



June 29, 2022

Vermont Superior Court
Environmental Division
32 Cherry Street
2nd Floor, Suite 303
Burlington, Vermont 05401

Re: Appeal of City of Rutland Wastewater Treatment Facility National Pollutant Discharge Elimination System (NPDES) Permit – Permit #3-1285; Docket No. 22-ENV-00054

To Whom It May Concern:

Please find enclosed the Vermont Natural Resources Council's (VNRC's) Statement of Questions in the above matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Groveman", is written over a horizontal line. The signature is fluid and cursive.

Jon Groveman, Esq.

cc: Certificate of Service

STATE OF VERMONT)	SUPERIOR COURT
)	ENVIRONMENTAL DIVISION
)	
In re: City of Rutland Wastewater)	
Treatment Facility National Pollutant)	
Discharge Elimination System)	Docket No. 22-ENV-00054
Permit - Permit # 3-1285)	

STATEMENT OF QUESTIONS

NOW COMES Vermont Natural Resources Council (Appellant), by and through counsel, Jon Groveman, Esq. and Jamey Fidel, Esq., and hereby set forth the Statement of Questions in the above matter pursuant to Rule 5(f) of the Vermont Rules for Environmental Court Proceedings.

- 1. Is the Agency of Natural Resources (ANR) required by state and federal law to address the Combined Sewer Overflow (CSO) discharges from the City of Rutland Wastewater Treatment Facility (WWTF), including proposing the specific requirements of the CSO Long Term Control Plan (LTCP) for the WWTF and the specific requirements in the 1272 ORDER for Discharge Permit No. 3-1285 in the NPDES Discharge Permit for the WWTF?*

- 2. Did ANR violate the citizen suit and public participation requirements of the Clean Water Act (CWA), its implementing regulations and other applicable state and federal laws by failing to include the specific requirements for addressing CSO discharges from the WWTF in the NPDES Discharge Permit for the WWTF.*

- 3. Should the NPDES Discharge Permit for the WWTF be remanded to ANR with the requirement that ANR propose the specific requirements to address the CSO discharges from the WWTF, including proposing the specific requirements of the LTCP for the WWTF and the specific requirements in the 1272 ORDER for Discharge Permit No. 3-1285 in the NPDES Discharge Permit for the WWTF so that the public can comment on these provisions in accordance with the public participation requirements of state and federal law.*

DATED at Montpelier, Vermont this 29th day of June, 2022.

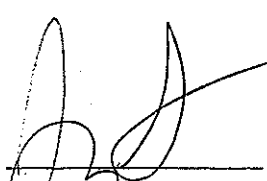
APPELLANTS

Vermont Natural Resources Council

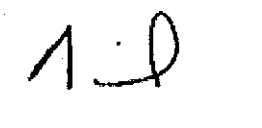
By Counsel:

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Jamey Fidel, Esq.

STATE OF VERMONT) SUPERIOR COURT
) ENVIRONMENTAL DIVISION
In re: City of Rutland Wastewater)
Treatment Facility National Pollutant)
Discharge Elimination System (NPDES)) Docket No. 22-ENV-00054
Permit - Permit # 3-1285)

CERTIFICATE OF SERVICE

I hereby certify that I, Jon Groveman, Esq., sent a copy of the foregoing Statement of Questions regarding the above matter to the following individuals or entities on this 29th day of June, 2022.

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DATED at Montpelier, Vermont this 29th day of June, 2022.

Jon Groveman, Esq.