

**State of Vermont**  
**Agency of Natural Resources**  
**Department of Environmental Conservation**

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<b>Procedure:</b>	<b>Pretreatment Permit Renewal</b>	<b>Effective Date:</b>	<b>6/1/2018</b>
<b>Applicable To:</b>	<b>Department of Environmental Conservation</b>	<b>Revision Date:</b>	<b>7/1/2021</b>
<b>Prepared/ Revised by:</b>	<b>WSMD BOSS and Wastewater</b>	<b>Approved By:</b>	<b>Amy Polaczyk</b>

**Procedure Objective**

Pretreatment Permit Renewal

**Impacted Departments or Divisions**

WSMD BOSS and Wastewater Programs.

**Required Resources**

Permit Application, Wastewater Inventory (WWInv), State and Federal Regulations, Vermont Water Quality Standards, Vermont Toxic Discharge Control Strategy, Permit Writers Manual, Program Binder, Permit Renewal Job Aid

**Governing Documents**

State and Federal Regulations, Permit Expediting Procedure (PEP) guidelines, Permit Application Review Guidance (PARG), Vermont Water Quality Standards, Vermont Toxic Discharge Control Strategy

**Timeline/Frequency**

Every 5 years, timeline subject to PEP standards

**Procedure 1 – Application to technically complete status**

1. Renewal notice is sent to permittee 210 days prior to permit expiration (BOSS permit admin), which includes fee calculation based on previous permit flow.

PERMIT EXPIRATION	Reapply prior to expiration	PERMIT REAPPLICATION	Send reminder prior to reapplication	SEND RENEWAL NOTICE
03/31	-180 days	09/30	-30 days	09/01
06/30	-180 days	12/31	-30 days	12/01
09/30	-180 days	03/31	-30 days	03/01
12/31	-180 days	06/30	-30 days	06/01

2. Pre-Application assistance (role: BOSS permit admin, Wastewater staff, permittee, consultant). If there are going to be fee changes, make sure to coordinate with BOSS permit admin so that the correct fee can be calculated prior to submission of application.
3. **Paper** application and fee received (180 days prior to permit expiration) and reviewed for administratively completeness. [Administratively complete means an application for a permit when all initially required documentation has been submitted along with any required permit fee, and the info submitted addresses all application requirements but has not yet been subjected to a complete technical review.] (role: BOSS permit admin)
  - a) Complete: enter application info into the Inventory including the date of admin complete [PEP clock on], email Acknowledgment and Title 3 letters (Title 3 for renewals only), hard copy folder delivered to Wastewater staff if exists, otherwise email application to Wastewater staff.
  - b) Incomplete: communication of deficiency to permittee [PEP clock off]. Once additional information received and deemed complete, enter admin complete date in Inventory [PEP clock on].
4. Wastewater staff review application for technical completeness.
  - a) Incomplete: request information from permittee, enter date of request to WWInv [PEP clock off] & date of info received [PEP clock on]. Request info to be delivered in 15 days (or as reasonable). Repeat as needed.
  - b) Complete: write draft permit per Procedure 2 below.

**Procedure 2 – Draft permit through public notice**

*Notes: PEP standard for draft permit to public notice is 75 days*

*While it is fine to discuss permitting dates with a permittee, draft permits may not be shared with the permittee prior to public noticing.*

## **Data Collection and Review:**

1. Compile and review the following documentation.
  - a) Current application;
  - b) Five years of permittee monitoring data – note any permit violations;
  - c) Relevant correspondence – note any request permit changes and permit violations;
  - d) Receiving publicly owned treatment works' (POTW) Basis of Final Design;
  - e) Receiving POTW's current Sewer Use Ordinance;
  - f) Five years of receiving POTW monitoring data for particular constituents of concern – note permit violations or high concentrations of constituents expected to be present in industrial user's discharge. Calculate influent loading of constituents in lbs/day, if necessary. Review compliance with Basis of Final Design;
  - g) Consult with POTW to understand how industrial user's discharge has affected receiving POTW and to review any desired permit changes.
2. Consult with POTW to understand how industrial user's discharge has affected receiving POTW and to review any desired permit changes.
  - a) Request POTW collect additional data, if necessary.
3. Notify industrial user of permit renewal:
  - a) Perform site visit to review industrial user operations, discharge point, pollution prevention and treatment practices. You may invite the POTW to the site visit, if necessary. During the visit take note of the following to ensure it is accurately reflected in draft permit:
    - Operations and maintenance necessary to comply with the permit conditions;
    - New operations or treatment added since last permit renewal;
    - Evaluate whether the Significant Industrial User needs a plan or other action to control Slug Discharges in accordance with [40 CFR 403.8\(f\)\(2\)\(vi\)](#). Slug Discharge Control requirements are only required for SIUs; however, we can choose to apply slug discharge requirements to any industrial user in order to prevent an exceedance of a Pretreatment Standard;
    - Production schedule and monitoring schedule to determine if representative monitoring is occurring;
    - Effluent sample location;
  - b) Consult with industrial user as necessary to obtain information needed to formulate draft permit.
4. Copy all documentation reviewed and used to formulate permit decisions to the "Permit Record" folder in the "Facilities" directory.

## **Draft Permit and Fact Sheet:**

5. Use the Pretreatment Permit template to draft Pretreatment Permit renewal:  
[\\vtanr\docs\WSMD\\_Discharge\Resources\TEMPLATES\Permit Templates\Pretreatment\TEMPLATE-Pretreatment Permit Template.2020.12.10.docx](\\vtanr\docs\WSMD_Discharge\Resources\TEMPLATES\Permit Templates\Pretreatment\TEMPLATE-Pretreatment Permit Template.2020.12.10.docx)  
Use one of the following fact sheets as a template for a Pretreatment Permit fact

sheet. A word version of the fact sheet can be found in the “Facilities” working folder:

- a) GSP Coatings (metal finishing), Middlebury Resource Recovery Center (Centralized Waste Treatment), Four Quarters Brewery (brewery), Ben and Jerry’s Waterbury (Dairy).
6. Incorporate desired changes into the permit based on findings from data collection and review;
7. Require review and consider comments from the following (in the order presented):
  - a) Receiving POTW;
  - b) BOSS Compliance Specialist for assurance that limits and schedule items can be entered in WWInv/ICIS
  - c) Legal (as required)
  - d) Pretreatment Coordinator
  - e) Program Manager & Management (Director, as necessary)
    - Summarize specific areas in draft permit and fact sheet for Program Manager to review in written request.
  - f) EPA (As required)
8. Finalize and prepare Draft for Public Noticing, final signoff by program manager & management.
9. Public noticing
  - a) Schedule public meeting as needed (required for all LC TMDL permits) (must be 30 days from notice date & extend notice for 7 days following mtg)
  - b) Coordinate with BOSS permit admin for majors and permits with public meetings to ensure newspaper noticing deadlines can be met and determine dates of public notice period (admin needs draft documents 2-3 days prior to public notice start date to allow time to meet newspaper deadlines).
  - c) Review public notice distribution list with BOSS permit admin to ensure it is accurate and up-to-date.
  - d) Send to BOSS permit admin via email (all files pdf except newspaper ad form):
    - draft permit
    - draft fact sheet with RPD attached
    - public notice document (non-ENB permits, only)
    - **1272 Orders may go on public notice; WW must instruct BOSS if this is required for a particular Order.**
10. BOSS permit admin updates WWInv (including date technically complete), distributes PN docs, and posts to website [PEP clock remains on]. Wastewater staff hands paper file (if there is one) to BOSS permit admin.
11. Public meeting held (as needed)

### **Procedure 3 – Final permit issuance**

1. The day after the last day of public notice period, BOSS admin updates WWInv and sends reminder email to Wastewater staff that draft is off notice and to check for comments [PEP clock remains on].
2. Wastewater staff reviews comments and drafts a Responsiveness Summary.
3. Permit finalized

- a) Remove draft designation from header & cover page,
- b) check header numbering and
- c) **PROOF** dates – Effective date, Expiration date, Reapplication date and Monitoring report date.
- d) Print and double-check spacing, etc.
4. Revised Fact Sheet
  - a) Update to reflect no comments received (if applicable). Remove text of final section to only include dates of public notice. Leave month on the first page unchanged.
  - b) If revisions are made, they are to be done in *italics*. When there are changes, the first page should be updated to include “*Revised: Month Year*” underneath original date in italics.
5. Final approval by Program Manager, signature and issuance date added.
  - a) Email final permit as a Word document for signing.
  - b) Email fact sheet with RPD and responsiveness summary attached as PDF.
  - c) Program Manager forwards permit to Deputy Director and informs them the permit is being signed.
  - d) Program manager returns signed permit as PDF to WW staff.
6. Wastewater staff emails to BOSS permit admin in PDF format:
  - a) Signed permit
  - b) Fact sheet
  - c) 1272 Order if issued
  - d) Response summary if done
  - e) Email BOSS with:
    - Additional/new recipients, such as the contact information for all commenters to receive notice of final permit issuance
    - Special conditions or changes to note
    - Monitoring forms to include
7. If have paper file return it to BOSS permit admin.
8. BOSS permit admin:
  - a) Distributes final permit documents
  - b) Posts to web for 30-day appeal period
  - c) Updates WWInv [**concludes PEP time**]
  - d) Saves documents to WWInv.
  - e) 1272 Orders are ONLY distributed to the applicant, consultant if applicable and Chief Operator for Municipality if applicable. They are also NOT put on website for public viewing/access.
9. Note that closing a permit requires approval of all eDMRs and 3 to 4 days to enter new conditions into WWInv. Plan accordingly.

**SOP Changes since previous version (including rationale)**

**Amy Polaczyk, 6/20/2019**

**Edited/Added the following to clarify and add third bullet:**

- a) Email BOSS with:

- Additional/new recipients, such as the contact information for all commenters to receive notice of final permit issuance
- Special conditions or changes to note
- Monitoring forms to include

### **Notices**

- These procedures are intended to support the Agency of Natural Resources internal control environment.
- In consideration of these procedures, the objective should be on adherence and not on rationalizing ways and means for circumvention.
- Nothing in this document shall limit or supersede any applicable Federal or State laws, statutes, bulletins, or regulations