

Vermont Department of Environmental Conservation
Watershed Management Division
Davis 3
One National Life Drive
Montpelier, VT 05620-3522

Agency of Natural Resources

(phone) 802-828-1535

August 2, 2021

CONTECH Engineered Solutions
11815 NE Glenn Widing Drive
Portland, OR 97220
Attn: Derek M. Berg

RE: Request for Reevaluation of Jellyfish® Filter
2017 Vermont Stormwater Management Manual
Section 4.4.1: Alternative Stormwater Treatment Practices

Dear Mr. Berg:

The Stormwater Program has reevaluated the Jellyfish® Filter as an alternative stormwater treatment practice through the evaluation process in Section 4.4.1 of the 2017 Vermont Stormwater Management Manual (VSMM). This reevaluation was conducted in response to your request in 2021 for reconsideration of the previously approved Tier 3 Water Quality alternative stormwater treatment practice approval under the 2017 VSMM, which initially occurred in 2018. The request specifically sought approval of the alternative stormwater treatment practice as a Tier 2 Water Quality alternative stormwater treatment practice, in consideration of updated monitoring of this CONTECH system that demonstrates a Total Phosphorus (TP) removal efficiency of 60% or greater, in accordance with the 2017 VSMM.

Based on our review, we believe that CONTECH Engineered Solutions has provided the Stormwater Program with sufficient updated testing data showing that the system provides total phosphorus and total suspended solids removal efficiency sufficient to meet or exceed the standards in the Vermont Stormwater Management Manual as a stand-alone Tier 2 Practice.

Please be advised that this letter serves as preliminary approval and does not constitute a final act or decision of the Secretary. Final approval of the use of the Jellyfish® Filter, or other alternative practice, is project specific and is necessarily done through the issuance of an operational stormwater permit, until such time that the Vermont Stormwater Management Manual is formally revised to include the practice.

In developing permit conditions for any project relying on the Jellyfish® Filter, the Stormwater Program is likely to include the following permit conditions and application requirements:

- 1) The Jellyfish® Filter must be designed, assembled, installed, operated, and maintained according to the specifications of Contech Engineered Solutions, Inc.

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- 2) The system must be designed to accommodate 100% treatment of the requisite water quality volume through sizing for the peak rate of the water quality storm without bypass.

As part of this preliminary approval, the product will be listed on the Vermont Department of Environmental Conservation's Alternative Practices website at <http://dec.vermont.gov/watershed/stormwater/permit-information-applications-fees/Alt-STPs>. Please be advised that an update to the Department website may not occur immediately but will be completed as soon as the Department is able to update the information. CONTECH however may share this amended preliminary approval letter with any clients or stormwater designers that are interested in utilizing this treatment practice in their stormwater pollutant removal goals, both for regulated or unregulated sites in the State of Vermont.

Until such a time that the practice is incorporated into the VSMM through rulemaking, projects utilizing the practice that are subject to operational stormwater permitting still require an individual permit application. We anticipate that the Department may take on revisions to the 2017 VSMM in the next few years, and at such time we encourage CONTECH's engagement to improve upon the standards and design requirements for the treatment and control of stormwater runoff from impervious surfaces.

If local jurisdictions or other parties request a copy of a letter from VT DEC verifying preliminary practice approval, please use this letter for that purpose.

Thank you for your interest in providing alternatives to the stormwater design community in Vermont, and CONTECH's continued review and study of pollutant removal efficiencies that aims to afford new opportunities for stormwater treatment and control on regulated projects in Vermont, including retrofits that may be required for "3-acre sites" as identified in the Vermont Stormwater Permitting Rule (Chapter 22: Vermont Environmental Protection Rules). If you have any questions concerning this amended preliminary approval, please contact the Stormwater Program.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Burke".

Kevin Burke, Environmental Analyst
Vermont DEC – Stormwater Program

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