



## Notice of Intent (NOI) - Amendment

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

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

1. Name of MS4: Town of St Albans

2a. Name of Principle Executive Officer (PEO) or Chief Elected Official (CEO): Carrie Johnson

2b. Title: Town Manager

3a. Mailing Address: PO Box 37

3b. Town: St Albans Bay

3c. State: VT

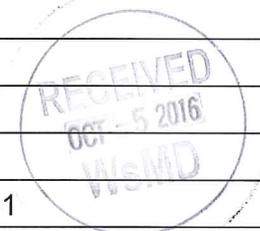
3d. Zip: 05481

4. Phone: 802.524.7589 ext 106

5. Email: satownmanager@comcast.net

6. Additional Contact Name:

7. Additional Contact Name:



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

1. Name: Ned Connell

2a. Mailing Address: PO Box 37

2b. Town: St Albans Bay

2c. State: VT

2d. Zip: 05481

3. Phone: 802.524.7589 ext 108

4. Email: nconnell@stalbanstown.com

5. Additional Contact Name:

6. Additional Contact Email:

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

1. If you are participating in the CCRPC MOU to implement MCM1 &/or MCM2 check here:  MCM 1  MCM 2

*Or, if you are relying on another entity to implement a MCM, please complete the following:*

2. Organization: Northwest Regional Planning Commission

3. Contact Name: Catherine Dimitruk

4. Minimum Control Measure being implemented: 1 and 2

5a. Mailing Address 75 Fairfield Street

5b. Town: St Albans

5c. State: VT

5d. Zip: 05478

6. Phone: 802.524.5958

7. Email: cdimitruk@nrpcvt.com

8. Organization:

9. Contact Name:

10a. Mailing Address:

10b. Town:

10c. State:

10d. Zip:

11. Phone:

12. Email:

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

1. Estimate of the square mileage served by the MS4: E. Stormwater Impaired Waters Information 1.5

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

Receiving water	# of outfalls	Impaired status		Nature of impairment
Rugg Brook	~50	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	impacts associated with excess runoff
Stevens Brook	~50	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	impacts associated with excess runoff
		<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**

1. 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**

1a. As part of this application, is the MS4 incorporating a stormwater system that was previously authorized under a State stormwater permit?  Yes  No

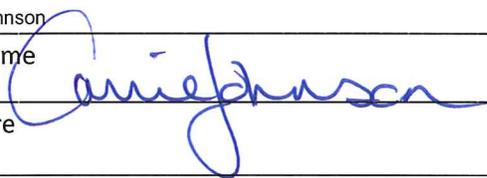
1b. If yes, the MS4 must complete and attach a MS4 Incorporation Form for each permit it is incorporating. List permit numbers here: Please see attached letter for additional information

**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.

Carrie Johnson  
 \_\_\_\_\_  
 Print Name  
 \_\_\_\_\_  
 Signature



Town Manager  
 \_\_\_\_\_  
 Title  
 10/4/2016  
 \_\_\_\_\_  
 Date

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 within 10 days of receipt of this Notice by the Municipal Clerk. 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://www.vtwaterquality.org/stormwater/hm/sw\\_ms4.htm](http://www.vtwaterquality.org/stormwater/hm/sw_ms4.htm)

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 32 Cherry Street, 2nd Floor Suite 303, Burlington, Vermont 05401.

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 [www.vtwaterquality.org](http://www.vtwaterquality.org).

Selectboard

Stan Dukas, Chair  
Bruce Cheeseman, Vice Chair  
David McWilliams  
Bill Nihan  
Sam Smith



Anna Bourdon, Town Clerk  
Carrie Johnson, Town Manager

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September 19, 2016

Ms. Christy Witters  
Vermont DEC, Wastewater Management Division  
1 National Life Drive  
Montpelier, VT. 05620-3522

Dear Christy,

We are writing in regard to the request to incorporate State Issued Stormwater Permits into the Town of St. Albans MS4 permit. As previously provided in writing to the Agency of Natural Resources on March 31, 2014, the Town does not request that the State exercise Residual Designation Authority (RDA) on any of the expired permits in Rugg and/or Stevens Brook watersheds at this time. During the summer of 2015, and as documented in a letter to the Agency of Natural Resources on September 28, 2015, the Town performed inspections of each expired permit and determined all sites had generally been built according to the most recent permitted plans, and that some of the sites were in need of routine maintenance.

At this time, the Town is working diligently to contact the homeowners responsible for the expired permits to complete the needed maintenance and discuss the Town's intention of taking over the permits. In many cases this is a difficult and time consuming task given no homeowner associations exist. It remains a possibility that the Town may request RDA assistance from the Agency of Natural Resources, if an agreement for the Town to take over an expired permit cannot be reached.

To allow additional time for the Town to finalize a plan for accepting the expired permits into the MS4, we request that a 12-month extension be granted for the Town to provide a final list of expired permits to incorporate into the MS4. As part of this process, the Town agrees to providing confirmation that needed maintenance has been completed at these sites within the 24-month timeline, as included on the MS4 Incorporation Form you have provided.

Sincerely,

A handwritten signature in black ink, appearing to read "Stanley Dukas", written over a horizontal line.

Stanley Dukas, Chair  
Town of St. Albans Selectboard

cc: Carrie H. Johnson, Town Manager  
Ned Connell, Director of Administration