



# Notice of Intent (NOI) - Amendment

for Stormwater Discharges from  
Municipal Separate Storm Sewer Systems (MS4)  
General Permit 3-9014

For Dept. Use Only  
**Notice of Intent No:**

Submission of this Notice of Intent (NOI) constitutes notice that the entity in Section A intends to be authorized to discharge pollutants to waters of the State under Vermont's Municipal Separate Storm Sewer Systems (MS4) permit. Submission of the NOI also constitutes notice that the party identified in Section A of this form has read, understands and meets the eligibility conditions; agrees to comply with all applicable terms and conditions; and understands that continued authorization under the MS4 General Permit is contingent on maintaining eligibility for coverage. In order to be granted coverage, all information required on this form and the Minimum Control Measure attachments must be completed and a complete Stormwater Management Program (SWMP) Plan must be submitted.

## A. Permittee Information

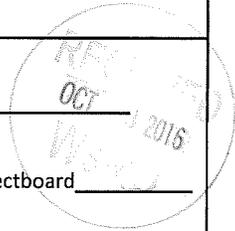
Name of MS4: Town of Rutland

Name of Principle Executive Officer (PEO) or Chief Elected Official (CEO): Stanley F. Rhodes III Title: Chairman of the Selectboard

Mailing Address:  
Street/P.O. Box: PO Box 225

City/Town: Center Rutland State: VT Zip: 05736

Phone: (802) 770-5072 Email: rutlandtown@comcast.net



## B. Primary contact responsible for overall coordination of SWMP, if different than PEO/CEO

Name: Joseph Zingale JR, Town Administrator

Mailing Address:  
Street/P.O. Box: PO Box 225

City/Town: Center Rutland State: VT Zip: 05736

Phone: (802) 770-5072 Email: rutlandtown@comcast.net

## C. Partnering organization responsible for Minimum Control Measure implementation (if applicable)

If you are participating in the CCRPC MOU to implement MCM1 &/or MCM2 check here:  MCM 1  
Or, if you are relying on another entity to implement a MCM, please complete the following:  MCM 2

Organization: Rutland Regional Planning Commission Contact: \_\_\_\_\_

Minimum Control Measure being implemented: MCM #1 & 2

Mailing Address:  
Street/P.O. Box: PO Box 965

City/Town: Rutland State: VT Zip: 05702

Phone: (802) 775-0871 Email: \_\_\_\_\_

Organization: \_\_\_\_\_ Contact: \_\_\_\_\_

Minimum Control Measure being implemented: \_\_\_\_\_

Mailing Address:  
Street/P.O. Box: \_\_\_\_\_

City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**D. Municipal Separate Storm Sewer System (MS4) Information**

Estimate of the square mileage served by the MS4: 2.44

Identify the names of all know waters that receive a discharge from the MS4:

| Receiving water | # of outfalls | Impaired status   | Nature of impairment |
|-----------------|---------------|---|----------------------|
| Moon Brook      | 21            | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | stormwater           |
|                 |               | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                      |
|                 |               | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                      |
|                 |               | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                      |
|                 |               | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                      |
|                 |               | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                      |
|                 |               | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                      |
|                 |               | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                      |

**E. Stormwater Impaired Waters Information**

Does the MS4 discharge into a stormwater impaired water?  Yes  No

If yes, the MS4 must comply with all requirements listed in Part IV.C. of the permit, including the requirement to develop a Flow Restoration Plan (FRP) for the stormwater impaired water.

**F. Incorporation of Previously Permitted Stormwater Systems**

As part of this application, is the MS4 incorporating a stormwater system that was previously authorized under a State stormwater permit?  Yes  No

If yes, the MS4 must complete and attach an MS4 Incorporation Form for each permit it is incorporating. List permit numbers here: 1-1031, 4735-INDS

**G. Certification**

This NOI shall be signed by a principal executive officer, ranking elected official or other duly authorized employee consistent with 40 CFR §122.22(b) and certified as follows:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Joseph Zingale Jr. Title: Administrator

Signature: Joseph Zingale Jr. Date: 9-29-16

Submit this **Original** form to:  
MS4 Permit Coordinator  
VTDEC · Watershed Management Division  
Stormwater Management Program  
One National Life Drive  
Montpelier, Vermont 05620-3522

## Instructions for Public Comment, Public Hearings, and Appeals

### PUBLIC COMMENT

Public comments concerning this Notice of Intent to discharge under General Permit No 3-9014 and the accompanying Stormwater Management Plan (SWMP) are invited and must be submitted during the public notice period. Comments should address how the application complies or does not comply with the terms and conditions of General Permit No. 3-9014. A letter of interest should be filed by those persons who elect not to file comments but who wish to be notified if the comment period is extended or reopened for any reason. All written comments received within the time frame described above will be considered by the Department of Environmental Conservation in its final ruling to grant or deny authorization to discharge under General Permit No. 3-9014.

All submitted NOIs and SWMPs can be found on the Stormwater Program's website at:  
<http://dec.vermont.gov/watershed/stormwater/permit-information-applications-fees/ms4-permit>

Send written comments to: VT DEC, Watershed Management Division  
Stormwater Management Program, MS4 Permit Coordinator  
One National Life Drive  
Montpelier, VT 05620-3522

### PUBLIC HEARING REQUEST

During the notice period, any person may submit a written request to this office for a public hearing to consider the proposed permit authorization. The request must state the interest of the party filing such request and the reasons why a hearing is warranted. A hearing will be held if there is a significant public interest (including the filing of requests or petitions for such hearing) in holding such a hearing. If the Secretary determines that useful information and data may be obtained thereby, the Secretary may hold a public hearing any time prior to the issuance of the authorization. Notice of a public hearing will be circulated 30 days prior to the hearing. (40 C.F.R. § 124.12 and Vermont Water Pollution Control Permit Regulations, Chapter 13.3G)

### APPEALS

Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The appellant must attach to the Notice of Appeal the entry fee of \$250.00, payable to the state of Vermont.

The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Court; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal.

The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

For further information, see the Vermont Rules for Environmental Court Proceedings, available on line at [www.vermontjudiciary.org](http://www.vermontjudiciary.org). The address for the Environmental Court is 2418 Airport Road, Suite 1, Barre, VT 05641 (Tel. # 802-828-1660)

A copy of General Permit No. 3-9014 may be obtained by calling (802) 490-6173; by visiting the Department at the above address between the hours of 7:45 am and 4:30 pm; or by downloading from the Watershed Management Division's Web site at <http://dec.vermont.gov/watershed/stormwater>.

## MS4 Incorporation Form for State Issued Stormwater Permits

Please complete this form for each previously issued state stormwater permit that the MS4 plans to incorporate into the MS4 authorization. The stormwater management practices associated with the permit listed below shall be listed in the MS4's Stormwater Management Program (SWMP) under Minimum Control Measure 5, Post-Construction Stormwater Management.

1. Stormwater System Name: LaVictorie residential subdivision
2. Location: Victoria Drive, Town of Rutland
3. Stormwater Permit Number: 1-1031
4. Current Permit Status: (Issued, Expired, Title 3) Expired
5. Narrative Describing the Stormwater System: Swales to culverts.

6. Current Compliance Status:

Compliant with previously issued state permit

Planned compliance within 24 mos; Estimated Compliance Date: October 2017

Not constructed – plan for construction as part of FRP; Estimated construction schedule:

\_\_\_\_\_

Substantially deteriorated – plan for construction as part of FRP; Estimated construction schedule: \_\_\_\_\_

7. Plans (for expired permits, list plan numbers and attach):  
1-1031.pdf

8. Proof of Legal Responsibility (list and attach):  
Jene LaVictorie 438-6175

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1. Stormwater System Name: Wynnmere Senior Housing Project
2. Location: Carmel Place, Town of Rutland
3. Stormwater Permit Number: 4375-INDS
4. Current Permit Status: (Issued, Expired, Title 3) Expired
5. Narrative Describing the Stormwater System: Swales and catch basin collection to detention pond
6. Current Compliance Status:
  - Compliant with previously issued state permit
    - Planned compliance within 24 mos; Estimated Compliance Date: October 2017
    - Not constructed – plan for construction as part of FRP; Estimated construction schedule:  
\_\_\_\_\_
  - Substantially deteriorated – plan for construction as part of FRP; Estimated construction schedule: \_\_\_\_\_
7. Plans (for expired permits, list plan numbers and attach):  
4375-INDS.pdf
8. Proof of Legal Responsibility (list and attach):  
Greg Fineberg 773-7515