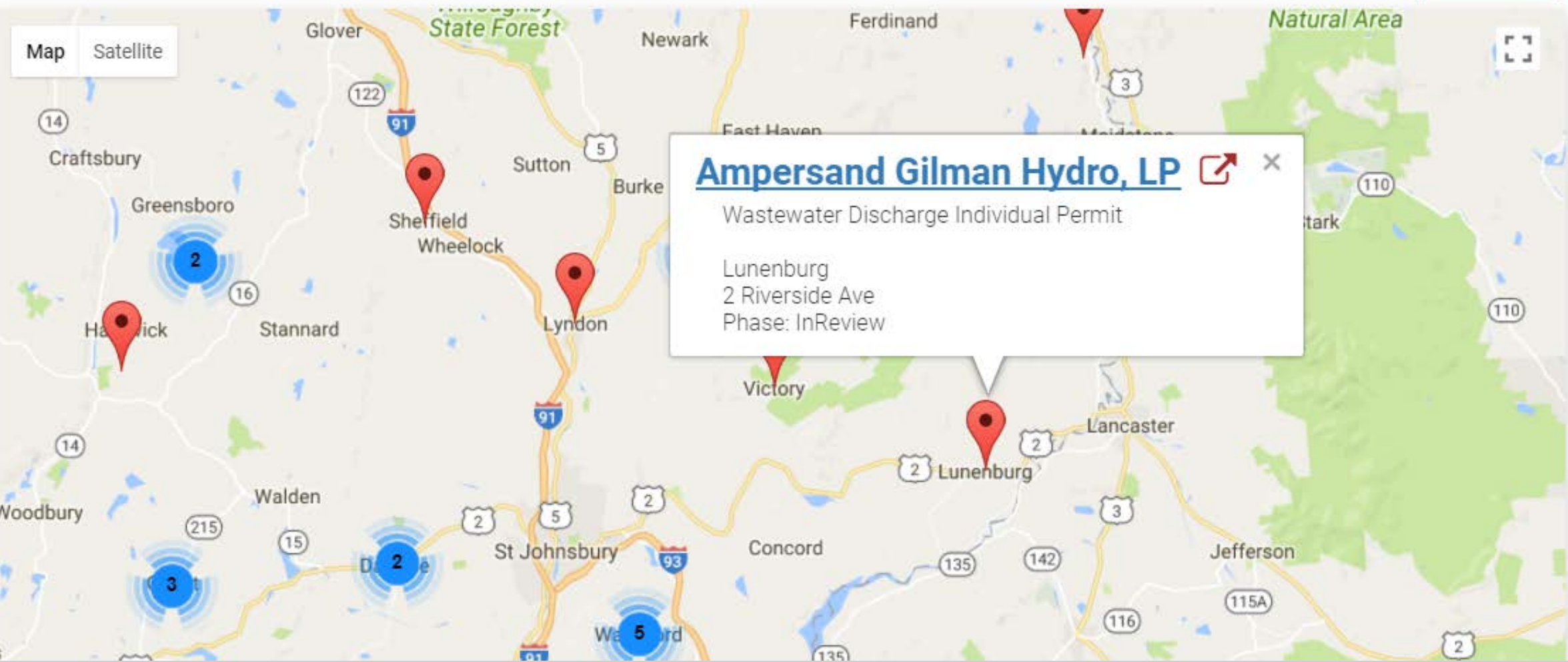
Search By Geographic Location

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 ...

Q Go!

Map Satellite



Ampersand Gilman Hydro, LP

Wastewater Discharge Individual Permit

Lunenburg
2 Riverside Ave
Phase: InReview


Activity Profile

Activity Info (Click Here for Program Information)

ENB ID	PN18.0007345
Activity Type	Individual Stormwater Discharge Permit (INDS
Permit # / ID	3594-INDS.A
Activity Name	Montpelier-Berlin Bike Path STP Bike (33) S
Address	parallels Washington County Rail line, along B
Town	Berlin
Applicant(s)	City of Montpelier
SPAN(s)	

Project/Activity Description

The previously permitted project involved the construction of a shared use path, resurfacing of Old Country Club Road, and the expansion and maintenance of Gallison Hill Road. The amended project involves moving a road crossing from one property owner to the adjacent property owner, modifying the areas used for disconnection credit based on site conditions, and adding a bioretention area for treatment of stormwater.

 Browse By Location

Location (View Project Location in ANR Atlas)

If the latitude and longitude are unknown or there are multiple locations in which the activity will take place, the map may reflect the center of the primary town listed on the application.



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

Public Notice Timeline

Follow

Share

Comment

Request Meeting

Appl. Received	<input type="text" value="07/03/2017"/>			
Admin. Complete	<input type="text" value="08/07/2017"/>			
Draft Decision	<input type="text" value="08/21/2017"/>	Comment	from <input type="text" value="08/21/2017"/>	to <input type="text" value="09/22/2017"/>
Final Decision	<input type="text"/>	Appeal*	from <input type="text"/>	to <input type="text"/>
Decision Type	<input type="text"/>			

* you MUST comment to appeal a decision

Staff - Contact

Staff Contact	<input type="text" value="Carol Chamberlin"/>
Phone	<input type="text" value="8024772982"/>
Email	<input type="text" value="Carol.Chamberlin@vermont.gov"/>


Related Documents

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

Activity Profile- Draft Decision Phase: Public Comment Submission

Thank you for choosing to participate in the public commenting process for this activity. Please provide your comment in the text box below and/or attach your comment as a PDF file. In general comments are most helpful when they address specific issues related to the proposed activity. This allows staff to provide a meaningful response. Your comments will be reviewed by staff and responses to all comments will be uploaded to the activity profile following the public comment period.

I am concerned that contaminants from the salvage yard will end up in my drinking water.

 Attach a File


Your Name	Jessica Mendizabal
Your Email	jessica.mendizabal@vermont.gov

 Save  Cancel

Activity Profile- Draft Decision Phase: Public Meeting RSVP

- Users who are logged in can RSVP to a public meeting directly via the ENB.

Public Meeting(s)**

Date	Start	Location	RSVP
09/15/2017	10:00AM - 11:00AM	Department of Environmental Conservation, 1 National Life Drive, Montpelier Room, Basement Level, Montpelier	RSVP 

**Meetings can only be requested within the 14 days following the draft decision date.

Public Meeting(s)**

Date	Start	Location	RSVP
09/15/2017	10:00AM - 11:00AM	Department of Environmental Conservation, 1 National Life Drive, Montpelier Room, Basement Level, Montpelier	You RSVP'd on: 09/01/2017

**Meetings can only be requested within the 14 days following the draft decision date.

Who Gets Notified?

- ▶ DEC staff can assign groups and individuals to receive automatic notifications of new activities and/or updates throughout the process.
 - ▶ Statewide Stakeholder: assigned by Activity Type and Town for new notices and additional updates;
 - ▶ Town Clerks, Solid Waste/Wetlands District Contacts
 - ▶ Other Stakeholder: assigned by Activity Type for new notices and additional updates;
 - ▶ Program Specific Environmental Organizations, State Agencies
 - ▶ Activity Subscriber: assigned to receive updates for a single activity.
 - ▶ Applicant and/or Consultant

User Registration

VERMONT OFFICIAL STATE WEBSITE

AGENCY OF NATURAL RESOURCES

ENVIRONMENTAL NOTICE BULLETIN

ENB SEARCH

REGISTER

LOG IN

Register.

Create a new account

First Name

Carol

Last Name

Chamberlin

Email

cxxxxxx@xxx.com

Password

Confirm password

Register

VERMONT OFFICIAL STATE WEBSITE

AGENCY OF NATURAL RESOURCES

ENVIRONMENTAL NOTICE BULLETIN

ENB SEARCH

Account Confirmation.

Thank you for confirming your account. Click [here](#) to login

User Registration

- Email sent to user after registration with a confirmation link.
- Once confirmed, users can log into the ENB.

User Login

VERMONT OFFICIAL STATE WEBSITE

AGENCY OF NATURAL RESOURCES

ENVIRONMENTAL NOTICE BULLETIN

ENB SEARCH

Log in.

Use a local account to log in.

Email cxxxxx@xxx.com

Password

☐ Remember me?



[Register as a new user](#)

[Forgot your password?](#)

User Subscriptions

VERMONT OFFICIAL STATE WEBSITE

AGENCY OF NATURAL RESOURCES

ENVIRONMENTAL NOTICE BULLETIN

ENB SEARCH

MY SUBSCRIPTION


My Subscription

Welcome to the subscription configuration page! By clicking the Modify Alerts button below, you will be able to set yourself up to receive email notifications for different types of activities (with geographical regions designated for each).

Email notifications of new activities are compiled and sent daily. Once you have configured an alert, you will receive notification when any relevant activity has been posted on the ENB.

If you would like to follow any activities step-by-step throughout the review process, you can select the follow button.

New Activities of Interest (based on your alert criteria)

 Modify Alerts

Activities I'm Following

By following an activity, you will receive a notification by email daily when there is an update or change to be reported. This allows you to stay informed at each step of the review process. Listed below are all activities you are following.

Once the appeal period has ended, the activity will be removed from this list. You can manually un-follow the activity here at any time. Your email notification will only show activities you're following that have been changed since the previous email.

Activity Type ▲	Project/Activity Name	Applicant Name(s)	Changes/Updates	Actions
No Records Available				



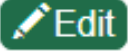

User Subscriptions- Activity Alerts

- Alerts are email notifications for when a *new* activity posts to ENB

My Subscription

In order to notify you of new activities, you must first let us know what types of activities are of interest to you through the use of alerts. Each alert is composed of the types of activities you're interested in, and where those activities are located.

By default, there are three alerts you can configure. To configure or deactivate an individual alert, click the edit button.

	Alert #	Activity Types(s)	Location	Active
	1			
	2			

User Subscriptions- Activity Alerts

My Subscription

☒ **Activate Alert**

To select your alerts, choose from a combination of the Activity Type and Geographic Location below. Each alert may contain one or more activity types. For the location you may select: one or more Towns/Counties; a Distance from a Point; or a specific Watershed. You must select at least one activity type and one location to receive the alert.

Select Activity Types of Interest



- ☐ 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
 - ☒ Air Pollution Control Minor Source Construction Permit
 - ☐ Air Pollution Control Subchapter X Operating Permit
 - ☐ Air Pollution Control Title V Operating Permit
- ☐ DWGWPD Compliance and Support
 - ☐ Authorization of Notice of Intent - Public Water System General Permit to Operate - Transient Non-Community
 - ☐ Public Water System General Permit to Operate - Transient Non-Community
- ☐ DWGWPD Indirect Discharge Permits and UIC
 - ☐ Indirect Discharge General Permit
 - ☐ Indirect Discharge Notice of Intent General Permit
 - ☐ Indirect Discharge Permit - Individual
 - ☐ Underground Injection Control (UIC) Permit
- ☐ DWGWPD Water Resources
 - ☐ Approval to Sell Bottled Water in Vermont
 - ☐ Groundwater Withdrawal Permit
 - ☐ Public Water System Source Permit - Site Notification
 - ☐ Public Water System Source Permit - SPA/Final Report/Draft Permit
- ☐ DWGWPD Facilities and Operations

Select Location by...



- ☐ Guildhall
- ☐ Lemington
- ☐ Lewis
- ☐ Lunenburg
- ☒ Maidstone
- ☐ Norton
- ☐ Victory
- ☐ Warner's Grant
- ☐ Warren's Gore
- ☐ Franklin
 - ☐ Bakersfield
 - ☐ Berkshire
 - ☐ Enosburgh
 - ☐ Fairfax
 - ☐ Fairfield
 - ☐ Fletcher
 - ☐ Franklin
 - ☐ Georgia
 - ☐ Highgate
 - ☐ Montgomery
 - ☐ Richford

Save



Cancel

- 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



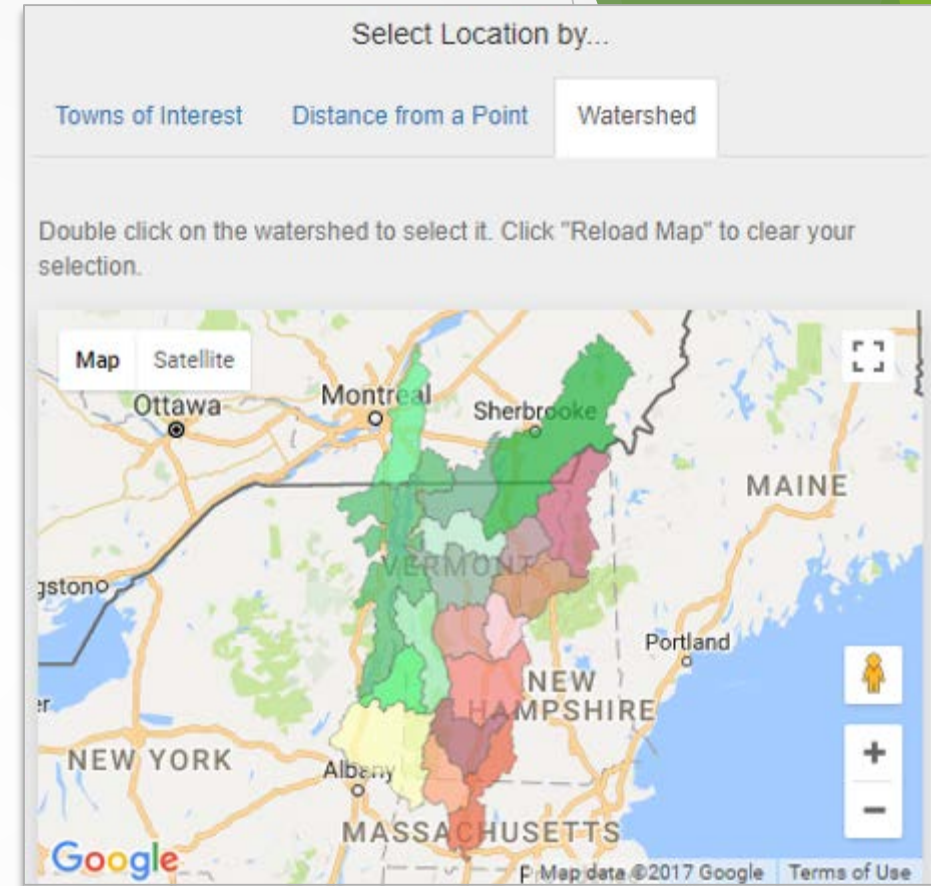
➤ Subscribe by Watershed

Select Activity Types of Interest

Wetlands ☐ ☐

☐ WSMD Wetlands

- ☐ Wetlands After the Fact Permit
- ☐ Wetlands Determination
- ☐ Wetlands General Permit
- ☐ Wetlands General Permit Authorization
- ☒ Wetlands Individual Permit



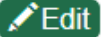
User Subscriptions- Activity Alerts

- User is now configured to receive an email notification when a new activity posts to ENB that matches the criteria below

My Subscription


In order to notify you of new activities, you must first let us know what types of activities are of interest to you through the use of alerts. Each alert is composed of the types of activities you're interested in, and where those activities are located.


By default, there are three alerts you can configure. To configure or deactivate an individual alert, click the edit button.

	Alert #	Activity Types(s)	Location	Active
 Edit	1	Air Pollution Control Major Source Construction / Subchapter X Operating Permit Air Pollution Control Minor Source Construction Permit	Maidstone	<input checked="" type="checkbox"/>

- User can choose to follow the activity to continue to receive notifications step-by-step throughout the process

New Activities of Interest (based on your alert criteria)

 Modify Alerts

Activity Type ▲	Project/Activity Name	Applicant	Town	
Indirect Discharge Permit - Individual	Changed Activity Alert Test	JM	Addison	 Follow

You are receiving this message because you have been signed up to receive email notifications via the Vermont Agency of Natural Resources' Environmental Notice Bulletin (ENB). Below are updates to activities for which you have been signed up and you will receive updates step-by-step throughout the review process.

To modify the subscription, please contact the staff person listed on the individual activity page or the ENB Administrator at anr.enbadministrator@vermont.gov.

Regards,
ENB Support
Vermont Agency of Natural Resources

Changes to Activities I'm Following

Activity Type	Activity/Project Name	Permit #/Other ID	Applicant	Most Recent Update	Date
Wetlands Individual Permit	Stakeholder Test	10-18-17	Mendizabal	Minor information related to this activity has been changed. This could be a change to: permit/other ID; Activity Name; Staff Contact; Activity Description; and/or SPAN number. Please visit the ENB to view the changes on the activity profile. The administrative record set for this activity has been modified. Please visit the ENB to view the activity profile.	2017-10-18

User Subscriptions- Activity Alerts

- User can choose to un-follow an activity at any time throughout the review process and notices will be discontinued.

Activities I'm Following

By following an activity, you will receive a notification by email daily when there is an update or change to be reported. This allows you to stay informed at each step of the review process. Listed below are all activities you are following.

Once the appeal period has ended, the activity will be removed from this list. You can manually un-follow the activity here at any time. Your email notification will only show activities you're following that have been changed since the previous email.

Activity Type ▲	Project/Activity Name	Applicant Name(s)	Changes/Updates	Actions
Indirect Discharge Permit - Individual	Changed Activity Alert Test	JM	<p>(08/29/2017) - A final Action for this activity has been reached and may be reviewed by visiting the ENB.</p> <p>(07/24/2017) - Due to a material change in the activity the public notice process must be restarted.</p>	<div>Un-Follow</div>

Thank you!

Questions?

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Find a Permit Specialist
[dec.vermont.gov/environmental-
assistance/permits/specialists](http://dec.vermont.gov/environmental-assistance/permits/specialists)

ENB Frequently Asked Questions
<http://dec.vermont.gov/permits/enb/general>