

CASE NO: 2S0839-2-EB
PERMITTEE: Village of Ludlow

LAWS/REGULATIONS INVOLVED:
10 V.S.A. §§ 6001 - 6092 (Act 250)
and Vermont State Environmental
Protection Rules

ADDRESS: Municipal Office
P.O. Drawer B
Ludlow, VT 05149

The Vermont Environmental Board hereby issues Land Use Permit Amendment #2S0839-2-EB (Permit), pursuant to the authority vested in it by 10 V.S.A. §§ 6001-6092. This permit amendment applies to easements and the lands owned in fee by the Village of Ludlow, the permittee as grantee.

This permit specifically authorizes the permittee to construct improvements to the wastewater treatment facility, including the construction of a building addition for storage. The project will allow for an increase in capacity from 700,000 gallons per day to 1,050,000 gallons per day with an uncommitted reserve capacity increase from 126,239 gallons per day to 476,239 gallons per day. The project also involves a 1.2-mile extension of the Ludlow Wastewater Treatment Facility's Waste Management Zone in the Black River. The project is located in the Town of Ludlow.

The permittee and its assigns and successors in interest, are obligated by this permit to complete, operate and maintain the project as approved by the Vermont Environmental Board in accordance with the following conditions:

1. The project shall be completed, operated and maintained in accordance with: (a) Findings of Fact and Conclusions of Law #2S0839-2-EB, (b) the plans and exhibits on file with the Environmental Board, and (c) the conditions of this permit.
2. No changes shall be made in the design or use of this project without the written approval of the District Coordinator or the District Environmental Commission, whichever is appropriate under the Environmental Board Rules.
3. By acceptance of the conditions of this permit without appeal, the permittee confirms and agrees that the conditions of this permit shall run with the land and the land uses herein permitted, and will be binding upon and enforceable against the permittee and all assigns and successors in interest.
4. The District Environmental Commission maintains continuing jurisdiction during the lifetime of the permit and may periodically require that the permit holder file an affidavit certifying that the project is being completed, operated and maintained in accordance with the terms of the permit, as provided by 10 V.S.A. Chapter 151 and the rules of the Environmental Board.

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 Vermont environmental and health statutes and regulations and with this permit.
6. All conditions of Land Use Permit #2S0839 and amendments are in full force and effect, except as amended herein.
7. This permit hereby incorporates all of the conditions of Discharge Permit #3-1208, issued by the Wastewater Management Division, Agency of Natural Resources.
8. A copy of this permit and related plans shall be on the site at all times throughout the construction process.
9. Pursuant to 10 V.S.A. § 6090(b), this permit amendment is hereby issued for an indefinite term, as long as there is compliance with the conditions herein.
10. All construction shall be completed in accordance with the approved plans by October 15, 2004, unless an extension of this date is approved in writing by the District Environmental Commission.

Failure to comply with all of the above conditions may be grounds for permit revocation pursuant to 10 V.S.A. § 6090(c).

DATED at Montpelier, Vermont, this 18th day of September, 2003.

VERMONT ENVIRONMENTAL BOARD

 /s/*Patricia Moulton Powden*
Patricia Moulton Powden, Chair
George Holland
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