

Vermont Agency of Natural Resources
Department of Environmental Conservation
Solid Waste Management Program

SOLID WASTE MANAGEMENT FACILITY CERTIFICATION
1st MAJOR AMENDMENT

FACILITY NAME (FACILITY):	New England Waste Services of Vermont, Inc. Landfill
FACILITY OWNER/OPERATOR (PERMITTEE):	New England Waste Services of Vermont, Inc. (NEWSVT)
FACILITY OPERATOR (PERMITTEE):	New England Waste Services of Vermont, Inc. (NEWSVT)
LANDOWNER (PERMITTEE):	New England Waste Services of Vermont, Inc. (NEWSVT)
PROPERTY SPAN NUMBER:	165-052-10371
SOLID WASTE FACILITY ID NUMBER:	OL510
FACILITY LOCATION:	21 Landfill Lane, Coventry, Vermont

AMENDMENT PURPOSE/DESCRIPTION:

The amendment is to provide for the construction, operation, and management of a treatment system capable of removing contaminants, including per-and polyfluoroalkyl substances (commonly referred to collectively as “PFAS”) from the groundwater discharge of the Phase III underdrain system at the New England Waste Services of Vermont (NEWSVT) landfill in Coventry, Vermont.

AMENDMENT APPLICATION REVIEW:

On December 28, 2021, an amendment request was submitted to the Solid Waste Management Program detailing proposed design, construction, testing, and operational plans for the Phase III underdrain treatment system. It was reviewed in accordance with the Waste Management Act 10 V.S.A. §§6601 et seq., and the Solid Waste Management Rules (eff. 10/31/2020) (“Rules”). The Application is on file in the offices of the Program in Montpelier, Vermont and available digitally through the Environmental Notice Bulletin.

CERTIFICATION PERIOD: October 12, 2018, to June 30, 2028

DATE OF AMENDMENT: *Date of Signature*

FINDINGS

- a) New England Waste Services of Vermont, Inc. (NEWSVT) was issued a Solid Waste Management Facility Certification on October 12, 2018, for continued landfill operations, the construction and operation of a Phase VI expansion area, and a residential drop-off area at the facility in Coventry, Vermont. The issued certification also provided provisions for the environmental monitoring of the site and post-closure maintenance and monitoring of two closed, unlined landfill areas.
- b) In May 2021 the required semi-annual water quality monitoring occurred at the facility. Analysis of the Phase III underdrain reported per- and polyfluoroalkyl substances (PFAS) within this groundwater discharge at a sum concentration of 73 ppt for the five PFAS compounds that are regulated as of July 2022 in Vermont (PFOA, PFOS, PFHxS, PFHpA, and PFNA).
- c) On September 2, 2021, the Program requested that NEWSVT finalize design and permitting schedule for a per- and polyfluoroalkyl substances (PFAS) treatment system for the Phase III underdrain discharge system. NEWSVT responded with a testing and permitting plan and schedule on September 21, 2021.
- d) On December 28, 2021, the amendment application was received by the Solid Waste Management Program outlining the remaining on-site pilot testing of the treatment system and the proposed full installation treatment system.
- e) The amendment application was reviewed for conformance with the Solid Waste Management Act, 10 V.S.A. Section 6601 et seq., and the Vermont Solid Waste Management Rules, effective October 31, 2020 (Rules).
- f) On February 16, 2022, the Program determined that the application was administratively complete and that the application conforms to the Rules and other statutory and regulatory requirements.
- g) On ***** the Program provided notice of the draft minor amendment to the recertification, pursuant to 10 V.S.A. §7713(c). The public comment period ended on [REDACTED] and a public hearing was held [REDACTED].

CONDITIONS, REQUIREMENTS AND RESTRICTIONS OF AMENDMENT

- 1) All Findings and Conditions of the October 2018 certification remain in full force and effect with the following amendments to existing conditions as set forth herein.
- 2) The following documents submitted as part of the Application are hereby incorporated by reference to Condition 2 of the 2018 certification:
 - a) **Application for Phase III Underdrain Discharge Treatment System Certification Amendment**, dated December 28, 2021, and prepared by New England Waste Services of Vermont; and
 - b) UD-3 PFAS Treatment System Design and Pilot Test Work Plan, Dated December 2021 and prepared by Sanborn Head and Associates.

- 3) The Permittee shall construct, develop, and operate the PFAS treatment system in accordance with the terms of this Certification and with the applicable provisions of State law, including the Rules. Compliance with this certification does not relieve the Permittee from complying with all applicable local, State and Federal laws.
- 4) The Permittee shall install the PFAS treatment system as proposed by the amendment request and the 90 percent design details submitted within. Following completion of the full-scale pilot testing the Permittee shall report to the Program on any proposed construction, design or operational changes to be approved by the Secretary prior to implementation. Material or substantial additions or alterations to this project which justify the application of conditions different or absent from this certification will be cause for modification or amendment of the certification.
- 5) Following completion of the construction of the UD-3 PFAS treatment system, the Permittee shall provide the Program with a copy of the final as-built design plans for the system.
- 6) The full PFAS treatment system shall be capable of treating the full volume of water discharged from the Phase III underdrain and shall remove PFAS contaminants of concern from the effluent to non-detectable concentrations, as reported by an EPA approved method capable of detection at or below any applicable standards or criteria.
- 7) Influent, mid-point and effluent monitoring of the treatment system shall occur in accordance with appropriate analytical methodologies, as may be approved by the Environmental Protection Agency, and for a full suite of PFAS compounds as described by the analytic method. Effluent samples shall also be sampled for metals utilizing an EPA approved method capable of detection at or below Vermont Water Quality Criteria concentrations.
- 8) The monitoring of the treatment system shall occur on the schedule presented by the December 2021 UD-3 PFAS Treatment System Design and Pilot Test Work Plan. Any reduction in monitoring frequency from the initial bi-weekly schedule, must be pre-approved by the Secretary and based on demonstrated performance of the treatment system. In no case shall effluent monitoring occur less than at least once every other month. Monitoring results shall be reported to the Secretary monthly, by the 15th day of each month.
- 9) If monitoring of the effluent indicates a detectable release of PFAS, or any other contaminants of concern, from the remediation system, the permittee shall:
 - a) Notify the Solid Waste Management Program within 24 hours;
 - b) Submit a written report within five (5) days detailing the reason for the discharge and the procedures being employed to bring the effluent concentrations into compliance.
- 10) The discharge shall not: cause erosion or contain sediment which causes or contributes to a violation of water quality standards, contain a visible sheen, foam or floating solids, cause a visible discoloration, cause or contribute to a violation of water quality standards.
- 11) Condition 68 of the 2018 certification shall be amended to read: “During the months of May and October of each certification year, the Permittee shall retain a qualified professional to perform groundwater quality monitoring. Sampling location shall include the groundwater monitoring wells described in the Water Quality Monitoring Program and MW-K1. All groundwater samples shall be collected and analyzed in accordance

with Section (III)(C) of the *Groundwater Procedure*. In addition, the Permittee shall analyze all monitoring well samples for dissolved iron and manganese.”

- 12) Condition 69 of the 2018 certification shall be amended to read: “During the months of May and October of each certification year, the Permittee shall retain a qualified professional to perform per- and polyfluoroalkyl substances (PFAS) monitoring at groundwater monitoring locations located at the groundwater compliance points of the landfill facility and downgradient of the PFAS treatment system. This monitoring shall detect any PFAS compounds for which there is a groundwater enforcement standard and shall include the following locations: G-12S, E2, MW-E1, MW-P6, BRW-2R, BRW-5S, BRW-4S, MW-P2RR, BRW-3D and MW-K1.”
- 13) Prior to issuance of this certification, the Permittee shall submit to the Program documentation demonstrating the establishment of a financial assurance mechanism sufficient to include the post-closure costs associated with the UD-3 PFAS treatment system.

Appeals

Any person aggrieved by this certification or permit may appeal to the Superior Court – Environmental Division within 30 days of the issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules Environmental Court Proceedings. If this certification or permit relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. §248, any appeal must be filed within 30 days of the issuance with the Vermont Public Service Board in accordance with Board rules.

The Secretary’s issuance of this Certification for the operation of this facility relies upon the data, judgment and other information supplied by the Permittee(s), the hired professional consultants and other experts who have participated in the preparation of the Application.

The Secretary makes no assurances that the facility certified herein will meet the performance objectives of the Permittee(s) and no warranties or guarantees are given or implied.

The Program staff has reviewed the Application and has found that it conforms to current technical standards. It is recommended that the foregoing findings be made and this Certification be issued for the operation of the facility described here in.

I do affirmatively make the findings as recommend by the staff of the Program and approve the issuance of this Certification.

Dated this ____ day of _____, 2022 at Montpelier, Vermont.

AGENCY OF NATURAL RESOURCES
Julie S. Moore, Secretary
Agency of Natural Resources

By: _____
Matthew A. Chapman, Esq., Director
Waste Management and Prevention Division
Department of Environmental Conservation