

AMENDMENT

STATE OF VERMONT AGENCY OF NATURAL RESOURCES DEPARTMENT OF ENVIRONMENTAL CONSERVATION

AMENDMENT TO GENERAL PERMIT 3-9010

The Secretary of the Agency of Natural Resources hereby amends General Permit 3-9010, entitled “Previously Permitted Stormwater Discharges to Waters that are not Principally Impaired by Collected Stormwater Runoff” dated August 6, 2002.

Title of Permit

The title of General Permit 3-9010 is changed to “Previously Permitted Stormwater Discharges to Waters that are Not Principally Impaired by Regulated Stormwater Runoff.”

Part I., A., First Paragraph is amended as follows:

The Secretary (“Secretary”) of the Agency of Natural Resources (“Agency”) is issuing this general permit for discharges of stormwater runoff to waters of the State of Vermont that are not principally impaired by regulated stormwater runoff, which discharges have been previously authorized by the Secretary pursuant to a stormwater discharge permit or temporary pollution permit. This includes previously permitted discharges to all Class A and Class B waters in the State of Vermont except those waters that are listed as being principally impaired due to regulated stormwater runoff on the EPA-approved State of Vermont 303(d) List of Waters.

Part I. B. is amended as follows:

Coverage under this general permit is required for discharges of regulated stormwater runoff to all waters of the State of Vermont that are not principally impaired by regulated stormwater runoff, which discharges have been previously authorized by the Secretary pursuant to a stormwater discharge permit (10 V.S.A. Sections 1263 or 1264) or a temporary pollution permit (10 V.S.A. Section 1265). Coverage is required regardless of whether the most recent previously issued permit has expired.

Part I. C., is amended as follows:

This general permit does not cover the following discharges:

1. Non-stormwater discharges;
2. Stormwater discharges to waters of the State of Vermont that are listed as principally impaired due to regulated stormwater runoff on the EPA-approved State of Vermont 303(d) List of Waters;
3. Stormwater discharges from new development, expansion, or redevelopment;
4. As provided in 10 V.S.A. §1264(e), no permit is required for stormwater runoff from farms subject to accepted agricultural practices adopted by the commissioner of agriculture, food and markets or for stormwater runoff from silvicultural activities subject to accepted management practices adopted by the commissioner of forest, parks and recreation;
5. Stormwater discharges that will be managed and treated by an alternative STP design as provided in Section 2.5 of the Vermont Stormwater Management Manual. These discharges will require an individual stormwater discharge permit from the Secretary.
6. Stormwater discharges that are currently covered by an individual NPDES permit for a point source of sanitary or industrial waste.

Part I., E., is amended as follows:

“Regulated stormwater runoff” means precipitation, snowmelt, and the material dissolved or suspended in precipitation and snowmelt that runs off impervious surfaces and discharges into surface waters or into groundwater via infiltration.

“Unimpaired Waters” means all waters of the State of Vermont that are not listed as being principally impaired due to regulated stormwater runoff on the EPA-approved State of Vermont 303(d) List of Waters.

“State of Vermont 303(d) List of Waters” means the EPA-approved State of Vermont List of Waters prepared pursuant to 33 U.S.C. Section 1313(d).

Part II. A.4 is added as follows:

4. Application for Coverage by Previous Permittees Discharging to Reclassified Waters

If, due to changes in the State of Vermont 303(d) List of Waters, certain waters that were not originally covered by this general permit are reclassified as not being principally

impaired due to regulated stormwater runoff, than Previous Permittees that discharge to such waters shall apply for coverage under this general permit.

Part V., C. is amended as follows:

The stormwater collection, treatment and control system shall be properly operated. The permittee shall submit an annual inspection report on the operation, maintenance and condition of the stormwater collection, treatment and control system. The inspection shall be conducted between the conclusion of spring snow melt and June 15th of each year and the inspection report shall be submitted to the Secretary by July 15th of each year, or by July 30th if performed by a utility or municipality pursuant to a duly adopted stormwater management ordinance. The inspection report shall note all problem areas and all measures taken to correct any problems and to prevent future problems

Appendix A

Appendix A is deleted in its entirety.

Signed this 5th day of April 2005.

By Wallace McLean
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Water Quality Division