

Concerned about the
bottom line, potential fines
or someday selling
your business?

Vermont Small Business Environmental Primer



*The Vermont Environmental
Assistance Partnership*
www.veap.org

This Primer is designed to provide your business with a starting point for information and resources about environmental regulations and permits that generally apply to operating a business in Vermont. This information is not intended to take the place of the actual regulations. Resources for further assistance are provided.

This Primer was produced by the Vermont Environmental Assistance Partnership www.veap.org. VEAP is a statewide partnership providing coordinated environmental assistance and training to Vermont businesses. VEAP provides resources for pollution prevention, voluntary compliance, permitting assistance, environmental management systems, and training workshops. Call any of the VEAP partners for help:

[VT Dept. of Environmental Conservation](#)

Environmental Assistance Office and the Small Business Compliance Assistance Program 1-800-974-9559
www.anr.state.vt.us/dec/ead/index.htm

[VT Dept. Of Economic Development](#)

For permitting & business development assistance
800-933-6249 • www.thinkvermont.com

[VT Manufacturing Extension Center](#)

For manufacturing assistance
800-MEP-4MFG • www.vmec.org

[VT Small Business Development Center](#)

For confidential environmental assistance
800-464-7232 • www.vtsbdc.org

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Environmental Q and A For Vermont Business

- 1. How should my business manage its waste?**
- 2. What goes down the drain?**
- 3. What goes into the air?**
- 4. Do you have a private water supply and 25 or more employees and/or customers?**
- 5. Do you have an underground storage tank?**
- 6. Are you changing the use of an existing building, or proposing new construction?**
- 7. What else is on your property?**
- 8. Where can you go for help?**
- 9. What publications are available?**

These questions, covering a range of environmental regulatory and permitting issues, are answered in this guide.

1. How should my business manage its waste?

Q: How is waste regulated?

A: Waste (which, among other things, includes solid, liquid, semi-solid, or contained gaseous material that is discarded, or has served its original intended use and is normally discarded, or is a manufacturing by-product that is normally discarded) is regulated as either “Solid Waste” or “Hazardous Waste”.

Q: What regulations apply to businesses that generate Solid Waste?

A: All solid waste must be managed in accordance with Vermont statutory requirements (e.g., sent to an certified facility) and any applicable local/municipal requirements (e.g., mandatory recycling regulations). Business owners should also be aware that burning solid waste is, with few exceptions, prohibited in Vermont. For more information about managing solid waste, contact your local Solid Waste Management District or municipality (see list on page 18), or contact Vermont’s Solid Waste Program at (802) 241-3888 or look on-line at:
www.anr.state.vt.us/dec/wastediv/solid/home.htm

Q: What is Hazardous Waste?

A: Generally, hazardous waste is any waste or combination of wastes specifically listed in Subchapter 2 of the Vermont Hazardous Waste Management Regulations (VHWMR), or which meet the toxicity, corrosivity, ignitability, or reactivity criteria established in Subchapter 2. These broad categories include many of the wastes commonly produced by small businesses, such as spent paints, solvents, motor vehicle fluids, and oily debris.

Q: What regulations apply to businesses that generate Hazardous Waste?

A: The VHWMR provide a regulatory framework for managing hazardous waste in Vermont. Besides identifying those wastes subject to regulation as hazardous, the VHWMR establish management standards for businesses that generate, transport, treat, store or dispose of those wastes. In addition, the regulations address: recycling; the “manifest” shipping document, reporting, and recordkeeping; “used oil” management; and “universal waste” management. In general, all Vermont generators are regulated at one of three levels as determined by the type(s) and quantity of hazardous waste produced. The three “generator status” categories include: Conditionally Exempt Generators (least stringently regulated), Small Quantity Generators, and Large Quantity Generators (most stringently regulated).

It is important to note that *all hazardous waste is banned from solid waste landfill disposal.*

Q: What are some of the first things I need to do if my business generates waste?

A: All Vermont generators are required to determine if the waste that they generate is hazardous waste, and if so, complete and submit a [Hazardous Waste Handler Site ID Form](#) to Vermont’s Agency of Natural Resources and refer to [A Guide to Hazardous Waste Management / Conditionally Exempt Generators’ Handbook](#) for instructions. Notification forms, which provides the Agency with general information about the generator facility and the hazardous wastes produced, and may be obtained by contacting the Agency of Natural Resources at (802) 241-3888. There is no fee associated with submitting a notification form. www.anr.state.vt.us/dec/wastediv/rcra/pubsl/vtnotif2002form.pdf

Q: Are there any regulatory benefits to recycling and/or reuse?

A: Yes, in addition to reducing the amount of solid and/or hazardous waste generated, some recycled /reused wastes (i.e., antifreeze, used oil) are subject to less regulation. Fact sheets that address the recycling and/or reuse of waste are available on-line at:

www.anr.state.vt.us/dec/ead/ead/sbcap/resources.htm

For assistance with recycling issues, contact the Vermont Department of Environmental Conservation, Environmental Assistance Division (see below) or your Solid Waste Management District (see page 18).

Q: What assistance resources are available for waste management?

A: The following assistance resources are available:

The Vermont Department of Environmental Conservation, Environmental Assistance Office, The Small Business Compliance Assistance Program (SBCAP) at:

1-(800) 974-9559, or on-line at

www.anr.state.vt.us/dec/ead/ead/sbap/index.htm

The Vermont Department of Environmental Conservation, Waste Management Division at: (802) 241-3888 or on-line at www.anr.state.vt.us/dec/wastediv/rcra/rcrahome.htm

The Conditionally Exempt Generator's Handbook, which outlines the proper hazardous waste labeling, handling and storage requirements for Conditionally Exempt Generators, is available on-line at:

www.anr.state.vt.us/dec/wastediv/rcra/pubs/ceg_hndbk.pdf

The complete Vermont Hazardous Waste Management Regulations are available on-line at:

www.anr.state.vt.us/dec/wastediv/rcra/hazregs/fullregs.pdf

2. What goes down the drain?

Q: Do I still need any approvals if I am connected to the Municipal sewer?

A: Yes. You may need local approval, and/or state regional office approval. In some cases a state pretreatment discharge permit may be needed, depending upon the nature and volume of the wastewater and the size and type of municipal treatment plant that receives the wastewater. Federal laws require that certain manufacturing processes, such as metal finishing or electroplating, have a state pretreatment discharge permit regardless of their size. In general, there are fewer permitting issues when locating a business in a service area with municipal water supply and wastewater treatment. Whenever possible, food processors and manufacturers that have process wastewater should be located on a sewer line in a town with appropriate capacity for growth.

Program Contact:

Wastewater Management Division – both regional and central offices. See the Regional Office map (inside Back Cover) and www.anr.state.vt.us/dec/ww/EngServ.htm

Q: What about industrial discharges into an on-site septic system?

A: Any non-sewage waste such as wash water, industrial process wastewater, and boiler blow down, which discharges into the ground or into an on-site sewage disposal system, will require an Underground Injection Control (UIC) Permit. These discharges must meet standards that are designed to protect the groundwater quality or they will not be permitted. As stated above, the best way to manage wastewater discharges is to discharge to a municipal system. Be safe and seal all floor drains.

Program Contact:

Wastewater Management Division, Underground Injection Control Program 802-241-4455 or www.anr.state.vt.us/dec/ww/uic.htm

3. What goes into the air?

Q: Do I emit air pollution?

A: Air pollution is generated from many types of activities and is not always visible. While dust from stone crushing or wood sanding operations is visible, the burning of fuels or spraying of paint creates air pollution even when no emissions are visible. Air pollution can consist of particulate matter in the form of dust, fumes, smoke or mist; combustion products from burning fuels, volatile organic compounds and/or volatile toxic compounds from painting, petroleum products (i.e. gasoline, oils, etc.) and use of chemicals; and odors. Typical air pollution sources include: wood products industries, rock and gravel crushing operations, fuel burning equipment (diesel engines, boiler and gas turbines), surface coating operations (spray painting), incinerators, concrete batching operations, hot mix asphalt production and other industrial processes involving the application of chemicals, plastics, rubbers and resins.

Q: Do I need a permit?

A: If you have one of the above listed types of air contaminants, you probably will require a permit before constructing a new facility or making significant changes to your current operations. You will need to identify and quantify all of your air pollution emissions as a part of the permit process. You will also need to provide a general description of your operations and processes including any emissions control equipment.

Program Contact:

Air Pollution Control Division
802-241-3840 or 1-888-520-4879
www.anr.state.vt.us/air/index.htm

4. Do you have a private water supply and 25 or more employees and/or customers?

Q: Does or will your business have its own well?

A: If so, and your well will be serving 25 or more people, more than 60 days per year, then you may be operating a public water system. You may need a Water Supply Division Permit to Operate a Public Non-Transient Non-Community (NTNC) water system or a Public Transient Non-Community (TNC) water system. To obtain an Operating Permit, you must complete a permit application and return it to the Water Supply Division. A capacity study and certified operator are also required in order to operate the system.

Q: If you are proposing to construct changes to your water supply or increase occupancy, what is involved?

A: A Wastewater System and Potable Water Supply Permit from a Wastewater Management Regional Office and/or a Permit to Construct from the Water Supply Division are necessary. Call a Regional Engineer to determine which permits you will require (see map inside back cover.) A VT registered professional engineer must design the water system in accordance with the Water Supply Rule. If a new well is being drilled, you must obtain a permit prior to drilling

Program Contacts:

Water Supply Division
802-241-3400 or 800-823-6500
Fax: 802-241-3284
www.anr.state.vt.us/dec/watersup/wsd.htm

Wastewater Management Division – Regional Offices.
See the Regional Office map on the inside Back Cover and at www.anr.state.vt.us/dec/ww/EngServ.htm

5. Do you have an underground storage tank?

A permit is required of any owner or operator of a commercial underground storage tank (UST) used to store gasoline, waste oil, or non-petroleum chemicals used for manufacturing or processing purposes. A permit is not required for farm or residential motor fuel USTs and USTs used to store heating oil for on premises heating purposes. There may be notification requirements dependent upon the size of the tank and purpose of its contents. Any questions relating to the regulations or the permit process should be addressed to:

Program Contact:

Waste Management Division
Underground Storage Tank Section

Phone: 802-241-3888

Fax: 802-241-3296

www.anr.state.vt.us/dec/wastediv/ust/home.htm

Above ground oil storage capacity (tanks and drums) greater than 660 gallons for a single container or 1320 gallons of total capacity will trigger a federal Spill Prevention Control and Countermeasure (SPCC) plan.



6. Are you changing the use of an existing building, or proposing new construction?

ACT 250

Q: How do I know if I need an Act 250 permit for my project?

A: An Act 250 permit is required for certain categories of development, such as commercial projects on more than one acre, or ten acres if the town has permanent zoning and subdivision regulations. For a jurisdictional determination on a specific Act 250 project, you should contact the Act 250 District Coordinator (see map, inside Back Cover).

Q: How long does it take to obtain an Act 250 permit?

A: That depends on the complexity of your project, but more than 60% of Act 250 permits are issued in less than 60 days. In general, the more effort you put into preparing a complete and thorough application, the less time will be spent in the review process.

Q: Is it difficult to obtain an Act 250 permit?

A: Act 250 is a comprehensive law that evaluates the impact of a development project under a number of environmental criteria (see the 10 Criteria on page 12). Approximately 600 - 700 Act 250 applications are submitted each year throughout the state. More than 95% of these applications are approved.

Q: What are the “10 Criteria” of Act 250?

A: The 10 Criteria are the standards, which the District Commission uses to evaluate a development project. These criteria include such issues as air pollution, waste disposal, wetlands, erosion control, traffic, impact on schools and municipal services, and conformance with town and regional plans. In order to obtain an Act 250 permit, a project must satisfy all 10 criteria.

Q: Where can I get assistance filling out the Act 250 application?

A: If you are new to the Act 250 process or if you have questions about filling out the Act 250 application, it is recommended that you schedule a pre-application meeting with the District Coordinator or Assistant District Coordinator to discuss your project and how to fill out the application forms. Private Act 250 consultants are also available (for a fee) if you feel that you need more extensive assistance.

Program Contact:

Find the Act 250 Coordinator for your region (see map, inside Back Cover.) and the Environmental Board.
Web site is at: www.state.vt.us/envboard

Wastewater Management

Q: Who needs a Water Supply and Wastewater Disposal Permit for a renovation or change of use?

A: A Permit may be required for sewage and process wastewater if you are constructing or renovating any commercial building, or changing the use of the building, even if connected to a municipal sewer system. Call a Permit Specialist or Regional Engineer. See map inside back cover.

Q: What is involved in obtaining this permit?

A: Specific information must be submitted, to include: location, lot size, building size, number of employees (seats if a restaurant), source of water, and type of sewage disposal. If the sewage system will be on site, a registered professional engineer must complete the soil testing and system design specifications and plans.

Program Contact:

Wastewater Management Division
Regional Office (See map, inside Back Cover).
www.anr.state.vt.us/dec/ww/EngServ.htm



Water Quality Issues

Stormwater Discharge:

Creation of new paved surfaces or roof tops that discharge stormwater into waters of the state may require a discharge permit, depending on the size of the impervious surface and the proximity to and size of the receiving water. If a permit is required, the design of the collection and treatment system must be in compliance with State requirements.

Program Contact:

Water Quality Division - StormWater Program
802-241-4320 or Wetlands 802-241-3770
Fax: 802-241-3287
www.anr.state.vt.us/dec/waterq/stormwater.htm

Wetlands:

Wetlands are defined by the vegetation, soils and soil saturation of the site. Class one and two wetlands are designated as significant wetlands. The Vermont Wetlands Rules list these wetlands and allowed uses in these areas and their adjacent buffer zones. Any uses that are not allowed are conditional and require a permit called a Conditional Use Determination. If there is any question, State help should be sought in the identification of regulated wetlands before initiating any activity. Unauthorized change to a protected wetland or adjacent area is also a federal offense.

Program Contact:

Water Quality Division - Wetlands Office
802-241-3760

www.anr.state.vt.us/dec/waterq/wetlands.htm

ALSO: U.S. Army Corps of Engineers
Vermont Project Office
8 Carmichad St.
Essex, VT 05451
802-872-2893
www.nae.usace.army.mil/

Streams, Shorelands, and Flood Plains:

Construction in or near a stream or other body of water is probably controlled by local, state and federal regulations. If in a flood plain, the availability of flood insurance should be investigated.





Program Contact:

Water Quality Division: 802-241-3770

www.anr.state.vt.us/dec/waterq/rivers.htm

7. What else is on your property?

Environmental Red Flags

-  Potential Barriers to Expansion: non-game, endangered species habitat, wellhead protection zones, wet areas and archeological/historic issues.
-  Previous business use - Any of the following uses may have associated environmental issues: gas station/mini-mart; dry cleaning; auto repair; machine shop; trucking; petroleum/LP gas dealer; or any manufacturing that may have used hazardous materials. Any of the above served by septic systems increases liability potential.
-  Underground Storage Tanks - potential liability from leakage, unless they are newer, double walled tanks and are permitted
-  Planned use of hazardous materials in a manufacturing process, especially if on a septic system. In general, there are fewer permitting issues when locating a business on town water and sewer. Regulations are designed to ensure that septic systems, which can last up to 30 years, if properly maintained, are properly sized to meet wastewater flow requirements, and are not used for manufacturing process water discharges.

**Good Environmental Management can reduce liability, save money and just makes good business sense.
START ALL PERMITTING PROCESSES EARLY!**

Other Non-Environmental Permits

[Dept. of Labor & Industry](#) (fire code, electrical, plumbing, boilers) 802-828-2106 (Main Office)

Regional Offices www.state.vt.us/labind/fpindex.htm

[Dept. of Health](#) (food, lodging, bakeries, children's camps, asbestos & lead control) 800-439-8550.

www.healthyvermonters.info/hp/foodlodge/fnl.shtml

[Agency of Agriculture, Food & Markets](#) (golf courses, greenhouses, meat & milk processing, retail food sales, kennels, pesticides, weights & measures) 802-828-2500.

www.vermontagriculture.com

[Agency of Transportation](#) (off premise signs, junkyards, construction in highway right of way) 802-828-2653.

www.aot.state.vt.us

[Dept. of Taxes](#) 802-828-2551. www.state.vt.us/tax

[Secretary of State](#) (business registration) 802-828-2386.

www.sec.state.vt.us

[Agency of Human Services](#) (child care & nursing facilities)

802-241-2158. www.state.vt.us/srs/

[Zoning, Building and Subdivision Permits](#) (local permits.)

[Dept. of Public Service](#) (Energy Efficiency Building Codes)

802-828-4035, www.state.vt.us/psd

[www.state.vt.us/psd/Menu/Energy Efficiency and Renewable Energy.htm](http://www.state.vt.us/psd/Menu/Energy_Efficiency_and_Renewable_Energy.htm)

8. Where can you go for help?

Any of the Vermont Environmental Assistance Partnership (VEAP) partners listed below can help.

Vermont Agency of Natural Resources (VT-ANR)

Department of Environmental Conservation (DEC)

Environmental Assistance Office is a non-regulatory, confidential, no cost service providing technical assistance in environmental compliance, permitting, and pollution prevention assistance.

800-974-9559, Fax 802-241-3273

103 South Main Street

Waterbury, VT 05671-0411

www.anr.state.vt.us/dec/ead/index.htm

Small Business Compliance Assistance Program

Hot line: 800-974-9559 or 802-241-3745

www.anr.state.vt.us/dec/ead/sbcap/index.htm

Permit Assistance Specialists Program – the Permit Specialist in your region can identify all the state and federal permits required for your project and develop a Project Review Sheet summarizing these permits. See map inside back cover or locate a permit specialist at

www.anr.state.vt.us/dec/ead/pa/index.htm

Vermont Agency of Commerce and Community

Development - The Department of Economic Development is a businesses friendly resource for Vermont companies, to provide a strategy to obtain all environmental permits in a timely manner and to help resolve regulatory issues.

Dept. of Economic Development

1-800-WE DO BIZ (1-800-933-6249)

802-828-5233, Fax: 802-828-3258

National Life Building, Drawer 20

Montpelier, VT 05620

Website: www.thinkvermont.com

Vermont Manufacturing Extension Center (VMEC)

For manufacturing assistance

1-800-MEP-4MFG (in VT)

c/o Vermont Technical College

PO Box 500, Randolph Center, VT 05061-050

802-728-1432, Fax: 802-728-1456

Website: www.vmec.org

Vermont Small Business Development Center (SBDC)

Environmental Assistance Program provides free and confidential business counseling, low cost environmental training and pollution prevention assistance.

1-800-464-7232 (in VT Only)

PO Box 188, Randolph Center, VT 05061-0188

802-728-1423, Fax: 802-728-3026

Website: www.vtsbdc.org

OTHER RESOURCES:

VERMONT SOLID WASTE MANAGEMENT DISTRICTS:

Addison County SWMD 388-2333

Bennington Regional Planning Com. 375-9964

Central Vermont SWMD 229-9383

Chittenden SWD 872-8100

Greater Upper Valley SWMD 296-3688

Junct. Municipal Survey Com./SW Alt. Com. 235-9353

Lamoille Regional SWMD 888-7317

Northeast Kingdom SWMD 626-3532

Northwest Vermont SWMD 524-5986

Rutland County SWMD 775-7209

S Windsor/Windham Co. SWMD 543-1201

Mad River Alliance 244-7373

White River Alliance 234-9340

Windham SWMD 257-0272

Efficiency Vermont provides technical and financial assistance to help make businesses energy efficient. 888-921-5990, www.encyvermont.org

9. What publications are available?

Department of Environmental Conservation General Fact and Informational Sheets:

Fluorescent Lamps: Handling and Disposal Guidelines

Waste Mercury-Added Devices: Handling and Disposal Guidelines

Managing Treated Wood Waste

US DOT Regulations Affects Hazardous Waste Generators

A General Guide to Reading a Material Safety Data Sheet (MSDS)

How to Calculate VOC Emissions

Hazardous Waste Manifest Information

www.anr.state.vt.us/dec/ead/sbcap/resources.htm

Industry Sector Compliance Guidebooks:

A Vehicle Service Technicians Guide to VT's Environmental Regulations (2000)

A First Place Finish - An Environmental Guide for VT Wood Finishers (1999)

A Printers Guide to VT's Environmental Regulations (1997)

A Metal Fabricators Guide to VT's Environmental Regulations (2001)

An Auto Body Technicians Guide to VT's Environmental Regulations (2002)

www.anr.state.vt.us/dec/watersup/tnc/TNC.htm

Compliance Guidebooks:

Guide to the VT Drinking Water Requirements for Transient Non-Community Public Water Systems (2001)

Conditionally Exempt Generators' (CEG) Handbook (2003)

www.anr.state.vt.us/dec/wastediv/rcra/pubs/ceg_hndbk.pdf

Brochure:

"Do You Need A State Permit? Ask a Permit Specialist!"

www.anr.state.vt.us/dec/ead/pa/permitbro.pdf

Vermont Permit Handbook:

www.anr.state.vt.us/dec/permit_hb/index.htm

Link to VT-DEC Publications:

www.anr.state.vt.us/dec/permits.htm or
call 800-974-9559

Construction Waste Reduction Planning web site:

www.anr.state.vt.us/dec/wastediv/recycling/CandD.htm

Vermont Business Materials Exchange:

www.vbmex.net

Vermont Natural Resources Board:

“Act 250 – A Guide to Vermont’s Land Use Law”

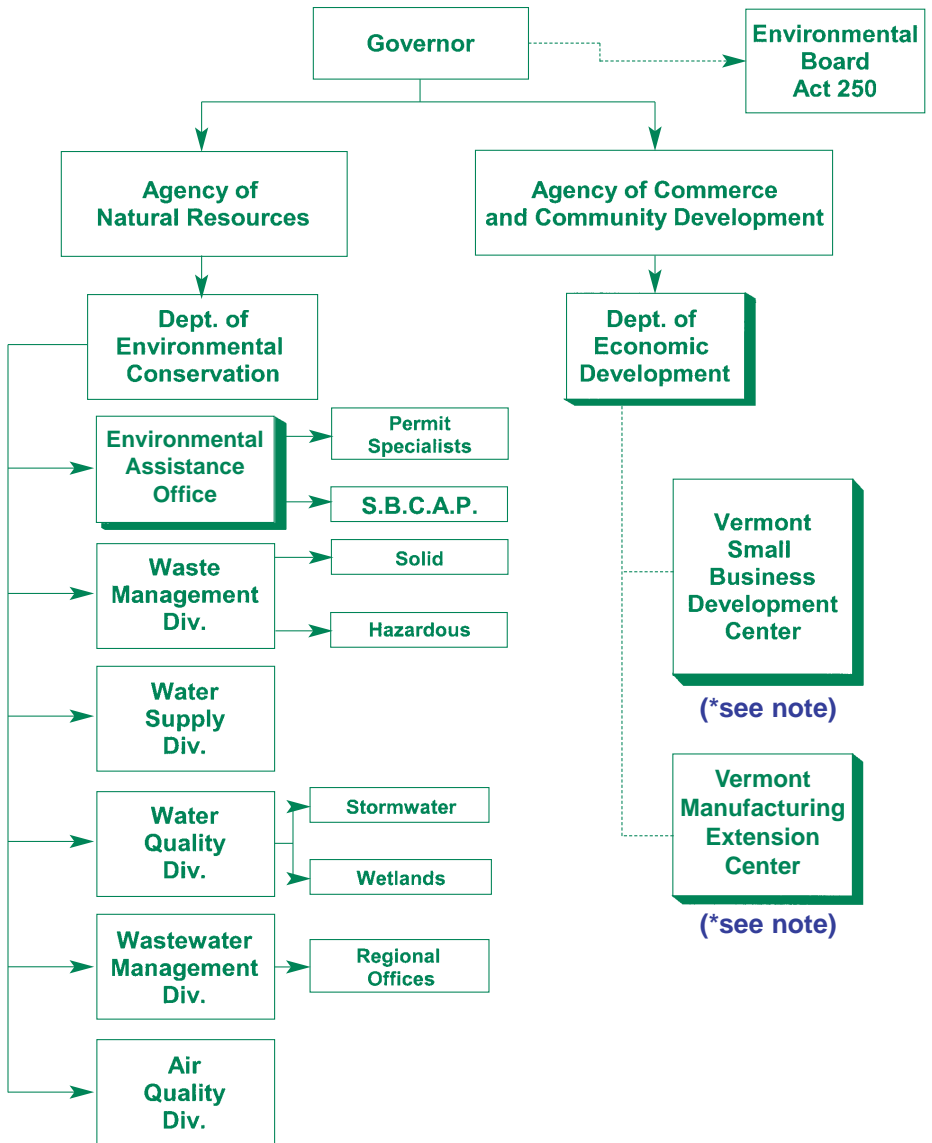
The Act 250 Application and other information available at:

www.state.vt.us/envboard or 802-828-3309



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Assistance Partnership*

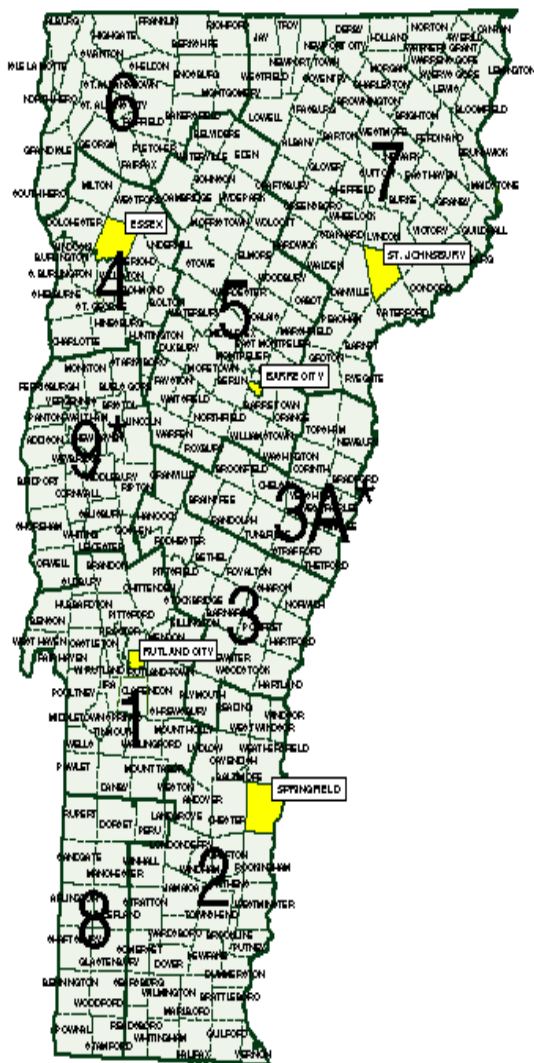
www.veap.org



***NOTE:** The Vermont Small Business Development Center (SBDC) and the Vermont Manufacturing Center (VMEC) are independent, not-for-profit VEAP Partners and are not State of Vermont government entities.

REGIONAL OFFICES

DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) DISTRICT ENVIRONMENTAL COMMISSIONS (ACT 250)



DISTRICTS 1, 8, & 9

450 Asa Bloomer State Office Bldg.
Merchants Row
Rutland, VT 05701-5903

Permit Specialist	786-5907
Regional Engineer	786-5900
Act250 (Dist #1 & 8)	786-5920
Act250 (Dist #9)	879-5614
River Management	786-5906

DISTRICTS 2 & 3

100 Mineral St, Ste #303
Springfield, VT 05156

Permit Specialist	885-8850
Regional Engineer	885-8855
Act250 (Dist #2, 3, & 3A)	885-8855
River Management	786-5906

DISTRICTS 4 & 6

111 West Street
Essex Junction, VT 05452

Permit Specialist	879-5576
Regional Engineer (Dist #4 & 6) ..	879-5556
Regional Engineer (Dist #9)	786-5900
Act250 (Dist #4, 6, & 9)	879-5614
River Management	879-5631

DISTRICTS 3A & 5

5 Perry Street, Suite 80
Barre, VT 05641

Permit Specialist	476-0195
Regional Engineer	476-0190
Act250 (Dist # 3A)	885-8855
Act250 (Dist # 5)	476-0185
River Management	879-5631

DISTRICT 7

1229 Portland St-Ste 201
St. Johnsbury, VT 05819

Permit Specialist (Tues)	751-0127
Regional Engineer	751-0130
Act250	751-0120
River Management	751-0129

3A* NOTE:

Towns in District 3A must contact the Springfield Office for Act 250 Permits. For Water Supply, Wastewater Disposal and Subdivision Permits, District 3A must contact the Barre Office.

9* NOTE:

Towns in District 9 must contact the Essex Junction Office for Act 250 Permits. For Water Supply, Wastewater Disposal and Subdivision Permits, District 9 must contact the Rutland Office.



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