

**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 April 12, 2019

MAY 24 2023

**Permittee(s): Carl Palitti**  
**467 Greenbush Road**  
**Blauvelt, NY 10913**
**Permit Number: WW-2-7140**

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

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
1	7-3-32	765-243-10210	8.80	Book:58 Page(s):514-515

This application, for proposed onsite water and wastewater systems to serve a proposed 3-bedroom single-family home with a barn that includes a bathroom for residential use, located at 1130 Burbee Pond Road in Windham, 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 Windham 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 Windham 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 component. Each prospective owner of a lot that utilizes an Innovative/Alternative component shall be shown a copy of the **Innovative/Alternative System Approval letter #2004-02-R9 for Advanced Enviro-Septic® (AES) and Enviro-Septic® (ES) Pipe Leaching System** prior to conveyance of the lot.
- 1.5 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.
- 1.6 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 Brian Rapanotti, with the stamped plans listed as follows:

Title	Sheet #	Plan Date	Revision
<b>Overall Siteplan</b>	1 of 2	12/27/2022	02/23/2023
<b>Septic Details</b>	2 of 2	12/27/2022	

- 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, 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 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, Odor and pH. 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 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.

### 4. DESIGN FLOW

- 4.1 Lot use and design flows (gpd) shall correspond to the following:

Lot	Building	Building Use / Design Flow Basis	Wastewater	Water
1	1 & 2	3-bedroom single-family home for up to 6 occupants and a detached barn with a bathroom for residential use	420	420

### 5. WASTEWATER SYSTEM

- 5.1 Prior to the 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 a 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 Should the wastewater system approved in this permit experience future performance issues, including but not limited to failure, the landowner shall engage a qualified Licensed Designer who will contact one the technology's listed Service Providers regarding the performance issue and permit the Service Provider to inspect the site to ensure reporting requirements of the Innovative/Alternative Approval may be met.
- 5.4 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 the 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 a 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 \_\_\_\_\_ Dated February 23, 2023  
Jeff Svec, Regional Engineer  
Springfield Regional Office, Drinking Water and Groundwater Protection Division

Enclosure: I/A Approval Letter

cc: Brian Rapanotti

**WASTEWATER SYSTEM AND POTABLE WATER SUPPLY  
 INNOVATIVE AND ALTERNATIVE (I/A) TECHNOLOGY  
 GENERAL USE APPROVAL 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 April 12, 2019

<b>Permittee:</b>	Presby Environmental, Inc. wholly owned subsidiary of Infiltrator Water Technologies 143 Airport Road Whitefield, NH 03598 Jeanne.allen@presbyeco.com 800-473-5298 www.presbyenvironmental.com	<b>Permit Number:</b> 2004-02-R9 <b>Date Issued:</b> 11/08/2021 <b>Date Expires:</b> 05/01/2023
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This permit is for the following gravelless pipe distribution I/A technology models:

<b>Product Name</b>	<b>Effective Leaching Area (Trench)</b>	<b>Effective Leaching Area (Bed)</b>
<b>Advanced Enviro-Septic (AES)</b>	See Manual	See Manual
<b>Enviro-Septic (ES)</b>	See Manual	See Manual

The technologies listed in this permit are used to treat low-strength effluent as part of the discharge to a soil-based wastewater disposal system. The technologies, consisting of subsurface, gravelless pipe distribution systems, are hereby approved under the requirements of the regulations named above subject to the following conditions.

**1. GENERAL**

- 1.1 The technologies listed in this permit may be used as part of a soil-based wastewater system permitted under the Rules provided the conditions of this permit are met.
- 1.2 Failure by the Permittee to comply with these conditions is grounds for the Secretary to revoke or not renew the Approval Permit.
- 1.3 The approval shall expire on **May 1, 2023**. Applications for renewal of this Approval Permit shall be submitted to the Division by March 1, 2023, to avoid a lapse in approval. The renewal request shall be submitted on a form prepared by the Secretary and shall include: a description of any changes to the equipment, technical specifications and drawings, installation requirements, and operation and maintenance manuals.
- 1.4 No changes shall be made to the approved technology without prior review and approval by the Secretary.
- 1.5 This Approval Permit is based on the design, operation, and maintenance manuals submitted by the Permittee to the Secretary. Misrepresentation in the application material is grounds for the Secretary to revoke this permit.
- 1.6 If the Rules are revised during the term of this Approval Permit, this permit shall be revised as needed to conform to the revisions.
- 1.7 Site-specific permission for the use of this technology is required in the form of a Wastewater System and Potable Water Supply Permit (WW Permit).

- E. identification of changes to the technology specifications; and
  - F. any observed failure of the wastewater system including wastewater exposed to the open air, wastewater pooling on the surface of the ground, wastewater discharging directly to surface water, or wastewater backing up into the building or structure.
- 4.4 Problems, damages, and/or failures of the technology identified during an inspection per condition 4.3 of this permit or in an investigation of a performance issue must be reported by the service provider immediately to the landowner and Permittee and within 30 days to the Division.
- 4.5 Maintenance and inspections shall be performed in accordance with the permitted operation and maintenance manual that are specified in the WW Permits issued by this Division.

## 5. DESIGN SPECIFICATIONS

- 5.1 The design of a wastewater system using the approved technology shall identify the specific approved -model and shall not be replaced with any other model without an amendment to the WW Permit.
- 5.1 Technologies shall be equipped with anti-flotation devices. The Permittee may specify whether or not the anti-flotation device are required if a designer demonstrates flotation will not occur or the designer proposes in an application for the use of the technology an alternative method to stabilize the technology that complies with the Permittee's requirements for installation.
- 5.3 Technology model choice and sizing shall be in accord with the Permittee's technical requirements approved by the Secretary. Sizing of each unit shall be based on the calculated design flow per §1-803 of the Rules.

## 6. INSTALLATION SPECIFICATIONS

- 6.1 The approved technology shall be installed under the guidance of a designer.
- 6.2 The installation of each technology shall be in accordance with the Permittee's technical requirements approved by the Secretary.

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.

Peter Walke, Commissioner  
Department of Environmental Conservation

By \_\_\_\_\_ Dated November 8, 2021  
Cristin Ashmankas, Environmental Analyst VII  
Regional Office Program  
Drinking Water and Groundwater Protection Division