



State of Vermont
Department of Environmental Conservation

Agency of Natural Resources
Drinking Water and Groundwater Protection Division

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT

LAWS/REGULATIONS INVOLVED

10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit
Wastewater System and Potable Water Supply Rules, Effective November 6, 2023

Permittee(s): Michael & Karen Westhelle
353 Lakeview Ave
Ringwood, NJ 07456

Permit Number: WW-5-9764

This permit affects the following property/properties in Fayston, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
5	06-014-005	222-072-11110	20.60	Book:85 Page(s):246-250

This application, consisting of improving an existing parcel with a 5-bedroom single-family residence and a 1-bedroom accessory apartment that are to be served by a filtrate, in-ground wastewater system and a drilled well, located off Kew-Vasseur Road in Fayston, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions. Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

1. GENERAL

- 1.1. The permittee is responsible to record this permit in the Fayston Land Records within 30 days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.2. The permittee is responsible to record the design and installation certifications and other documents that are required to be filed under these Rules or under a permit condition in the Fayston Land Records.
- 1.3. Each assign or successor in interest shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s) prior to the conveyance of a lot.
- 1.4. The wastewater system includes the use of an Innovative/Alternative treatment component. Each prospective owner of a lot that utilizes the Innovative/Alternative component shall be shown a copy of **WASTEWATER SYSTEM AND POTABLE WATER SUPPLY INNOVATIVE AND ALTERNATIVE (I/A) TECHNOLOGY GENERAL USE APPROVAL PERMIT NUMBER 2013-02-R8** for model **J-750** prior to conveyance of the lot.
- 1.5. The owner of a lot with an Innovative/Alternative treatment system shall have a valid maintenance contract in place at all times with a vendor-trained and authorized service provider to conduct inspections and maintenance of the System.
- 1.6. By acceptance of this permit, the permittee agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with the Vermont environmental and health statutes and regulations, and permit conditions.
- 1.7. The landowner is responsible for establishing any easement(s) shown on the approved plans. The land deeds that establish and transfer ownership of the approved lot(s) shall allow future owner(s) the right to construct, maintain, and repair the wastewater and/or potable water supply systems approved herein. If the landowner does not properly execute said easement(s), this permit becomes null and void for any subject lot conveyed without easement(s).



- 1.8. The Drinking Water and Groundwater Protection Division relied upon the Vermont Licensed Designer's certification that the design-related information submitted is true and correct and complies with the Wastewater System and Potable Water Supply Rules. This permit may be revoked if it is determined the design of the wastewater system or potable water supply does not comply with these rules.
- 1.9. This permit does not relieve the landowner from obtaining all other approvals and permits from other State Agencies or Departments, or local officials prior to construction.

2. CONSTRUCTION

- 2.1. Construction shall be completed as shown on the plans and/or documents prepared by Gunner McCain, with the stamped plans listed as follows:

Title	Sheet #	Plan Date	Revision
Site Plan	C-1	10/04/2024	None.
Details	C-2	10/04/2024	None.

- 2.2. Construction of wastewater systems or potable water supplies, or buildings or structures (as defined by the Wastewater System and Potable Water Supply Rules), or campgrounds, not depicted on the stamped plans, or identified in this permit, is not allowed without prior approval by the Drinking Water and Groundwater Protection Division.
- 2.3. No buildings, roads, water pipes, sewer services, earthwork, re-grading, excavation, or other construction that might interfere with the operation of the wastewater system or potable water supply are allowed on or near the site-specific wastewater system, wastewater replacement area, or potable water supply depicted on the stamped plans. Adherence to all isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules is required.

3. INSPECTIONS

- 3.1. No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) on a Secretary-approved form that states:

"I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply and wastewater system were installed in accordance with the permitted design and all permit conditions, were inspected, were properly tested, and have successfully met those performance tests."

or which satisfies the requirements of §1-311 of the referenced rules.

- 3.2. A vendor-approved service provider of the Innovative/Alternative treatment system shall provide the Drinking Water and Groundwater Protection Division a start-up report, certifying the Innovative/Alternative System was installed and is functioning in a manner that complies with the vendor requirements within 60 days of installation and usage.
- 3.3. A vendor-approved service provider shall conduct an inspection of the Innovative/Alternative treatment system every six months following installation and use of the treatment system for the initial two years. The inspection report shall be provided to the landowner and submitted to the Division within 60 days of when the inspection is conducted.
- 3.4. Following the initial two years of service, a vendor-approved service provider shall conduct an annual inspection of the Innovative/Alternative treatment system. The inspection report shall be submitted to the Division by December 31st of the year the inspection is conducted.
- 3.5. The Drinking Water and Groundwater Protection Division may require sampling of effluent from the Innovative/Alternative treatment system to confirm the filtrate effluent is being treated to reduce the BOD₅ to 30 mg/L or less and total suspended solids (TSS) to 30 mg/L or less.

- 3.6. The Innovative/Alternative treatment system shall function in accordance with the vendor requirement. The Drinking Water and Groundwater Protection Division shall be immediately notified if the treatment system is not functioning according to the vendor requirements, or the effluent quality does not comply with BOD₅ to 30 mg/L or less and total suspended solids (TSS) to 30 mg/L or less.
- 3.7. Prior to the use of the potable water supply, the permittee shall test the water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, and pH. The Lead sample shall be a first-draw. All water quality tests shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website). Results of the water tests shall be submitted to the Drinking Water and Groundwater Protection Division and the Vermont Department of Health prior to use or within 60 days of the submission of the Installation Certification required in Condition 3.1, whichever comes first.
- 3.8. Prior to constructing the potable water supply, other than drilling of the water source, the permittee shall submit to the Drinking Water and Groundwater Protection Division a report by a Class 1 or Class BW Designer that includes the estimated yield of the source, specifications for the pump, and the design flow, design rate, and peak instantaneous demand of the potable water supply. If the estimated yield of the source cannot provide water in a quantity that satisfies the design flow, design rate, and instantaneous peak demand, the permittee shall submit an application to the Drinking Water and Groundwater Protection Division that includes a design prepared by a Class 1 or Class BW Designer for the water distribution system, including sizing calculations, specifications for pumps, hydropneumatic tanks, and storage facilities.

4. DESIGN FLOW

- 4.1. The following table provides the flows that the wastewater system and potable water supply are designed to accept based on existing and proposed lot and building uses. The design flows in gallons per day (gpd) in the following table are derived from section 1-803 of the Rules:

Lot	Building	Building Use / Design Flow Basis	Wastewater (gpd)	Water (gpd)
5	Proposed	Residential Living Unit with 5 bedrooms (based on 8-person occupancy)	560	560
5	Proposed	Attached Accessory Apartment with 1 bedroom (based on 2-person occupancy)	140	140

- 4.2. The table above reflects the designed capacity for wastewater systems and potable water supplies derived from the uses documented in the permit application. If additional capacities are needed, a permit amendment will be required for the total design flows.

5. WASTEWATER SYSTEM

- 5.1. Prior to construction or site work, a designer shall flag the proposed leachfield, and the owner shall maintain the flags until commencement of construction of the system.
- 5.2. Should the wastewater system fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.
- 5.3. This permit does not relieve the permittee of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

6. POTABLE WATER SUPPLY

- 6.1. Prior to construction or site work on a lot, a designer shall flag the center of the proposed potable water source and the owner shall maintain the flag until commencement of construction of the source.

- 6.2. Should the potable water supply fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.

Julia S. Moore, Secretary
Agency of Natural Resources

By: 

Robert Pelosi
Environmental Analyst VI
Montpelier Regional Office
Drinking Water and Groundwater Protection Division

Dated December 13, 2024

Enclosure: I/A Approval Letter

cc: Gunner McCain