

Vermont Department of Environmental Conservation
Wastewater Capacity Determination Process for
Neighborhood Development Area Designation Program Approval

January 4, 2018

Background - The Agency of Commerce & Community Development (ACCD) has asked the Agency of Natural Resources (ANR) to help develop ways that a town could qualify for the Neighborhood Development Area (NDA) designation program about confirming wastewater system capacity to support the project area. Following are descriptions of how that approval might be obtained and what types of information is needed.

Community Wastewater System - If the NDA would be served by a soil-based wastewater system permitted under the Regional Office water/wastewater program or the Indirect Discharge program (IDP), there may be two levels of approval that may be used to qualify for meeting the NDA requirements, as follows:

1. Permit applications received, reviewed, and either;
 - a. A permit is issued, or Site and Foundation approval is granted under section 1-310 of the Wastewater System and Potable Water Supply Rules by the Regional Office; or
 - b. A permit is issued, or preliminary approval is granted by the Indirect Discharge program under section 14-402(b) of the Indirect Discharge Rules.
2. Conceptual site acceptance, including the following:
 - a. ANR regulators on site for soils testing and discussions on system type and location;
 - b. Preliminary meeting with ANR regulators and consulting engineers and/or hydrogeologists to review parameters of site capacity analyses;
 - c. Review of conceptual project report including soils test pits and percolation tests, site plan with topography, setbacks to property lines and surface waters, nearby wells, source protection areas, wastewater systems, and review of ANR Atlas layers for wells, SPAs, hazardous sites, wetlands. In general, the larger the proposed system, the more detailed information is needed on the site evaluation.
 - d. For IDP systems, determining groundwater direction and compliance with the aquatic permitting criteria would also need to be addressed.

This conceptual report may be as simple as a consultant letter report with the above information on smaller scale projects, to a detailed Preliminary Engineering Report as required by the Facilities

Engineering Division. ANR can then issue a written agreement with the conceptual report with caveats including;

1. Permit application and review still required to meet current regulations;
2. As NDA designations are renewed, they need to come back to programs for any changes affecting earlier determinations (such as new wells on neighboring properties).