

State of Vermont  
Department of Environmental Conservation  
Watershed Management Division  
One National Life Drive, Main Bldg, 2<sup>nd</sup> Floor  
Montpelier VT 05620-3522

Agency of Natural Resources

August 5, 2016

Mr. Robert Moses, President  
Britton Lumber Company, Inc.  
7 Ely Road, PO Box 389  
Fairlee VT 05045

SUBJECT: PROPOSED **Revocation** of NPDES Discharge Permit 3-1517

Dear Mr. Moses:

This office is proposing to revoke the above referenced National Pollutant Discharge Elimination System (NPDES) discharge permit, 3-1517. On June 21, 2016 the Department received your letter formally requesting termination of discharge permit 3-1517. The letter indicated following a four alarm fire you have decided not to rebuild the saw mill and have permanently ceased log watering operations. As a result, the Department concurs without log spraying operations the permitted discharge has been eliminated.

NPDES discharge permit 3-1517 will not expire until December 31, 2016. Therefore, the Department is placing the proposed permit revocation on 30-day public notice for comment. If no comments are received during this public notice period, the NPDES discharge permit for Britton Lumber Company, Inc. in Fairlee, Vermont, will be revoked upon final notification.

**Final payment of the required annual operating fee has been made.** Should you have any questions, please feel free to contact Carole Fowler at 802-490-6106.

Respectfully,



Mary Borg, Assistant Division Director  
Watershed Management Division

cc: Olga Vergara US EPA, Region 1 (vergara.olga@epa.gov)  
File #3-1517 (electronic only)



Vermont Department of Environmental Conservation  
Watershed Management Division  
One National Life Drive, Main Building, 2<sup>nd</sup> Floor  
Montpelier VT 05620-3522

**NOTICE:** **Revocation of an NPDES Discharge Permit**

**PUBLIC NOTICE NUMBER:** **3-1517**

**PUBLIC COMMENT PERIOD:** **August 8, 2016 to September 8, 2016**

**PERMITTEE INFORMATION**

**PERMITTEE NAME:** Britton Lumber Company, Inc.  
**PERMITTEE ADDRESS:** 7 Ely Road, PO Box 389  
Fairlee VT 05045

**FACILITY LOCATION:** 7 Ely Road, Fairlee, VT

**PERMIT NUMBER:** 3-1517  
**PIN:** BR96-0291

**DISCHARGE INFORMATION**

**NATURE:** treated log yard spray water

**VOLUME:** 20,000 gallons per day (gpd) monthly average

**RECEIVING WATER:** wetlands contiguous with the Connecticut River

**EXPIRATION DATE:** December 31, 2016

**DESCRIPTION:** Robert Moses, President of Britton Lumber Company Inc. submitted a letter dated June 21, 2016 requesting termination of the National Pollutant Discharge Elimination System (NPDES) discharge permit. The Department was notified following a four alarm fire the company has decided not to rebuild the saw mill and have permanently ceased log watering operations. The Department agrees without the log spraying operations the permitted discharge has been eliminated. Discharge permit 3-1517 does not expire until December 31, 2016. With the discharge eliminated, the Department proposes to grant Britton Lumber Company's request for termination of NPDES discharge permit 3-1517.

**TENTATIVE DETERMINATIONS**

Tentative determinations regarding effluent limitations and other conditions to be applied on the pending Vermont permit have been made by the State of Vermont Agency of Natural Resources (VANR). The limitations imposed will assure that the Vermont Water Quality Standards will be met.

## **FURTHER INFORMATION**

The complete application, proposed permit, and other information are on file; and may be inspected at the VANR, National Life Drive, Building Main-2, Montpelier, VT. Copies of the permit may be obtained by calling (802) 490-6106; cost of copies is 10 cents per page or at Office hours are 7:45 a.m. to 4:30 p.m., Monday through Friday.

## **PUBLIC COMMENTS/PUBLIC HEARINGS**

Public comments on the proposed permit are invited. Comments should be submitted in writing, to the address listed below. Comments may also be submitted by e-mail using the e-mail comment provisions included at <http://www.watershedmanagement.vermont.gov/www/html/notices.htm>

Department of Environmental Conservation  
Watershed Management Division  
1 National Life Drive, Main 2  
Montpelier, VT 05620-3522

The comment period will close at the end of the business day **4:30 pm, September 8, 2016**. All comments received prior to the deadline listed below will be considered in formulations of the final determinations. Any submitted comments should include the permit number next to the VANR address on the envelope and on the first page of comments

Any person, prior to the above date, may submit a written request to this office for an informal public hearing to consider the proposed permit. Any hearing request shall indicate the interest of the party filing the request and the reasons why a hearing is warranted. A hearing will be held only if the responses to this notice indicate significant public interest.

## **FINAL ACTION/RIGHTS TO APPEAL TO THE ENVIRONMENTAL COURT**

At the conclusion of the public notice period and after consideration of additional information received during the public notice period, the VANR will make a final determination to issue or to deny the permit. 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 \$262.50, 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 the description of the property, project or facility with which the appeal is concerned and the name of the applicant or the 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 2<sup>nd</sup> Floor, Suite 303; Burlington, VT 05401. Phone: 802-951-1740; Fax: 802-657-4292.

Alyssa B. Schuren, Commissioner  
Department of Environmental Conservation