VERMONT

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September 29, 2026

Response Summary for Comments Received on Draft Indirect Discharge Permit ID-9-0339 (ENB ID: PN 24.0060842)

The Town of Montgomery submitted a permit application for a New Indirect Discharge of Sewage for the Montgomery Center Community Wastewater System. After review of the application by the Indirect Discharge Program, a draft permit was placed on public notice (ENB ID: PN 24.0060842) from July 2, 2026 to August 10, 2026. Additionally, a public meeting was held on August 3, 2026. During the public comment period, comments were received on the draft permit. Those comments, and the Department's response to those comments, are listed below.

Comments received online via the Environmental Notice Bulletin (ENB)

Comment 1: *by* Barry & Denise Domina

Landowner next to the Montgomery Wastewater Drip/Injection plan ENB ID PN24.0060842 Permit # ID-9-0339, requesting public meeting based on concerns of pollution issues and environmental impact of 40,000 gallons per day over dispersed area proposed in engineering plans with no apparent monitoring wells or back up plan if system fails after all current septic systems have been removed. Please respond as soon as possible.

Response:

The Indirect Discharge Program coordinated with the Town and a hybrid public meeting was held on August 3, 2026 at the Town of Montgomery Public Safety Building 86 Mountain Road, with remote access option via Microsoft Teams.

Comment 2: *by* Edward Adam Deptula

The Montgomery Grange/town hall where voting takes place can hardly 'safely' accommodate 100 voters. Less than 17% of Montgomery Voters on Checklist approved this project. The latest voter check-list numbers are 992. See: chrome extension://efaidnbmnnnibpcajpcglclefindmkaj/https://outside.vermont.gov/dept/sos/Elections_Division/election_info_resources/town_meeting_local_elections/2025_annual_meeting_turnout_statistics.pdf

I tried to attend the 2025 town meeting but the handicapped parking area was not accessible. Montgomery does not enforce its parking ordinances, nor does it have any policies protecting disabled citizens or visitors. Several weeks after the 2025 meeting, I was again denied access to

handicapped parking at the town municipal building. I complained to the Montgomery Selectboard, and there is much record of my complaints. To my knowledge, Montgomery continues to ignore the rights of the disabled or provide opportunity for disabled or otherwise, to vote against or for important town issues. The new sewer system item was not brought to my attention. Neither a mail-in or Australian ballot was made available to me. I cannot be unique when considering the Montgomery Selectboard lack of empathy for must be more than just me.

I'd like to correct what I presented below: I stated: "Less than17% of Montgomery Voters on Checklist approved this project. The latest voter check-list numbers are 992." What I meant to say is: No more than 17% of the voters voted for or against the project.

Response: The Indirect Discharge Program hears your concerns, but our Program has no jurisdiction over the Town's meeting and voting accommodations. Regarding the public meeting held on August 3, 2026 to receive comments about the Indirect Discharge draft permit, the State staff made sure the remote access option via Microsoft Teams was available and the link to join the meeting was posted on the Environmental Notice Bulletin (ENB).

Comment 3: *by Josh Howard*

Dear ENB Administrator and State Environmental Coordinators,

Pursuant to Chapter 14 of the Vermont Indirect Discharge Rules, I am writing to formally submit my public concerns and request clarification regarding draft decision permit ID-9-0339. As a local resident and taxpayer, I am seeking clear public information regarding the subsurface geological conditions of this site. Local knowledge indicates that the proposed disposal field sits on a highly permeable sand layer directly underlain by a shallow bedrock ledge right next to a major river corridor.

Because the public record does not clearly outline how these unique geological factors were calculated, I request that the Agency of Natural Resources require the applicant to clarify the following questions before any final permit determination is made:

1. *Information Request Regarding Subsurface Cemetery Intrusion (18 V.S.A. § 5319): Has a comprehensive groundwater mounding analysis been conducted along the adjacent historical town cemetery border? Given that the loose sand sits on top of a shallow rock ledge, what specific engineering data guarantees that a lateral underground water table rise will not flood the burial grid, cause subsurface water intrusion into historical plots, or destabilize the soils beneath old headstones?*

   Response: A groundwater mounding analysis was conducted for the Route 242 disposal site to evaluate the degree of groundwater mounding that would result from loading the proposed disposal fields designs at 40,000 gpd. The analysis indicated a maximum 2.8-foot increase in water table elevation 100 feet west of the disposal zones beneath the cemetery when the system is operating at design flow (see the file "25261-ID-9-0339_19-164 Montgomery WW - Route 242 Site Evaluation Report - 2025 07 10.pdf" included in the ENB, Section 6).

   Bedrock outcrops exist to the north and northeast of the disposal area, but bedrock near and below the disposal site was encountered only in the four soil borings advanced at 30-54 feet below ground surface (see the file "25261-ID-9-0339_19-164 Montgomery WW - Route 242 Site Evaluation Report - 2025 07 10.pdf" included in the ENB, Section 2). The bedrock

surface beneath the disposal site slopes to the south and west, as does the groundwater table (see Figures 2 and 3 in "25261-ID-9-0339_19-164 Montgomery WW - Route 242 Site Evaluation Report - 2025 07 10.pdf"). The predicted water table rise leaves at least 20 feet of unsaturated sand between the mounded water table and the ground surface in the cemetery (see Table 5 in the file referenced above). There is therefore negligible risk that the predicted water table rise will flood the burial grid, cause subsurface water intrusion, or destabilize headstones.at 40,000 gpd, and this information was posted on ENB with the draft permit.

2. *Information Request Regarding Dye Testing and the River Corridor Conduit: Has the State mapped the exact location and depth of the old town waterline trench in the area, and has a professional multi-point dye test been conducted to track this pathway to the river corridor? Because this disturbed soil trench can create a high-velocity gravel channel right next to the water, what specific hydrogeologic tracing has been performed to guarantee that effluent will not take this path of least resistance and travel completely unfiltered directly into the Missisquoi River watershed and neighboring private land like Barry Domina's historical water box?*

   Response: There was no apparent need for dye testing for this project. The abandoned Town water supply buried pipe extends from the old chlorination vault on the Baker property upgradient cross-country through the woods across the Baker, Domina and Town disposal properties to a former reservoir intake on Hannah Clark Brook.

   In consideration of the abandoned Town water pipe alignment of the former Center municipal system's waterline relative to the risk of renovated effluent infiltrating into the line and traveling to the former chlorination vault: a simple line projection was drafted from the woods road and old gravel pit vicinity on the Domina property over to the pipe observations at the Hannah Clark Brook to the east, attempting to follow the woods road and likely pipe alignment in the hillside. That alignment crosses the B-B' stratigraphic cross section (Figure 3 in Montgomery WW- Route 242 Site, Site Evaluation report- revised July 10, 2025) at ~675 feet surface elevation. Groundwater is estimated at 655 feet elevation in that location, so groundwater is about 20 feet below surface. Even below the proposed disposal field, the additional recharge from the 40,000 gpd system is estimated to increase water table elevations by 2.5-3 feet. This alignment is ~150 feet downslope from the southern edge of the proposed disposal field, making the risk negligible to non-existent.

3. *Information Request Regarding Wetland & River Contamination: What is the calculated horizontal travel velocity of the wastewater once it infiltrates the sand and hits the shallow bedrock layer? Because the sloped rock ledge sits directly above protected wetlands and the Missisquoi River corridor, what scientific proof exists that the effluent will achieve complete soil retention time to filter out pathogens and chemical loads before discharging into the watershed?*

   Response:

   There is no requirement in the Indirect Discharge Rules (IDRs) to calculate horizontal travel velocities of renovated effluent once it reaches the water table or bedrock, so this calculation was not completed during project design.

For new indirect discharges of 30,000 gpd or more, the IDRs require a minimum treatment level of secondary-plus prior to distribution to a disposal field (Section 14-007 and Table #12 of the IDRs). This means that wastewater must be treated to reduce pollutant levels including biochemical oxygen demand and total suspended solids to 15 mg/L or less (IDRs Table #13). The Orenco Advantex™ recirculating textile filter system designed for this project was the first innovative-alternative wastewater technology approved for use in Vermont (in 2000) and has a demonstrated performance record in cold climates. The performance of the Perc-Rite subsurface drip dispersal system has been shown to achieve high levels of nitrogen, phosphorus, and indicator bacteria reduction following septic tank treatment (https://www.americanonsite.com/wp-content/uploads/2025/03/OaksonReportWithData-1.pdf). In addition, the Perc-Rite™ technology was tested for virus (bacteriophage indicator) removal performance from septic tank (primary-quality effluent) at the Massachusetts Alternative Septic System Technology Center (2026, reference available upon request). Both bacteriophage indicators (male-specific and somatic phage) exhibited substantial removal (approaching or exceeding 4-log removal) across the Perc-Rite™ dispersal system in loamy sand and sand soil types. In short, the proposed community wastewater treatment and disposal system will introduce highly renovated effluent to the sandy soils at the disposal site, which then provide additional biological and physical treatment before the renovated effluent reaches groundwater or the Trout River.

In addition, Subchapter 9 of the IDRs requires a site-specific demonstration that the soil at the proposed disposal site can treat and renovate the applied wastewater, coupled with pre-discharge receiving water sampling and demonstration that the proposed system will meet the Aquatic Permitting Criteria for nitrate-nitrogen and total dissolved phosphorus. The site-specific demonstration completed for this system is provided in the PDF file "25261-ID-9-0339_Montgomery_Route 242 Site_Site Specific Demonstration-APC Compliance_Report_2024 10 16-v1" included in the ENB. The site-specific soil extraction and laboratory testing study was completed consistent with the Indirect Discharge Rules, finding that over 99% of total dissolved phosphorus and total phosphorus in the secondary-plus effluent applied to the soil columns was removed, while nitrate-nitrogen concentrations in soil renovated effluent (39-46 mg/L) were consistent with expected effluent quality for municipal wastewater receiving secondary-plus treatment. Watershed low-flow analysis in the Trout River and evaluations of background surface water quality were used with the site specific soil renovated effluent data to confirm that the system will meet both the Aquatic Permitting Criteria for nitrate-N and TDP and relevant Vermont Water Quality Standards for the proposed 40,000 gpd system.

It is worth noting that the Vermont Indirect Discharge Rules are some of the strictest on-site wastewater rules in the country, and this study to demonstrate compliance with Aquatic Permitting Criteria was scientifically rigorous and required significant time and funding resources.

4. Information Request Regarding Boring Locations and Ledge Variation: Did the applicant perform deep-boring test pits across a comprehensive, multi-point grid to map the exact variations of the depth-to-bedrock across this entire disposal shelf, or did they rely on isolated testing in a single location? How can the ANR mathematically certify safety buffers and

lateral-flow filtration capacity when the precise thickness of the sand layer remains unknown to the public across the vast majority of the site?

Response: In order to characterize the bedrock depth variation across the site, the following elements were considered:

- Bedrock outcrop observations to the north and northeast of the primary area of interest
- Surficial geologic mapping in the vicinity, which shows glacial till deposits to the east and kame terrace deposits both immediately northwest of the site, and south of the site across the Trout River (Vermont Geological Survey. 2011. Surficial Geologic Map of Vermont)
- 14 test pits in which no bedrock was encountered.
- 4 soil borings in which bedrock was encountered at variable depths.

These elements were considered in creation of a conceptual site model and stratigraphic cross sections of the site including soil, groundwater and bedrock geographic distribution and depths (see Figures 2 and 3 in "25261-ID-9-0339_19-164 Montgomery WW - Route 242 Site Evaluation Report - 2025 07 10.pdf"). The report is publicly available on ENB. Sand thickness varies across the disposal site, with at least an 11-foot thickness at the eastern (upslope) end of the disposal zones (see TP-14 test pit log) and a 39-foot thickness at the western (downslope) end of the zones near the cemetery (see SB-1 soil boring log).

I request that the finalization of Permit ID-9-0339 be suspended until these questions are thoroughly reviewed and resolved by independent State hydrogeologists on the public record.

Based on the hydrogeological information submitted, there is no apparent need for additional review.

Comment 4: *by Josh Howard*

Dear Reviewing Hydrogeologists and ENB Administrator,

As a local resident, I am submitting this 7-point technical deficiency checklist regarding the proposed Route 242 Wastewater Site. These data omissions, cemetery encroachments, and river corridor conflicts were raised on the spoken record during the August 3, 2026 public meeting. I request that the DEC suspend issuance of a Final Decision until the applicant formally addresses each item below:

1. *Missing Downgradient Soil Data: The applicant has conducted zero physical test pits, soil borings, or core drillings on the steep 100-foot bank slope southwest of Column 4, where groundwater flow vectors are explicitly routed.*

   Response: These are steep banks with over 30% slope. It would not be safe to use excavators and heavy drilling equipment to conduct test pits and soil borings there. In addition, excavating a steep slope would lead to significant risk of erosion and bank slope destabilization.

2. *Unverified Ledge Depth Profile: Lifelong local observations document extensive exposed bedrock outcroppings along this exact riverbank. The applicant has failed to map the depth-to-ledge profile on this primary downslope path.*

   Response: Please see response to Comment 3, Point 4.

3. *Invalid Computer Boundary Modeling: The hydrogeologic groundwater model assumes consistent, deep soil parameters across the entire site grid. Without physical data from the*

bank, the simulation cannot legally account for shallow bedrock or calculate a valid mounding analysis.

Response: Observations of bedrock depth and water table depth at and surrounding the disposal site, including the physical data described in prior responses and visual observation of downgrade areas south to the Trout River and west to VT Route 242, were utilized to inform the mounding analysis.

4. *Threat of Unpermitted Direct Discharge into a Protected Water Body: The Trout River is a federally designated Wild and Scenic River heavily protected under Vermont Water Quality Standards. If the down-slope bank is shallow over solid ledge (as observed locally), the 40,000-gallon daily hydraulic load will travel horizontally along the rock layer, daylight on the hillside surface, and run down the rock face straight into the protected river. This completely bypasses soil filtration and converts an indirect ground system into an illegal, unpermitted direct sewage discharge.*

   Response: See Comment 4 (Point 3). The Orenco Advantex™ treatment system will discharge secondary-plus quality effluent to the subsurface drip disposal system, where the effluent will receive additional biological and physical treatment as it infiltrates through the sandy overburden before reaching the groundwater table and flowing downslope. No wastewater will be discharged directly to the ground surface or the Trout River.

5. *Protected Cemetery Boundary Encroachment and Lack of Site Control: The official engineering plan illustrates a spatial encroachment where the physical project layout extends approximately three feet past the property line, clipping the adjacent cemetery lawn in a triangular crossover zone. The town does not hold—and cannot legally acquire via eminent domain—subsurface utility, discharge, or mounding easements over a dedicated public or religious burial trust.*
6. *Invalid Monitoring Well Placement: Because the project footprint relies on un-easemented cemetery land, compliance tracking points (such as MW-3) are mathematically and legally positioned outside the zone of absolute municipal control.*

   Response to points 5 and 6: Sheets C7 and C7A in the permitting plans (ID-9-0339_ Final Plans for Bidding – Stamped.pdf, included in the ENB) show there is no encroachment of the disposal field on the cemetery property. All currently installed monitoring wells are located on the disposal site property, which is owned and controlled by the permittee. The property lines shown on the permitting plans are based on digital parcel data (tax map) information. The minimum 25-foot horizontal isolation distance between the property lines and the disposal system is met as required by the Indirect Discharge Rules. Thus, there is no need for easements for the installation of the leachfield and MW3.

   There may be some confusion due to the difference between the actual disposal area footprint (light pink irregularly shaped polygon) and the mounding analysis model infiltration areas (purple outline rectangles) shown on Figure 5 in the file "25261-ID-9-0339_19-164 Montgomery WW - Route 242 Site Evaluation Report - 2025 07 10.pdf" included in the ENB. Indeed, there may appear to be a triangle-shaped encroachment if one looks only at the rectangles. However, the shaded area of the actual dispersal system does not cross the Town's property boundary. The model can only accept circular or rectangular recharge sources, so the

disposal zones were generalized in the model to contain the same square footage within rectangular footprints. One of the model infiltration areas does appear to cross the parcel boundary based on the statewide parcels dataset, but the disposal zones as designed do not.

7. *Absence of Geographically Independent Replacement Land: Unlike standard individual permits requiring a 100% independent backup area, this high-capacity clustered design features no separate emergency reserve site, meaning a localized bedrock-induced soil failure will trigger a total system backup for the entire loop.*

Response: Unlike small scale wastewater systems (design flow less than 6,500 gpd) for which it is required to have a designated replacement area, which can accommodate a wastewater system, Indirect Discharge systems (design flow equal or larger than 6,500 gpd) shall be designed to provide for 200% dual alternating fields. This means that the disposal site shall be sized and constructed to accommodate the double of the targeted design flow. In general, Indirect Discharge systems have 2 leachfields providing each 100% of the design capacity and switched annually (every year, one leachfield is operated and the other is resting).

The plans and specifications included with the permit application specify subsurface drip disposal with disposal system capacity sized to manage 150% of the 40,000 gpd design flow. Two aspects of this design were considered and approved for this project:

1. Disposal method of subsurface drip dispersal instead of conventional leachfields, including zone dosing in rotation instead of annual alternation of fields
2. Disposal system capacity at time of construction of 150% of design flow instead of 200%

As noted in the Hoyle, Tanner *Basis of Design Report* and in Stone's *Report of Soil and Site Evaluation for Subsurface Disposal*, submitted with the permit application, subsurface drip dispersal is analogous to and generally superior to conventional leachfields, which are specified in Subchapter 14 of the IDRs. This dispersal option is based on established engineering principles and, for Montgomery's project, is designed in accordance with the current (2016) edition of TR-16and the vendor's engineering standards and guidance. The 2016 edition of TR-16 includes subsurface drip dispersal as a "slow rate land treatment" technology (Chapter 9), rather than simply a disposal method. Subsurface drip dispersal was approved for use in Vermont under the Innovative/Alternative provisions of the Wastewater Systems and Potable Water Supply Rules (WSPWSR) in 2014, was fully incorporated into the WSPWSR in 2019, and is included in proposed revisions to the IDRs. Finally, the Site-Specific Soil Column Study submitted with this application package demonstrated that the proposed system will perform as anticipated, removing over 99% of influent phosphorus and meeting the Aquatic Permitting Criteria for nitrate-nitrogen and total dissolved phosphorus in the Trout River at the 40,000 gpd design flow.

Subsurface drip dispersal systems provide more even distribution of effluent higher in the soil profile than is possible with conventional leachfields, and sequential dosing of individual zones followed by brief rest periods is recommended by the system manufacturers for optimal performance. With the proposed disposal technology and operating regime, 150% construction of a drip dispersal field is very conservative and will be no less protective of human health and the environment than if 200% dual-alternation in a conventional leachfield were utilized. The option of constructing a disposal system sized to dispose 150% or more of

design flow without designating a replacement area was promulgated in the WSPWSR (§1-902(b)(1)) in 2019 and is included in proposed revisions to the IDRs.

Please confirm that this updated checklist has been appended to the administrative record for Project ID 25261 to protect the community and the Wild and Scenic Trout River corridor.
Response: These comments were posted on the Environmental Notice Bulletin and are available to be viewed publicly as part of the public comment response summary regarding the draft Indirect Discharge Permit.

Comment 5: *by Wendy Mercy and John Mercy*
Dear ENB Administrator and Reviewing Board, I am submitting a formal objection to the Draft Decision for Permit ID: ID-9-0339. While the community recognizes the intent of the municipal wastewater project, the current design creates unmitigated public health risks and severe structural hazards. I request that the DEC halt the approval process until the following three vulnerabilities are investigated:

- *Public Contact Exposure from Surface Daylighting: Under the Vermont Indirect Discharge Rules, wastewater must stay entirely underground. Because the town skipped soil logs on a bank with known shallow bedrock, 40,000 gallons of daily liquid will hit rock, pool on the surface, and run down the hill as open, raw sewage. The State cannot legally approve an active public health hazard.*
  Response: Please see response to Comment 4, Point 4.
- *Physical Destruction of Historic Burial Infrastructure: The physical survey stake sitting a mere 25 feet from existing headstones is a severe liability. High-capacity water infiltration right next to graves will saturate the soil matrix, causing historic vaults and grave markers to shift, tilt, or sink, directly triggering strict state cemetery protection laws and severe town liability.*
  Response: Please see response to Comment 3, Point 1.
- *Invalidation of the Bidding Process Specifications: The town is actively putting this exact layout out to construction bid. Because the map explicitly shows a 3-foot property line encroachment onto land where the town holds zero legal easements, they are collecting contractor price estimates for an unbuildable design, forcing a major waste of public funds when the state compels a layout pullback. I urge the State to require a comprehensive structural safety audit and an explicit spatial buffer redraw before advancing this permit.*
  Response: Please see response to Comment 4, Point 5.

Comment 6: *by Karie Quintin*
Dear Reviewing Hydrogeologists and Environmental Notice Bulletin Administrator, My name is Karie Quintin. I am a lifelong Montgomery resident, concerned citizen, nearby property owner, and multigenerational business owner. My family has owned and operated Grampa Grunts Lodge for approximately 55 years. Our family and business have a long-standing connection to this community and a strong interest in protecting Montgomery's natural resources, the Trout River, and the surrounding properties that depend on them. My advocacy comes from whether the proposed site has been adequately evaluated and whether sufficient environmental data has been collected to ensure long-term protection of groundwater,

neighboring properties, and the Trout River. After reviewing the information available to the public and watching the August 3, 2026 public meeting, I respectfully request additional review and clarification regarding the following concerns before a final permit decision is issued.

Pump Station Location, Flood Risk, and Environmental Protection: *this affects my family properties directly. The proposed pump station is planned near Main Street, adjacent to private property, including property owned by my family, and in close proximity to the Trout River. I respectfully request clarification regarding how the environmental risks associated with this location have been evaluated, including flood hazards, mechanical failure, emergency conditions, and potential impacts to surrounding properties and the river. Please provide information regarding whether the pump station is located within a mapped flood hazard area or river corridor, how flooding risks were evaluated, what backup power and emergency storage capacity are available, and what protections are in place to prevent overflow or discharge in the event of pump failure, flooding, or extended power loss. Because this facility is a critical component of the wastewater system, these protections should be clearly documented within the administrative record.*

Response:

An evaluation of the flood risk for the project's pump stations (PS) was carried out using the Federal Emergency Management Agency (FEMA) mapping and Flood Insurance Studies (FIS) as resources (See ID-9-0339_Montgomery Center Wastewater Infrastructure Project Basis of Design Report for Permit Review Only-v1 in ENB, Section 6.9). FEMA maps generated for pump station PS2 in North Main Street and river profile allowed to determine:

- The pump station is located outside the floodway, outside of the 100-year and 500-year flood elevations, which is defined as an area of minimal flood hazard (Zone X),
- The 100-year flood elevation is 499.16', and the 500-year elevation is 500.16' at the locations of PS2.
- The plans propose an elevation of 502'.20 for PS2, which is higher than the 100-year and the 500-year flood elevations (See Sheet S28 in the permitting plans (ID-9-0339_ Final Plans for Bidding – Stamped.pdf, included in the ENB).
- The pump station designs will keep the infrastructure including the pump station top of slab, generator, and control panel out of the 100 and 500-year flood elevations to allow for continued operation during major flooding events.

The project's pump stations are compliant with the Environmental Protection Rules (Chapter 1 and 14), providing duplex submersible pumps and capacity to handle the peak hourly flow rate with any single unit out of service. Besides, a generator will be provided for backup power for each pump station.

Leachfield Location and Adequacy of Soil Evaluation: *The proposed leachfield is located above Main Street, where the surrounding topography slopes toward residences, private wells, springs, and ultimately the Trout River. My primary concern is whether sufficient soil, groundwater, and site evaluation has been completed throughout the full area that could reasonably be affected by the proposed wastewater discharge. I respectfully request clarification regarding the extent and location of all soil investigations, test pits, borings, groundwater evaluations, and seasonal groundwater monitoring completed for this project.*

Specifically, I request confirmation that evaluations were conducted not only within the proposed leachfield footprint, but also throughout surrounding downgradient areas where groundwater movement could potentially affect nearby properties, wells, springs, and surface waters. I also request clarification regarding how soil conditions, groundwater levels, bedrock characteristics, and seasonal variations were incorporated into the project design and whether the available data is sufficient to accurately predict long-term performance.

Response: Please see responses to Comment 4, Point 4 and Comment 5, Points 1, 2, 3, 4.

Groundwater Modeling and Surrounding Area Evaluation: *Groundwater movement is dependent on site-specific conditions, including soil depth, soil composition, bedrock, groundwater elevation, and seasonal changes. I respectfully request clarification regarding whether the groundwater modeling used for this project is supported by adequate field data from the entire area that could influence groundwater movement. If the model relies on assumptions regarding soil depth, groundwater flow, or site conditions in areas that were not physically evaluated, I request that additional investigation be considered before final approval. The long-term protection of nearby residences, private wells, springs, and the Trout River depends on accurate site characterization.*

Response: Please see responses to Comment 4, Point 1 and Comment 5, Point 3.

Protection of the Trout River*: The Trout River is one of Montgomery's most valuable natural resources and supports recreation, tourism, wildlife, and the character of our community. I respectfully request confirmation that the Department has fully evaluated potential impacts to the Trout River watershed, including groundwater migration, seasonal saturation, runoff pathways, and any other conditions that could affect water quality.*
I request that all supporting soil studies, groundwater evaluations, modeling information, and environmental analyses be clearly identified within the administrative record and made available for public review.

Response: All the supporting documents required were shared on the Environmental Notice Bulletin (ENB) website along with the draft Indirect Discharge permit.

The impact of the proposed wastewater system on the Trout River water quality was evaluated by taking into consideration the following elements:

- The disposal site meets all required minimum horizontal separation distances, including those for rivers and streams.
- The soil suitability for wastewater disposal: it includes the evaluation of soil texture and depth, the seasonal high water table or other limiting feature depth, the determination of the appropriate wastewater loading rate.
- An adequate level of wastewater treatment is provided based on the design flow. In this project, a secondary-plus treatment of the effluent was required before it is discharged to the soil.
- The proposed community wastewater secondary-plus treatment and drip disposal system will introduce highly renovated effluent to the sandy soils at the disposal site, which then provide additional biological and physical treatment before the renovated effluent reaches groundwater or the Trout River (See comment 4, Point 3 for more details).

- The hydrogeological investigation demonstrates: (i) the site has sufficient hydraulic capacity to accommodate the proposed design flow, (ii) the induced groundwater elevation will leave a minimum of 3 feet of unsaturated soil to ensure effluent treatment by soil and will not cause effluent break-out at downslope locations beyond the toe of the disposal field.
- The demonstration of compliance with the Aquatic Permitting Criteria (allowable in- stream concentrations of Total Dissolved Phosphorus, Nitrates and pH) and the Vermont Water Quality Standards. A site-specific study that was conducted, reported watershed and low-flow analysis in the Trout River, and prior evaluations of background surface water quality were used with the site-specific soil renovated effluent data gathered in this study to confirm that the Route 242 Site will meet both the Aquatic Permitting Criteria as well as relevant Vermont Water Quality Standards at the Trout River.
- Monitoring of the effluent, groundwater, and Trout River quality are required conditions of the draft permit.

Reserve Disposal Area and Long-Term Reliability: *I respectfully request clarification regarding whether a separate reserve disposal area has been identified and approved should the proposed leachfield become unsuitable in the future due to changing groundwater conditions, soil limitations, system failure, or other unforeseen circumstances. Given the size and importance of this municipal system, I believe long-term contingency planning should be clearly documented before approval.*

Response: Please response to Comment 4, Point 7.

Protection of Nearby Properties and Community Resources*: As a nearby property owner and long-time business owner, I am concerned about potential impacts to neighboring residences, private wells, groundwater resources, surrounding businesses, and property values. I respectfully request clarification regarding how these potential impacts were evaluated and what monitoring and safeguards will be required throughout the life of the system. Request for Additional Review and postponement until complete resolution. My request is that the Department ensure the proposed wastewater system is supported by sufficient site-specific data and a complete evaluation of the surrounding environment before issuing a final permit decision.*

If additional soil investigations, groundwater evaluations, engineering analysis, or environmental review are needed to answer these questions, I respectfully request that those steps beyond current state permitting requirements for such a system be completed before final approval. Thank you for your consideration and commitment to protecting Vermont's natural resources. Please include this letter in the administrative record for Project ID 25261.

Response: Among the elements above-mentioned, only private wells and groundwater resources fall under the scope and purpose of the Indirect Discharge Rules. The Indirect Discharge Rules which pertain to systems with design flows greater than or equal to 6,500 gallons per day establish standards and procedures to ensure that wastewater systems are designed and constructed in a manner that will provide reliable protection of the public health, groundwater, and surface water.

In a more specific context related to the resident's inquiry, the Indirect Discharge Rules require the following steps be taken for subsurface wastewater dispersal systems:

- Investigating all existing wells within 1000 feet of the disposal site. The investigation must provide sufficient information to allow a professional evaluation of the dispersal site in terms of its contamination potential to any/all water supplies (per the IDR's §14-1101 (b) (1)).
- Minimum horizontal isolation distance between the dispersal field and the drilled wells. (per the IDR's §14-1401 (C)).
- Any downgradient water supply wells in the groundwater flow path from the disposal site must be located outside the two-year time of travel path for the effluent plume to reasonably ensure that pathogenic microorganisms will be eliminated (per the IDR's §14-2101).
- Conducting hydrogeological investigation to determine the direction of groundwater movement across the disposal site and what conditions exist at the site that provide direct bedrock recharge protection (per the IDR's §14-1101 (c)).
- Demonstrating Compliance of the proposed Indirect Discharge system with the Aquatic Permitting Criteria (allowable in- stream concentrations of Total Dissolved Phosphorus, Nitrates and pH) and the Vermont Water Quality Standards.

Comment 7: by Barry Domina

Mr. Domina expressed concerns about the impact of the proposed wastewater system on the two springs in his property, and the need to monitor water quality continuously.

Response: As part of the Route 242 disposal site evaluation, the Indirect Discharge Program requires the evaluation of the existing potable water supplies within 1,000 feet of the proposed disposal site. A permit search in the Wastewater Program records indicated that Mr. Domina's proposed residential use of the property will require a connection to municipal water as a condition of WW-6-1623-2. In order for Mr. Domina to be able to use the springs as potable water sources, instead of municipal water, a Wastewater System and Potable Water Supply permit amendment should have been obtained to designate the springs' use as a potable water source. Thus, at the time of the Route 242 disposal site evaluation, as Mr. Domina's property was, and still is, approved for connection to municipal water, a determination was made that there is no risk to the potable water supply associated to his property.

Is there any plan for groundwater quality monitoring before and after the system is constructed to assess the impact on groundwater levels and quality?

Response: The draft Indirect Discharge permit contains a condition (condition E.5) requiring quarterly groundwater quality and depth monitoring after the system construction.

Pretreatment doesn't remove pesticides, pharmaceuticals, hazardous waste, cleaning chemicals, which will affect the forest and the swimming holes.

Response: The Indirect Discharge Rules have monitoring requirements for effluent quality depending on the treatment level. The effluent limitations for the secondary-plus treatment level proposed for this project include parameters such as Biochemical Oxygen Demand and Total Suspended Solids. However, the current Indirect Discharge Rules do not have specific provisions regarding the monitoring of pesticides, pharmaceuticals, hazardous waste, cleaning chemicals either in the effluent or in groundwater.

Low water levels in August and September mean low dilution of the effluent and pollution risk.
Response: The maximum allowable concentrations of nutrients (Total Dissolved Phosphorus and Nitrates) in the Trout River are calculated using the Low Median Monthly Flow (LMMF) which reflects the lowest flows (and dilution ratio) of the river. If the maximum nutrient concentrations are not exceeded at the LMMF, that means they will not be exceeded during the other months with higher flows.

The 6-inch water main that goes up behind Allan's house and diagonally across the property can facilitate the movement of water following the water main.
Response: Please see response to Comment 3, Point 2.

Comment 8: *by Susan Baker*
The plan to have the effluent discharge to the Trout River is unacceptable. This is not a proven system and could ruin this unspoiled river. It could have a detrimental effect on the neighboring properties, of which mine is one. I have met with the engineers who were involved in this plan, and have not been sufficiently reassured that this could damage the river permanently. The river at Three Holes is pristine, and this plan should be abandoned. There must be other potential sites for a wastewater system, and other designs, which would not cause harm to the environment.
Response: An initial soil screening for Montgomery Center allowed to identify six potential wastewater disposal sites. However, for different reasons (lack of interest of the landowners, proximity from Town Emergency Drinking Water Well, limited capacity, technical feasibility..), many sites were ruled out from consideration, and the interest was focused on the 242 Route site. The Indirect Discharge Program reviewed the proposed project and verified it was compliant with the requirements of the Indirect Discharge Rules.
The wastewater secondary-plus treatment and drip dispersal systems proposed in this project are proven technologies with demonstrated performance record in cold climates that allow to achieve a high level of wastewater treatment before discharging the effluent to the soil (where additional treatment will be provided) and then indirectly to the Trout River (Please see response to Comment 3, Point 3).
It's worth noting that the proposed system in Montgomery Center is an Indirect Discharge system, which means the effluent is not discharged directly to the Trout River, but indirectly through a soil-based disposal system. Also, the Three Holes swimming area (Trout River Falls) is upstream of the disposal site and thus will not receive any renovated effluent from the wastewater system.

Comment 9: by Clifford Loos
The solid human waste contains PCBs. Is there a management plan to ensure that PCBs in solid waste will not contaminate the river?
Response: The Indirect Discharge Rules ensure that new Indirect discharges and associated treatment and disposal systems are designed and constructed in a manner that will provide reliable protection of the public health, groundwater, and surface water during operation and maintenance and will not significantly alter the aquatic biota in the receiving waters. The

evaluation of solid human waste containing PCBs or other potential sources of contamination in the village are outside the scope of the IDRs and the project in question.

The 8-inch pipe next to the river: what's the impact of additional wastewater volume from the leachfield? Was a waiver given for the 8-inch pipe close to the river?
Response: This question is unclear but our understanding is that refers to the 4" effluent gravity sewer close to the Trout River. The Indirect Discharge Rules require a minimum 10-foot horizontal isolation distance between sewers and rivers. This isolation distance was met for this project, so no variance was needed except for 95 Begnoche Farm Rd./Trout River Crossing where a variance was granted.

Comment 10: by Susan Baker
Ms. Baker expressed concerns about the impact of the proposed wastewater system on wetlands and wildlife, as an important part of her property is wetlands. She is also concerned that the foundation and basement get flooded with the extra water coming from the leachfield?
Response:
The portion of renovated effluent that could potentially reach the Baker property will infiltrate through ~40 feet of sand, then travel laterally for at least 500 feet before reaching the wetland. At that distance, the renovated effluent will cause a negligible water table rise at the wetland edge. It will not affect a foundation or basement located on the opposite side of the wetland from the proposed indirect discharge. See Section 7 of the Soil-Site Investigation Report posted to the ENB.

Has any DEC staff from the permitting staff visited the site?
Response: Yes, environmental analysts from the Indirect Discharge Program which is permitting this project, and aquatic biologists visited the site many times since 2021.

Why will the existing fully functioning septic tanks be removed and replaced by new ones? For example, Ms. Baker septic tank has only 7 years and she does not want it to be destroyed.
Response: This project includes the replacement of 117 existing privately owned on-site septic systems (including 117 septic tanks) with a new Town-owned wastewater system. Only 7(6%) of the existing 117 on-site septic systems are permitted under the State of Vermont Environmental Protection Rules, Chapter 1 – Wastewater System and Potable Water Supply Rules. The remaining 110 (94%) of the on-site septic systems do not have permits. Thus, the actual buried septic tank locations and orientations are not known, and it was difficult to locate all the septic tanks, in spite of field work performed by the engineering firm. Besides, most of these systems are estimated to be 50 years old or older. So, it was decided to replace the existing septic tanks with new ones compliant with the Environmental Protection Rules.
However, the project includes reuse of 4 existing septic tanks with less than 10 years of service and no known documented leakage, if they pass the hydrostatic leakage test.

Comment 11: by Allan Kalsmith

The system is in a residential area and will greatly depreciate the value of the surrounding properties.

Response:

Depending on the location and the market demand, some sources suggest homes connected to public sewers may sell for 2%–15% more than comparable homes with on-site septic systems, while some other sources indicate connecting a property to a municipal wastewater system has no impact on its value, especially in rural areas where septic systems are the standard. We don't have any proof or data-driven conclusion showing that the property value may be negatively affected by the proximity to the wastewater system.

Are there other similar systems as close to residential areas and rivers as this one?

Response: Yes, there are many permitted and operating Indirect Discharge systems with similar spatial configurations.

One of the reasons for this project is the need for development. What if a Mariott 500-room hotel wants to open in Montgomery? Does the proposed system have capacity to handle the increased flow? How far can the system be expanded?

Response: The projected 20-year, daily wastewater flow for Montgomery Center is estimated to 37,900 gpd. The proposed Indirect Discharge system has a capacity of 40,000 gpd which is sufficient to meet the current wastewater needs (28,200 gpd) and allows for additional capacity.

Comment 12: by Chris Johnson

If the Wastewater Treatment Facility fails, will the untreated effluent be released in the environment?

Response: The Indirect Discharge permit requires the Wastewater Treatment Facility to be:

- operated by a chief Wastewater Treatment Facility Operator.
- inspected by approved service providers on a quarterly basis for the first two years of operation, and then every six months thereafter. Inspection reports shall be submitted to the Indirect Discharge Program and include any observed issues and recommendations of repairs and maintenance as necessary.
- inspected annually by a Vermont Licensed Professional Engineer. The inspection report shall be submitted to the Indirect Discharge Program and include any observed issues and recommendations of repairs and maintenance as necessary.

Thus, it is unlikely that the Wastewater Treatment Facility fails in an unexpected way, without having any plans to avoid the release of untreated effluent in the environment.

What is the impact of chlorine added to Drinking Water on the system operation, life span and maintenance cost?

Response: Residual chlorine in Drinking water will react with organic matter and ammonia in the house plumbing and in the septic tanks, so it will nearly completely disappear before reaching the collection system or wastewater treatment plant, making the risk on the wastewater infrastructure negligeable. The scientific literature reports issues of biological treatment process

inhibition and harmful disinfection by-products, but that is mainly observed at high chlorine concentrations, which is not the case here.

Comment 13: by Josh Howard
Cemeteries are protected and no wastewater should be disposed of in cemeteries.
Response: Please see response to Comment 3, Point 1.

Was any dye test performed to make sure that the effluent does not reach the river?
Response: Please see response to Comment 3, Point 2.

What's the maximum capacity of the system? Is there room for system expansion if the Town grows?
Response: The projected 20-year, daily wastewater flow for Montgomery Center is estimated to 37,900 gpd. The proposed Indirect Discharge system has a capacity of 40,000 gpd which is sufficient to meet the current wastewater needs (28,200 gpd) and allows for additional capacity.

Were any perc tests performed during the investigation phase for this project?
Do we know if there is ledge under the perc holes? What's the depth of soil down the hill to the river? Were soils going to the river tested to know what kind of soils down that bank to the river?
Response: Please see responses to Comment 3 (Point 4) and Comment 4 (Point 1).

Is drip dispersal a tried technology?
Response: Wastewater drip dispersal is a proven and approved technology with a multi-decade track record in Vermont and throughout New England. Subsurface drip dispersal is analogous to and generally superior to conventional leachfields, which are specified in Subchapter 14 of the IDRs. This dispersal option is based on established engineering principles and, for Montgomery's project, is designed in accordance with the current (2016) edition of TR-16and the vendor's engineering standards and guidance. The 2016 edition of TR-16 includes subsurface drip dispersal as a "slow rate land treatment" technology (Chapter 9), rather than simply a disposal method. Subsurface drip dispersal was approved for use in Vermont under the Innovative/Alternative provisions of the Wastewater Systems and Potable Water Supply Rules (WSPWSR) in 2014, was fully incorporated into the WSPWSR in 2019, and is included in proposed revisions to the IDRs. Finally, the Site-Specific Soil Column Study submitted with this application package demonstrated that the proposed system will perform as anticipated, removing over 99% of influent phosphorus and meeting the Aquatic Permitting Criteria for nitrate-nitrogen and total dissolved phosphorus in the Trout River at the 40,000 gpd design flow.

How close is the leachfield supposed to be from the neighboring properties? (cemetery in particular).
Response: The Indirect Discharge Rules require a minimum horizontal isolation distance of 25 feet between disposal field and property lines.

Is this system projected to have maintenance in 10 years? Is there any maintenance plan?

Response: The Indirect Discharge permit requires annually, during the month of April, the permittee retains a Vermont Registered Professional Engineer to make a thorough inspection, evaluation and report of the complete sewage collection, treatment and disposal system. The engineer's inspection shall include, at a minimum, the following:

- measuring the accumulation of solids and scum in all septic tanks and determining if the septic tanks should be pumped out that year;
- verifying the proper operation of all system components including but not limited to pump station pumps, alarms, controls, meters and switching valves;
- walking the disposal fields, noting the general condition of the ground surface and checking for any signs of surfacing effluent;
- verifying the proper operation of the secondary-plus treatment system, drip dispersal system and all associated components. In accordance with recommended inspection intervals, the secondary-plus treatment units and the drip dispersal system shall be inspected by approved service providers on a quarterly basis for the first two years of operation, and then every six months thereafter. Inspection reports shall be submitted with the annual inspection report.
- evaluating the depth to ground water beneath the system as evidenced by the depth to groundwater in the monitoring wells;
- **noting any necessary repairs or maintenance that needs to be performed on the sewage collection, treatment and disposal system.**

The annual inspection report shall include a discussion of the recommended repairs and maintenance required. Then, by August 1st each year, the permittee shall notify the Indirect Discharge Program in writing stating how the Engineer's recommendations were or are to be implemented, including submittal of a schedule for the required repair and maintenance items which have not yet been completed. In the final permit, a requirement was added to Condition D6 for the submittal of an Operation and Maintenance Manual.

Comment 14: by Peter Locher

Is DEC prepared to address the issues raised and adjust the plans as necessary to protect people and environment?

Response: It is our standard practice to address the issues raised during public comment. The concerns expressed during the public comment period had already been accounted for during the site characterization, design phase, and demonstration of compliance for this project, and have subsequently been addressed in this comment response summary. The draft Indirect Discharge Permit was posted for public comments because our review of this project, as proposed, did not reveal deficiencies in the site characterization or design of the system. The proposed system complies with the Indirect Discharge Rules, which are designed to be protective of public health and the environment. Therefore, the final Indirect Discharge permit has been issued concurrently with this comment response summary.

Was the effluent from failed systems (volume, number) compared to the effluent to be discharged from the proposed Indirect Discharge system?
Response: Knowing many of the existing on-site systems are failed, 50 years old or older, underperforming, and non-compliant with Environmental Protection Rules (EPR) (only 7(6%) of the existing 117 on-site septic systems are permitted under the EPR), the proposed Indirect Discharge system is expected to provide a better protection of public health and environment than the current wastewater infrastructure. Based on this information, a quantitative comparison study was not deemed necessary.

The dilution ratio is lower during the summer while the design flow is constant. Is this addressed in this study?
Response: Yes. The maximum allowable concentrations of nutrients (Total Dissolved Phosphorus and Nitrates) in the Trout River are calculated using the Low Median Monthly Flow (LMMF) which reflects the lowest flows (and dilution ratio) of the river. If the maximum nutrient concentrations are not exceeded at the LMMF, that means they will not be exceeded during the other months with higher flows.

Is the State ready to pause the permitting process until questions are answered? Has the State ever changed direction based on demonstrated adverse effects on health and environment in any other municipalities?
Response: The permitting process was paused to allow us time to thoroughly address questions, comments, and concerns received during the public comment period. This comment response summary serves as the response to all comments received regarding the draft Indirect Discharge permit for the proposed Montgomery Center Community Decentralized Wastewater Treatment and Disposal System during the public comment period (7/2/26 through 8/10/26), including those received via email, the Environmental Notice Bulletin, and verbally during the public meeting that was held on August 3, 2026.

To address the second part of this question: we have not received a demonstration of adverse effects to public health or the environment during the public comment process. If a proposed system demonstrates compliance with the Indirect Discharge rules, then an Indirect Discharge permit is issued to construct and operate that system. The Indirect Discharge permit is put in place to regulate the Indirect Discharge system for the protection of public health and the environment. Once the system is constructed, if the system is not operated in compliance with the terms and conditions of the permit then it is the responsibility of the Permittee to remedy the situation and return to compliance. The Agency of Natural Resources may take enforcement action against a Permittee when a system is not operated in compliance with the Indirect Discharge permit.

Comment 15: by Arnold Mercy
Were monitoring wells considered in this project?
Response: Yes, 4 monitoring wells were installed during this project to allow groundwater quality and level monitoring after the system construction.

Were the bordering landowners notified about this project?
Response: Yes, the abutting landowners were notified through certified mails.

Comment 16: by Tosca Smith
The Town-owned system under the parking lot has failed. Who to reach out to about it?
Response: The Town may reach out to the appropriate Regional Engineer at the Wastewater System and Potable Water Supply Program and to a licensed designer to design a replacement system and submit a Wastewater System and Potable Water Supply permit application.

If the current wastewater project does not go ahead, will the State intervene? Other options could be considered: smaller system, downsizing the project.
Response: As stated during the opening remarks at the public meeting held in Montgomery on August 3, 2026, it is important to note that the Indirect Discharge Program (a technical permitting and regulatory program) receives applications and reviews them for compliance with Chapter 14 of the Vermont Environmental Protection Regulations (the Indirect Discharge Rules), but we neither initiate projects nor do we advocate for or against the projects we review. The proposed system complies with the Indirect Discharge Rules, so a final Indirect Discharge permit has been issued concurrently with this comment response summary.

If the town decides not to construct and operate the proposed Indirect Discharge System, then it would be up to individual landowners to address any wastewater needs. Other than that, the path forward is up to the Town to determine, as the Indirect Discharge Program does not advise on system scaling or design.

Project timeline: how long from start to finish?
Response (provided by Lynnette Claudon from the Water Investment Division): The construction of the Montgomery Center system is estimated to take approximately 2 years. The proposed agreement includes 667 days to complete the project. This is just an estimate, and the agreement does allow for change orders. When a change order happens, there is the potential for days to be added or subtracted from the contract due to the specific nature of the change order. Change orders may include parameters that are outside of anyone's control, such as weather events including winter, or unknown conditions.

Comment 17: by John Mercy
Is the proposed system designed based on water meter readings? How did they come with the number of 40,000 gallons per day?
Response: Correct, the proposed wastewater system design flow was determined based on the analysis of 5 consecutive years (2018 through 2022) of daily water meter data. Indeed, as the proposed wastewater system will coincide with the existing Town public drinking water service area, water supply and consumption records were analyzed to estimate projected, 20-year design wastewater capacity need. The steps can be summarized as follows:

- The daily water consumption was estimated using the quarterly consumer water meter readings and daily Town well production records.

- It was conservatively assumed that 100% of the metered water consumption became wastewater flow. Thus, the current wastewater flows were estimated to 28,200 gpd.
- The future wastewater flows from new users over the 20-year planning period have been estimated at 9,728 gpd.
- When the future flows are added to the estimated current wastewater, this results in 20-year total projected wastewater flows of 37,900 gpd.

The number of 40,000 gpd is the disposal site hydraulic capacity which was determined based on soil test pits and hydrogeological calculations. It can be seen that the Route 242 site has the capacity to handle the current and future wastewater needs and offers additional capacity for development.

Comment 18: by Bradford Elliott

If the system fails, who would take care of it? How much time does it take? What happens to the sewage in the meantime?

Response: As the permittee, the Town of Montgomery is responsible for the operation and maintenance of the wastewater collection, treatment and disposal system as well as planning and implementing replacement options in a failure scenario. The time required depends on which infrastructure failed (broken sewer line, pump station, disposal field, etc..). The proposed system includes some temporary storage capacity at the Wastewater Treatment Facility and the pump stations. If this capacity is exceeded, then the wastewater shall be pumped and hauled to another Wastewater Treatment Facility until repairs are completed. The Indirect Discharge permit contains a notification requirement in the event of failure.

The septic tank is installed in the only available space for snow removal on his property. Where to put the snow?

Response: It would be up to individual landowners and the design engineer to work out available septic tank locations and/or vehicle loading and water tightness specifications on a specific site, in compliance with the Indirect Discharge permit and rules.

What research has been done related to the impact of heavy rain events on the proposed wastewater system?

Response: A flood risk evaluation was performed for the project's critical infrastructure including pump stations (See response to Comment 7). Additionally, all the STEG (Septic Tank Effluent Gravity) sewer piping used in the collection system for this project shall be fused HDPE (High-Density Polyethylene), which prevents sewer infiltration by using heat-fused joints that create a continuous, leak-free pipeline.

After the system is installed, will there be any testing of the swimming holes and down further the river? And by who?

Response: After the system is installed, there will be monitoring of the Trout River water quality upstream and downstream of the Indirect Discharge system as required by Condition E6. of the draft Indirect Discharge permit. The Town shall hire a consultant to perform the testing.

Comment 19: by Amy Rifenburgh and Josh Howard
What is the life span of the system?
Response: Between 25 and 50 years depending on the conditions of operation and maintenance history (https://nationalsepticauthority.com/septic-system-lifespan/)

Comment 20: by Barry Domina, Allan Kalsmith, Chris Johnson, Josh Howard
Is there a replacement system (back up system) if the Indirect Discharge system fails?
Response: Please response to Comment 4, Point 7.

Comment 21: by Chris Johnson, Lynn Locher, Josh Howard, Amy Rifenburgh
The questions related to the project's funding are outside the scope of the Indirect Discharge Program. The following answers were provided by Lynnette Claudon from the Water Investment Division.
During Covid, there was funding available from the State for fixing septic systems for homeowners, is this still available?
Response: No. This was the Healthy Homes program and funded by a portion of Vermont's American Rescue Plan Act (ARPA) as appropriated by the legislature.

If Montgomery chooses not to move forward with this project, can their grant funds be used for a different wastewater project?
Response: Montgomery has several different state and federal funding sources. The remaining Village Water & Wastewater ARPA Grant funds must be used by September of 2027. If a project is not going to move forward, the Vermont Agency of Administration has instructed Vermont Department of Environmental Conservation to redirect remaining grant funds to village wastewater projects that can use the funds by the deadline. DEC also administers the Vermont Clean Water State Revolving Fund loan. This loan is tied to this specific project. A new project would need to go through the relevant processes to be eligible for a Clean Water State Revolving Fund (CWSRF) and this would take several years. DEC cannot speak to the responses of other funders to this question.

What will the project costs be at the end of the project?
Response: The project has currently been put out to public bid. The public bid opening will help to define the project cost. The final cost of the project is not known at this time and will only be known when and if the project is completed.

What is the anticipated life of the system?
Response: Individual system components have wide range of useful asset life. For the purposes of underwriting and as a requirement of United States Environmental Protection Agency (USEPA), the Vermont CWSRF performs a cost-weighted asset life calculation. The eligible loan term cannot exceed the cost-weighted asset life. For this project, the cost-weighted asset life is greater than 34 years.

What will the response time be if there is a problem in the system? What will it cost?
Response: The annual operations and maintenance budget for this project has been estimated at $90,000 per year for the Town. This cost will be part of the user fees. The Town will need to have a wastewater system operator contracted. The response time of the operator will depend on unknown conditions related to the selection of the operator and their contractual agreement with the town. The Septic Tank Effluent Pump (STEP) systems associated with the project will have storage capacity to allow for response times. Any costs directly passed on to the user from a call are at the discretion of the local wastewater ordinance and local decisions.

Indirect Discharge Program actions:
After reviewing these comments, changes were made to the draft permit where appropriate (as outlined above), and a determination was made to issue a final permit. The requirement to submit an Operation and Maintenance Manual was inadvertently left out of the draft permit, and in response to Comment number 13, that requirement was added to condition D6 in the final permit. The permit was issued on 09/29/2026.