AUTHORIZATION TO DISCHARGE UNDER THE
RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of Chapter 46-12 of the Rhode Island General Laws, as amended,

Rhodes Technologies
498 Washington Street
Coventry, RI 02816

is authorized to discharge from a facility located at

Rhodes Technologies
498, 500, and 500B Washington Street
Coventry, RI 02816

to receiving waters named

South Branch of the Pawtuxet River

in accordance with the effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on _____.

This permit and the authorization to discharge expire at midnight, five (5) years from the effective date.

This permit supersedes the permit issued on June 17, 2009.

This permit consists of 16 pages in Part I including effluent limitations, monitoring requirements, etc. and 10 pages in Part II including General Conditions.

Signed this day of , 2015.

DRAFT

Angelo S. Liberti, P.E., Chief of Surface Water Protection
Office of Water Resources
Rhode Island Department of Environmental Management
Providence, Rhode Island

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through permit expiration, the permittee is authorized to discharge from outfall serial number 001. (Discharge of stormwater from catch basin "CB-5"). Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirement	
	Quantity - lbs./day		Concentration - specify units				
	Average Monthly	Maximum Daily	Average Monthly (Minimum)	Average Weekly (Average)	Maximum Daily (Maximum)	Measurement Frequency	Sample Type
pH			(--- s.u.)[2]		(--- s.u.)[2]	1/ Quarter	Grab[1]
Lead, Total					--- mg/l[2]	1/ Quarter	Grab[1]
Zinc, Total					--- mg/l[2]	1/ Quarter	Grab[1]

[1]Samples must be obtained from a discharge which is the result of a representative storm event that occurs at least seventy-two (72) hours after the previously measurable storm event. A representative storm event should be within 50% of the average Rhode Island storm event, 0.7 inches in depth and 12 hours in duration, and shall be a minimum of 0.1 inches per twenty-four (24) hours in magnitude. The "Grab" value shall be obtained using a grab sample, consisting of an individual sample of at least 100 mL, collected during the first thirty (30) minutes of a discharge.

[2]Sample results shall be compared to the Benchmark Concentrations in accordance with Part I.D.

--- Signifies a parameter which must be monitored and data must be reported; no limit has been established at this time.

Values in parentheses ( ) are to be reported as Minimum/Maximum rather than Average Monthly/Maximum Daily.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: Outfall 001 (Discharge of Stormwater from catch basin "CB-5")

2. a. The discharge shall not cause visible discoloration of the receiving waters.

   b. The effluent shall contain neither a visible oil sheen, foam, nor floating solids at any time.

3. All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

   a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

      1) One hundred micrograms per liter (100 ug/l);

      2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitro-phenol; and one milligram per liter (1 mg/l) for antimony;

      3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. s122.21(g)(7); or

      4) Any other notification level established by the Director in accordance with 40 C.F.R. s122.44(f) and Rhode Island Regulations.

   b. That any activity has occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

      1) Five hundred micrograms per liter (500 ug/l);

      2) One milligram per liter (1 mg/l) for antimony;

      3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. s122.21(g)(7); or

      4) Any other notification level established by the Director in accordance with 40 C.F.R. s122.44(f) and Rhode Island Regulations.

   c. That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product any toxic pollutant, which was not reported in the permit application.

4. The permittee is only authorized to discharge stormwater and allowable non-stormwater discharges. Allowable non-stormwater discharges under this permit are limited to the following: discharges from fire fighting activities; fire hydrant flushings; fire protection system testing (which entails the testing of flow switches within the system); deluge testing of the facility hydrogen storage pad system; external building wash down that does not use detergents; lawn watering; uncontaminated ground water; springs; air conditioning condensate; potable waterline flushings; irrigation drainage; foundation or footing drains where flows are not contaminated with process materials, such as solvents, or contaminated by contact with soils, where spills or leaks of toxic or hazardous materials have occurred; and incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blow down or drains); uncontaminated utility vault dewatering; dechlorinated water line testing

water; hydrostatic test water that does not contain any treatment chemicals and is not contaminated with process chemicals. If any of these allowable non-stormwater discharges may reasonably be expected to be present and to be mixed with stormwater discharges, they must be specifically identified and addressed in the facility's Stormwater Pollution Prevention Plan. Any other discharges are not authorized under this permit.

5. *Prohibition of Non-Stormwater Discharges.* The following are not covered by this permit: non-stormwater discharges containing inks, paints, or substances (hazardous, nonhazardous, etc.) resulting from an onsite spill, including materials collected in drip pans; washwater from material handling and processing areas; and washwater from drum, tank, or container rinsing and cleaning.

6. Any stormwater collected in secondary containment areas, prior to discharge, must first be evaluated for contamination based on whether or not odors are present and based on visual observations. In addition, pH testing of stormwater collected in secondary containment areas must also be conducted to further evaluate whether or not the stormwater has been contaminated. (Note: pH testing may be conducted using pH paper for secondary containment monitoring purposes only. Permit compliance monitoring for pH required by Part I.A.1 of the permit at outfall 001 must be conducted in accordance with 40 CFR 136.) The permittee must document each stormwater discharge event that occurs from secondary containment areas. Documentation must include the results of visual, odor, and pH monitoring as well as the date and time of the discharge. If contamination is discovered, discharges of contaminated stormwater to surface waters is strictly prohibited. Any stormwater that shows evidence of being contaminated must be collected and taken to a properly permitted off-site disposal facility. Documentation of collection and offsite disposal activities associated with any contaminated stormwater must also be kept onsite and made available as part of the SWPPP for a period of at least five (5) years.

7. All secondary containment areas must have their drainage valves set to the normally closed position at all times. The only exception to this rule would be during times when the secondary containment areas are being drained after following the procedures specified in Part I.A.6 of this permit.

8. If the permittee determines that a change to the industrial activities will be necessary which will expose stormwater in the drainage areas contributing to outfalls 002-007 to industrial activity the permittee shall immediately notify the DEM and must receive a formal permit modification prior to making any changes to the industrial exposure status of these outfalls.

9. This permit serves as the State's Water Quality Certificate for the discharges described herein.

B. STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS

1. The permittee shall comply with all of the terms and conditions of the Stormwater Pollution Prevention Plan (SWPPP) dated May 14, 2012 or as amended and approved by the DEM.

2. The permittee shall promptly, and in no case later than thirty (30) calendar days, amend the SWPPP and submit a copy of the amended SWPPP to the DEM whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the waters of the State; a release of reportable quantities of hazardous substances and oil; or if the SWPPP proves to be ineffective in achieving the general objectives of controlling pollutants in stormwater discharges (based upon exceedences of the effluent limitations in Part I.A, exceedences of benchmark concentrations in Part I.D, or the results of the inspections required in Part I.B of this permit).

3. If the amendments will include changes to structural controls, the revised SWPPP must include a schedule for the implementation of the proposed structural modifications. The permittee shall

promptly, and in no case later than thirty (30) calendar days from the date that the SWPPP is amended, implement any changes to non-structural pollution prevention measures. Proposed changes to structural stormwater controls must be approved by the DEM prior to implementation. Upon DEM approval of the changes to the structural controls, the permittee shall implement the changes in accordance with the approved schedule.

4. Once the amendments have been reviewed, the permittee may be notified that the SWPPP does not meet the Departments minimum requirements. After such notification, the permittee shall make changes to the SWPPP and shall submit written certification that the requested changes have been made.

5. Unless otherwise provided by the Department, the permittee shall have thirty (30) days after notification of deficiencies to make the necessary changes to the SWPPP.

6. The SWPPP must:

    a. identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges from the facility;

    b. describe and ensure implementation of practices which the permittee will use to reduce the pollutants in stormwater discharges from the facility; and

    c. assure compliance with the terms and conditions of this permit

    d. specifically address ongoing non-compliance with all benchmarks.

7. *Pollution Prevention Team* - The SWPPP must identify the staff individual(s) (by name or title) that comprise the facility's stormwater Pollution Prevention Team. The Pollution Prevention Team is responsible for assisting the facility/plant manager in developing, implementing, maintaining and revising the facility's SWPPP. Responsibilities of each staff individual on the team must be listed.

8. *Site Description*. The SWPPP must include the following:

    a. Activities at Facility. Description of the nature of the industrial activity(ies) at the facility;

    b. General Location Map. A topographic map showing the general location of the facility with enough detail to identify the location of the facility and the receiving waters within one mile of the facility;

    c. A legible site map identifying the following:

        1) directions of stormwater flow (e.g., use arrows to show which ways stormwater will flow);

        2) delineation of impervious surfaces;

        3) locations of all existing structural BMPs to reduce pollutants in stormwater runoff;

        4) locations of all surface water bodies;

        5) locations of all municipal separate storm sewers;

6) locations of potential pollutant sources and where significant materials are exposed to precipitation;

7) locations where major spills or leaks have occurred;

8) locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, and liquid storage tanks.

9) locations of stormwater outfalls and an approximate outline of the area draining to each outfall;

10) location and description of non-stormwater discharges;

11) locations of the following activities where such activities are exposed to precipitation: processing and storage areas; access roads, rail cars and tracks; the location of transfers of substances in bulk; and machinery;

12) location and source of runoff from adjacent property containing significant quantities of pollutants of concern to the facility (an evaluation of how the quality of the stormwater running onto the facility impacts the stormwater discharges may be included).

d. An estimate of the overall runoff coefficient.

9. *Receiving Waters and Wetlands* - The name of the nearest receiving water(s), including intermittent streams and the areal extent and description of wetland that may receive discharges from the facility.

10. *Summary of Potential Pollutant Sources* - The permittee must identify each separate area at the facility where industrial materials or activities are exposed to stormwater. Industrial materials or activities include, but are not limited to, material handling equipment or activities; industrial machinery; storage, cleaning, fueling and maintenance of vehicles and equipment storage; and raw materials, intermediate products, by –products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. For each separate area identified, the description must include:

a. Activities in Area. A list of the activities (e.g., material storage, loading, access areas, equipment fueling and cleaning, cutting steel beams);

b. Pollutants. A list of the associated pollutant(s) or pollutant parameter(s) (e.g., crankcase oil, iron, biochemical oxygen demand, pH, etc.) for each activity. The pollutant list must include all significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to stormwater between the time of five (5) years before being covered under this permit and the present;

c. Method of on-site storage or disposal;

d. For each area of the facility that generates stormwater discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction

of flow and an estimate of the types of pollutants, which are likely to be present in the stormwater discharge.

11. *Spills and Leaks* - The permittee must clearly identify areas where potential spills and leaks, which can contribute pollutants to stormwater discharges, can occur, and their accompanying drainage points. For areas that are exposed to precipitation or that otherwise drain to a stormwater conveyance at the facility to be covered under this permit, the permittee must provide a list of significant spills and leaks of toxic or hazardous pollutants that occurred during the five (5) year period prior to the date of submittal of the permit application. The list must be updated if significant spills or leaks occur in exposed areas of the facility once the permit is issued. Significant spills and leaks include, but are not limited to releases of oil or hazardous substances in excess of quantities that are reportable under CWA 311 (see 40 CFR 110.10 and 40 CFR 117.21) or section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements.

12. *Sampling Data* - The permittee must provide a summary of existing stormwater discharge sampling data collected at the facility.

13. *Stormwater Controls*

    a. Description of Existing and Planned BMPs. Describe the type and location of existing non-structural and structural best management practices (BMPs) selected for each of the areas where industrial materials or activities are exposed to stormwater. All the areas identified in Part I.B.10 should have a BMP(s) identified for the area's discharges. For areas where BMPs are not currently in place, describe appropriate BMPs that the permittee will use to control pollutants in stormwater discharges, the SWPPP must include a schedule for the implementation of all proposed BMPs. Selection of BMPs should take into consideration:

        1) the quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;

        2) opportunities to combine the dual purposes of water quality protection and local flood control benefits (including physical impacts of high flows on streams – e.g., bank erosion, impairment of aquatic habitat, etc.);

        3) opportunities to offset the impact of impervious areas of the facility on groundwater recharge and base flows in local streams.

    b. BMP Types to be Considered. The following types of structural, non-structural and other BMPs must be considered for implementation at the facility. Describe how each is, or will be, implemented. This requirement may have been fulfilled with the area-specific BMPs identified under Part I.B.13.a, in which case the previous description is sufficient. However, many of the following BMPs may be more generalized or non site-specific and therefore not previously considered. If the permittee determines that any of these BMPs are not appropriate for the facility, an explanation of why they are not appropriate must be included. The BMP examples listed below are not intended to be an exclusive list of BMPs that the permittee may use. The permittee is encouraged to keep abreast of new BMPs or new applications of existing BMPs to find the most cost effective means of permit compliance for the facility. If BMPs are being used or planned at the facility which are not listed here (e.g., replacing a chemical with a less toxic

alternative, adopting a new or innovative BMP, etc.), include descriptions of them in this section of the SWPPP.

1) Non-Structural BMPs

Good Housekeeping: The permittee must keep all exposed areas of the facility in a clean, orderly manner where such exposed areas could contribute pollutants to stormwater discharges. Common problem areas include: around trash containers, storage areas and loading docks. Measures must also include: a schedule for regular pickup and disposal of garbage and waste materials; routine inspections for leaks and conditions of drums, tanks and containers.

Minimizing Exposure: Where practicable, industrial materials and activities should be protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff.

Preventative Maintenance: The permittee must have a preventative maintenance program which includes timely inspection and maintenance of stormwater management devices (e.g., cleaning oil/water separators, catch basins) as well as inspecting, testing, maintaining and repairing facility equipment and systems to avoid breakdowns or failures that may result in discharges of pollutants to surface waters.

Spill Prevention and Response Procedures: The permittee must minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur. At a minimum the permittee must implement a) procedures for plainly labeling containers (e.g., "Used Oil", "Spent Solvents", "Fertilizers and Pesticides", etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur; b) preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling; c) procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause, detect, or respond to a spill or leak must be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals should be a member of the stormwater Pollution Prevention Team (see Part I.B.7); and d) procedures for notification of appropriate facility personnel, emergency response agencies. Where a leak, spill, or other release containing a hazardous substance or oil requires the activation of the facility's response plan, the permittee must notify the DEM and take appropriate action to stop or minimize a release of Hazardous Material posing an Imminent Hazard and/or any on-going spill of Hazardous Material at the time of discovery. Local requirements may necessitate reporting of spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be in locations that are readily accessible and available. Measures for cleaning up hazardous material spills or leaks must be consistent with applicable RCRA regulations at 40 CFR Part 264 and 40 CFR Part 265.

Routine Facility Inspections: As part of the Comprehensive Site Compliance Evaluation required under Part I.C of this permit, the

permittee must have qualified facility personnel inspect all areas of the facility where industrial materials or activities are exposed to stormwater. The inspections must include an evaluation of existing stormwater BMPs. The SWPPP must identify how often these inspections will be conducted. The permittee must correct any deficiencies in implementation of the SWPPP the permittee finds as soon as practicable, but not later than within 14 days of the inspection. The permittee must document in the SWPPP the results of the inspections and the corrective actions the permittee took in response to any deficiencies or opportunities for improvement that the permittee identifies.

Employee Training: The permittee must describe the stormwater employee training program for the facility. The description should include the topics to be covered, such as spill response, good housekeeping and material management practices, and must identify periodic dates (e.g., every 6 months during the months of July and January) for such training. The permittee must provide employee training for all employees that work in areas where industrial materials or activities are exposed to stormwater, and for employees that are responsible for implementing activities identified in the SWPPP (e.g., inspectors, maintenance people). The employee training should inform them of the components and goals of the SWPPP.

2) Structural BMPs

Sediment and Erosion Control: The permittee must identify the areas at the facility which, due to topography, land disturbance (e.g., construction), or other factors, have a potential for significant soil erosion. The permittee must describe the structural, vegetative, and/or stabilization BMPs that the permittee will be implementing to limit erosion.

Management of Runoff: The permittee must describe the traditional stormwater management practices (permanent structural BMPs other than those which control the generation or source(s) of pollutants) that currently exist or that are planned for the facility. These types of BMPs typically are used to divert, infiltrate, reuse, or otherwise reduce pollutants in stormwater discharges from the site. All BMPs that the permittee determines are reasonable and appropriate, or are required by a State or local authority; must be implemented and maintained. Factors to consider when the permittee is selecting appropriate BMPs should include: 1) the industrial materials and activities that are exposed to stormwater, and the associated pollutant potential of those materials and activities; and 2) the beneficial and potential detrimental effects on surface water quality, ground water quality, receiving water base flow (dry weather stream flow), and physical integrity of receiving waters. Structural measures should be placed on upland soils, avoiding wetlands and floodplains, if possible. Structural BMPs may require a separate permit under section 404 of the CWA before installation begins.

3) Other Controls

No solid materials, including floatable debris, may be discharged to waters of the State, except as authorized by a permit issued under section 404 of the CWA. Off-site tracking of raw, final, or waste

materials or sediments, and the generation of dust must be minimized. Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas must be minimized. Velocity dissipation devices must be placed at discharge locations and along the length of any outfall channel if they are necessary to provide a non-erosive flow velocity from the structure to a watercourse.

14. *Maintenance* - All BMPs the permittee identifies in the SWPPP must be maintained in effective operating condition. If site inspections required by Part I.B.13.b.1 or Part I.C identify BMPs that are not operating effectively, maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of stormwater controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished within fourteen (14) calendar days. In the case of non-structural BMPs, the effectiveness of the BMP must be maintained by appropriate means (e.g., spill response supplies available and personnel trained, etc.).

15. *Non-Stormwater Discharges* - The SWPPP must include a certification that all discharges (i.e. outfalls) have been tested or evaluated for the presence of non-stormwater. The certification must be signed in accordance with Part II.(k) of this permit, and include:

    a. the date of any testing and/or evaluation

    b. identification of potential significant sources of non-stormwater at the site;

    c. a description of the results of any test and/or evaluation for the presence of non-stormwater discharges;

    d. a description of the evaluation criteria or testing method used;

    e. a list of the outfalls or onsite drainage points that were directly observed during the test.

16. *Allowable Non-Stormwater Discharges*

    a. Certain sources of non-stormwater are allowable under this permit (see Part I.A.4). In order for these discharges to be allowed, the SWPPP must include:

        1) identification of each allowable non-stormwater source;

        2) the location where it is likely to be discharged; and

        3) descriptions of appropriate BMPs for each source.

    b. Except for flows from fire fighting activities, the permittee must identify in the SWPPP all sources of allowable non-stormwater that are discharged under the authority of this permit.

    c. If the permittee includes mist blown from cooling towers amongst the allowable non-stormwater discharges, the permittee must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower and determine that the levels of such chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard after implementation of the BMPs the permittee has selected to control such discharges.

17. *Copy of Permit Requirements* - The permittee must include a copy of this permit in the SWPPP.

18. *Applicable State or Local Plans* - The SWPPP must be consistent (and updated as necessary to remain consistent) with applicable State and/or local stormwater, waste disposal, sanitary sewer or septic system regulations to the extent these apply to the facility and are more stringent than the requirements of this permit.

C. COMPREHENSIVE SITE EVALUATION

1. *Frequency of Evaluations* - The permittee must conduct a comprehensive site compliance evaluation at least once a year. The inspections must be done by qualified personnel provided by the permittee. The qualified personnel the permittee uses may be either the facility's employees or outside consultants that the permittee has hired, provided they are knowledgeable and possess the skills to assess conditions at the facility that could impact stormwater quality and assess the effectiveness of the BMPs the permittee has chosen to use to control the quality of the stormwater discharges. If the permittee decides to conduct more frequent inspections, the SWPPP must specify the frequency of inspections.

2. *Scope of the Comprehensive Site Evaluation* - The inspections must include all areas where industrial materials or activities are exposed to stormwater, as identified in Part I.B.10, and areas where spills and leaks have occurred within the past 5 years. Inspectors should look for: a) industrial materials, residue or trash on the ground that could contaminate or be washed away in stormwater; b) leaks or spills from industrial equipment, drums, barrels, tanks or similar containers: c) offsite tracking of industrial materials or sediment where vehicles enter or exit the site; d) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas and e) for evidence of, or the potential for, pollutants entering the drainage system. Results of both visual and any analytical monitoring done during the year must be taken into consideration during the evaluation. Stormwater BMPs identified in the SWPPP must be observed to ensure that they are operating correctly. Where discharge locations are accessible, they must be inspected to see whether BMPs are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations must be inspected if possible.

3. *Follow-up Actions* - Based on the results of the Comprehensive Site Evaluation, the permittee must modify the SWPPP as necessary (e.g., show additional controls on map required by Part I.B.8.c; revise description of controls required by Part I.B.13 to include additional or modified BMPs designed to correct problems identified). The permittee must complete revisions to the SWPPP and submit the revised SWPPP to the DEM within thirty (30) calendar days following the inspection. If existing BMPs need to be modified or if additional BMPs are necessary, implementation must be completed in accordance with the schedule in Part I.B.3.

4. *Comprehensive Site Evaluation Report* - The permittee must insure a report summarizing the scope of the inspection, name(s) of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP is completed no more than thirty (30) days after the date of the inspection and retained as part of the SWPPP for at least five (5) years from the date of the report. Major observations should include: the location(s) of discharges of pollutants from the site; location(s) of BMPs that need to be maintained; location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location; and location(s) where additional BMPs are needed that did not exist at the time of inspection. The permittee must retain a record of actions taken in accordance with Part I.C.3 of this permit as part of the Stormwater Pollution Prevention Plan for at least five (5) years from the date of the inspection report. The inspection reports must identify any incidents of non-compliance. Where an inspection report does not identify any incidents of non-compliance, the report must contain a certification that the facility is in compliance with the Stormwater Pollution Prevention Plan and this permit. Both the inspection report and any reports of follow-up actions must be signed in

accordance with Part II.(k) of this permit. The annual comprehensive site evaluation report must be submitted to the DEM at the following address by January 15th of the following year:

RIPDES Program
Rhode Island Department of Environmental Management
235 Promenade Street
Providence, Rhode Island 02908

5. *Credit As a Routine Facility Inspection* - Where compliance evaluation schedules overlap with inspections required under Part I.B.13.b.1), the annual compliance evaluation may also be used as one of the routine inspections.

D. BENCHMARK MONITORING

During each quarter, the permittee shall compare all sampling results to the benchmark monitoring concentrations listed below. Benchmark monitoring data are primarily for the permittee's use to determine the overall effectiveness of the control measures and to assist the permittee in knowing when additional corrective action(s) may be necessary. Benchmark Monitoring concentrations may be subject to change by permit modification to be consistent with future revisions to EPA and/or State benchmarks:

Parameter	Benchmark Concentration (mg/l)
pH	6.0 – 9.0 S.U.
Total Lead	0.045
Total Zinc	0.08

Any quarterly exceedances of the benchmark concentrations shall trigger a reevaluation of the implementation of the existing SWPPP and facility operations to determine if there are possible problems with non-structural BMPs or maintenance that can be corrected. The SWPPP shall be promptly revised in response to these reevaluations and in no case later than thirty (30) calendar days following the receipt of monitoring results that exceed the benchmark concentrations. A report of the permittee's comparison of monitoring results with the benchmark concentrations shall be submitted with each DMR. If the permittee exceeds any of the benchmark concentrations during the monitoring period the report shall include a detailed description of the possible causes of the exceedances or of any significant increases in parameter concentrations, the dates and scopes of inspections, a summary of monitoring results and visual inspections, and any modifications made to the SWPPP to reduce the pollutant levels.

Along with the results of the monitoring, the permittee must provide the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimate (in inches) of the storm event that generated the sampled runoff; the duration between the storm event samples and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge samples.

On a yearly basis, the permittee shall calculate the annual average of all sampling data for each pollutant for the previous calendar year (January 1 – December 31). When calculating the annual average concentrations, pollutant concentrations that were reported as less than the minimum detection limit from Part I.F shall be replaced with zeros. If the annual average exceeds the applicable benchmark concentration, then the permittee shall perform a detailed review of all stormwater controls, BMPs, and maintenance schedules contained in the SWPPP and shall make reasonable amendments to reduce the pollutant levels in the discharge. These amendments shall be submitted to the Department of Environmental Management – Office of Water Resources with the annual Comprehensive Site Evaluation Report required under Part I.C. If the amendments will

include changes to structural controls, the report must include a schedule for the implementation of the proposed structural modifications. Proposed changes to structural stormwater controls must be approved by the DEM prior to implementation. Upon DEM approval of the structural changes, the permittee shall implement them in accordance with the approved schedule.

E. SAMPLING WAIVER

If the permittee is unable to collect samples, due to adverse climactic conditions which create dangerous conditions for personnel or otherwise makes the collection of a sample impractical, the permittee may submit in lieu of sampling data a description of why samples could not be collected. Permittees are prohibited from exercising this waiver more than once during a two (2) year period.

F. DETECTION LIMITS

The permittee shall assure that all wastewater testing required by this permit, is performed in conformance with the method detection limits listed below. In accordance with 40 CFR Part 136, EPA approved analysis techniques, quality assurance procedures and quality control procedures shall be followed for all reports required to be submitted under the RIPDES program. These procedures are described in "Methods for the Determination of Metals in Environmental Samples" (EPA/600/4-91/010) and "Methods for Chemical Analysis of Water and Wastes" (EPA/600/4-79/020). The report entitled "Methods for the Determination of Metals in Environmental Samples" includes a test which must be performed in order to determine if matrix interferences are present, and a series of tests to enable reporting of sample results when interferences are identified. Each step of the series of tests becomes increasingly complex, concluding with the complete Method of Standard Additions analysis. The analysis need not continue once a result which meets the applicable quality control requirements has been obtained. Documentation of all steps conducted to identify and account for matrix interferences shall be documented and maintained onsite.

If, after conducting the complete Method of Standard Additions analysis, the laboratory is unable to determine a valid result, the laboratory shall report "could not be analyzed". Documentation supporting this claim shall be maintained onsite. If valid analytical results are repeatedly unobtainable, DEM may require that the permittee determine a method detection limit (MDL) for their effluent or sludge as outlined in 40 CFR Part 136, Appendix B.

When calculating sample averages for reporting on discharge monitoring reports (DMRs):

1. "could not be analyzed" data shall be excluded, and shall not be considered as failure to comply with the permit sampling requirements;

2. results reported as less than the MDL shall be reported as zero in accordance with the DEM's DMR Instructions, provided that all appropriate EPA approved methods were followed.

Therefore, all sample results shall be reported as: an actual value, "could not be analyzed", or zero. The effluent or sludge specific MDL must be calculated using the methods outlined in 40 CFR Part 136, Appendix B. Samples which have been diluted to ensure that the sample concentration will be within the linear dynamic range shall not be diluted to the extent that the analyte is not detected. If this should occur the analysis shall be repeated using a lower degree of dilution.

LIST OF TOXIC POLLUTANTS

The following list of toxic pollutants has been designated pursuant to Section 307(a)(1) of the Clean Water Act. The Method Detection Limits (MDLs) represent the required Rhode Island MDLs.

Volatiles - EPA Method 624		MDL ug/l (ppb)
1V	acrolein	10.0
2V	acrylonitrile	5.0
3V	benzene	1.0
5V	bromoform	1.0
6V	carbon tetrachloride	1.0
7V	chlorobenzene	1.0
8V	chlorodibromomethane	1.0
9V	chloroethane	1.0
10V	2-chloroethylvinyl ether	5.0
11V	chloroform	1.0
12V	dichlorobromomethane	1.0
14V	1,1-dichloroethane	1.0
15V	1,2-dichloroethane	1.0
16V	1,1-dichloroethylene	1.0
17V	1,2-dichloropropane	1.0
18V	1,3-dichloropropylene	1.0
19V	ethylbenzene	1.0
20V	methyl bromide	1.0
21V	methyl chloride	1.0
22V	methylene chloride	1.0
23V	1,1,2,2-tetrachloroethane	1.0
24V	tetrachloroethylene	1.0
25V	toluene	1.0
26V	1,2-trans-dichloroethylene	1.0
27V	1,1,1-trichloroethane	1.0
28V	1,1,2-trichloroethane	1.0
29V	trichloroethylene	1.0
31V	vinyl chloride	1.0

Acid Compounds - EPA Method 625		MDL ug/l (ppb)
1A	2-chlorophenol	1.0
2A	2,4-dichlorophenol	1.0
3A	2,4-dimethylphenol	1.0
4A	4,6-dinitro-o-cresol	1.0
5A	2,4-dinitrophenol	2.0
6A	2-nitrophenol	1.0
7A	4-nitrophenol	1.0
8A	p-chloro-m-cresol	2.0
9A	pentachlorophenol	1.0
10A	phenol	1.0
11A	2,4,6-trichlorophenol	1.0

Pesticides - EPA Method 608		MDL ug/l (ppb)
1P	aldrin	0.059
2P	alpha-BHC	0.058
3P	beta-BHC	0.043
4P	gamma-BHC	0.048
5P	delta-BHC	0.034
6P	chlordane	0.211
7P	4,4 ' -DDT	0.251
8P	4,4 ' -DDE	0.049
9P	4,4 ' -DDD	0.139
10P	dieldrin	0.082
11P	alpha-endosulfan	0.031
12P	beta-endosulfan	0.036
13P	endosulfan sulfate	0.109
14P	endrin	0.050
15P	endrin aldehyde	0.062
16P	heptachlor	0.029
17P	heptachlor epoxide	0.040

Pesticides - EPA Method 608		MDL ug/l (ppb)
18P	PCB-1242	0.289
19P	PCB-1254	0.298
20P	PCB-1221	0.723
21P	PCB-1232	0.387
22P	PCB-1248	0.283
23P	PCB-1260	0.222
24P	PCB-1016	0.494
25P	toxaphene	1.670

Base/Neutral - EPA Method 625		MDL ug/l (ppb)
1B	acenaphthene *	1.0
2B	acenaphthylene *	1.0
3B	anthracene *	1.0
4B	benzidine	4.0
5B	benzo(a)anthracene *	2.0
6B	benzo(a)pyrene *	2.0
7B	3,4-benzofluoranthene *	1.0
8B	benzo(ghi)perylene *	2.0
9B	benzo(k)fluoranthene *	2.0
10B	bis(2-chloroethoxy)methane	2.0
11B	bis(2-chloroethyl)ether	1.0
12B	bis(2-chloroisopropyl)ether	1.0
13B	bis(2-ethylhexyl)phthalate	1.0
14B	4-bromophenyl phenyl ether	1.0
15B	butylbenzyl phthalate	1.0
16B	2-chloronaphthalene	1.0
17B	4-chlorophenyl phenyl ether	1.0
18B	chrysene *	1.0
19B	dibenzo (a,h)anthracene *	2.0
20B	1,2-dichlorobenzene	1.0
21B	1,3-dichlorobenzene	1.0
22B	1,4-dichlorobenzene	1.0
23B	3,3 ' -dichlorobenzidine	2.0
24B	diethyl phthalate	1.0
25B	dimethyl phthalate	1.0
26B	di-n-butyl phthalate	1.0
27B	2,4-dinitrotoluene	2.0
28B	2,6-dinitrotoluene	2.0
29B	di-n-octyl phthalate	1.0
30B	1,2-diphenylhydrazine (as azobenzene)	1.0
31B	fluoranthene *	1.0
32B	fluorene *	1.0
33B	hexachlorobenzene	1.0
34B	hexachlorobutadiene	1.0
35B	hexachlorocyclopentadiene	2.0
36B	hexachloroethane	1.0
37B	indeno(1,2,3-cd)pyrene *	2.0
38B	isophorone	1.0
39B	naphthalene *	1.0
40B	nitrobenzene	1.0
41B	N-nitrosodimethylamine	1.0
42B	N-nitrosodi-n-propylamine	1.0
43B	N-nitrosodiphenylamine	1.0
44B	phenanthrene *	1.0
45B	pyrene *	1.0
46B	1,2,4-trichlorobenzene	1.0

OTHER TOXIC POLLUTANTS

	MDL ug/l (ppb)
Antimony, Total	3.0
Arsenic, Total	1.0
Beryllium, Total	0.2
Cadmium, Total	0.1
Chromium, Total	1.0
Chromium, Hexavalent	20.0
Copper, Total	1.0
Lead, Total	1.0
Mercury, Total	0.2
Nickel, Total	1.0
Selenium, Total	2.0
Silver, Total	0.5
Thallium, Total	1.0
Zinc, Total	5.0
Asbestos	**
Cyanide, Total	10.0
Phenols, Total	50.0
TCDD	**
MTBE (Methyl Tert Butyl Ether)	1.0
Aluminum, Total	20.0
Iron, Total	20.0

** No Rhode Island Department of Environmental Management (RIDEM) MDL

NOTE:

The MDL for a given analyte may vary with the type of sample. MDLs which are determined in reagent water may be lower than those determined in wastewater due to fewer matrix interferences. Wastewater is variable in composition and may therefore contain substances (interferents) that could affect MDLs for some analytes of interest. Variability in instrument performance can also lead to inconsistencies in determinations of MDLs.

To help verify the absence of matrix or chemical interference the analyst is required to complete specific quality control procedures. For the metals analyses listed above the analyst must withdraw from the sample two equal aliquots; to one aliquot add a known amount of analyte, and then dilute both to the same volume and analyze. The unspiked aliquot multiplied by the dilution factor should be compared to the original. Agreement of the results within 10% indicates the absence of interference. Comparison of the actual signal from the spiked aliquot to the expected response from the analyte in an aqueous standard should help confirm the finding from the dilution analysis. (Methods for Chemical Analysis of Water and Wastes EPA-600/4-79/020).

For Methods 624 and 625 the laboratory must on an ongoing basis, spike at least 5% of the samples from each sample site being monitored. For laboratories analyzing 1 to 20 samples per month, at least one spiked sample per month is required. The spike should be at the discharge permit limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger. (40 CFR Part 136 Appendix B Method 624 and 625 subparts 8.3.1 and 8.3.11).

G. MONITORING AND REPORTING

1. Monitoring

All monitoring required by this permit shall be done in accordance with sampling and analytical testing procedures specified in Federal Regulations (40 CFR Part 136).

2. Reporting

Monitoring results obtained during the previous quarter shall be summarized and reported on a Discharge Monitoring Report (DMR) Form postmarked no later than the 15th day of the month following the completed reporting period. Quarterly reporting shall be as follows:

Quarter Testing to be Performed	Report Due No Later Than
January 1 – March 31	April 15
April 1 - June 30	July 15
July 1 – September 30	October 15
October 1 - December 31	January 15

Signed copies of these, and all other reports required herein, shall be submitted to:

RIPDES Program
Rhode Island Department of Environmental Management
235 Promenade Street
Providence, Rhode Island 02908

PART II
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DEFINITIONS

GENERAL REQUIREMENTS

(a) Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of Chapter 46-12 of the Rhode Island General Laws and the Clean Water Act (CWA) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

(1) The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

(2) The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA is subject to a civil penalty not to exceed $10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307 or 308 of the Act is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment of not more than 1 year, or both.

(3) Chapter 46-12 of the Rhode Island General Laws provides that any person who violates a permit condition is subject to a civil penalty of not more than $5,000 per day of such violation. Any person who willfully or negligently violates a permit condition is subject to a criminal penalty of not more than $10,000 per day of such violation and imprisonment for not more than 30 days, or both. Any person who knowingly makes any false statement in connection with the permit is subject to a criminal penalty of not more than $5,000 for each instance of violation or by imprisonment for not more than 30 days, or both.

(b) Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The permittee shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Director. (The Director shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)

(c) Need to Halt or Reduce Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(d) Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

(e) Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures, and, where applicable, compliance with DEM "Rules and Regulations Pertaining to the Operation and Maintenance of Wastewater Treatment Facilities" and "Rules and Regulations Pertaining to the Disposal and Utilization of Wastewater Treatment Facility Sludge." This provision requires the operation of back-up or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of the permit.

(f) Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause, including but not limited to: (1) Violation of any terms or conditions of this permit; (2) Obtaining this permit by misrepresentation or failure to disclose all relevant facts; or (3) A change in any conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(g) Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege.

(h) Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

(i) Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

(1) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

(2) Have access to and copy, at reasonable times any records that must be kept under the conditions of this permit;

(3) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and

(4) Sample or monitor any substances or parameters at any location, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA or Rhode Island law.

(j) Monitoring and Records

(1) Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the discharge over the sampling and reporting period.

(2) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings from continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 5 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

(3) Records of monitoring information shall include:

(i) The date, exact place, and time of sampling or measurements;

(ii) The individual(s) who performed the sampling or measurements;

(iii) The date(s) analyses were performed;

(iv) The individual(s) who performed the analyses;

(v) The analytical techniques or methods used; and

(vi) The results of such analyses.

(4) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136 and applicable Rhode Island regulations, unless other test procedures have been specified in this permit.

(5) The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall upon conviction, be punished by a fine of not more than $10,000 per violation or by imprisonment for not more than 6 months per violation or by both. Chapter 46-12 of the Rhode Island General Laws also provides that such acts are subject to a fine of not more than $5,000 per violation, or by imprisonment for not more than 30 days per violation, or by both.

(6) Monitoring results must be reported on a Discharge Monitoring Report (DMR).

(7) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136, applicable State regulations, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

(k) Signatory Requirement

All applications, reports, or information submitted to the Director shall be signed and certified in accordance with Rule 12 of the Rhode Island Pollutant Discharge Elimination System (RIPDES) Regulations. Rhode Island General Laws, Chapter 46-12 provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $5,000 per violation, or by imprisonment for not more than 30 days per violation, or by both.

(l) Reporting Requirements

(1) Planned changes. The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility.

(2) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with the permit requirements.

(3) Transfers. This permit is not transferable to any person except after written notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under State and Federal law.

(4) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(5) Twenty-four hour reporting. The permittee shall immediately report any noncompliance which may endanger health or the environment by calling DEM at (401) 222-4700 or (401) 222-3070 at night.

A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The following information must be reported immediately:

(i) Any unanticipated bypass which causes a violation of any effluent limitation in the permit; or

(ii) Any upset which causes a violation of any effluent limitation in the permit; or

(iii) Any violation of a maximum daily discharge limitation for any of the pollutants specifically listed by the Director in the permit.

The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

(6) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (1), (2), and (5), of this section, at the time monitoring reports are submitted. The reports shall contain the information required in paragraph (l)(5) of the section.

(7) Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, they shall promptly submit such facts or information.

(m) Bypass

"Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

(1) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (2) and (3) of this section.

(2) Notice.

(i) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass.

(ii) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Rule 14.18 of the RIPDES Regulations.

(3) Prohibition of bypass.

(i) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

(A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage, where "severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production;

(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(C) The permittee submitted notices as required under paragraph (2) of this section.

(ii) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph (3)(i) of this section.

(n) Upset

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(1) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph (2) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(2) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(a) An upset occurred and that the permittee can identify the cause(s) of the upset;

(b) The permitted facility was at the time being properly operated;

(c) The permittee submitted notice of the upset as required in Rule 14.18 of the RIPDES Regulations; and

(d) The permittee complied with any remedial measures required under Rule 14.05 of the RIPDES Regulations.

(3) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

(o) Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. Discharges which cause a violation of water quality standards are prohibited. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different or increased discharges of pollutants must be reported by submission of a new NPDES application at least 180 days prior to commencement of such discharges, or if such changes will not violate the effluent limitations specified in this permit, by notice, in writing, to the Director of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by the permit constitutes a violation.

(p) Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner consistent with applicable Federal and State laws and regulations including, but not limited to the CWA and the Federal Resource Conservation and Recovery Act, 42 U.S.C. §§6901 et seq., Rhode Island General Laws, Chapters 46-12, 23-19.1 and regulations promulgated thereunder.

(q) Power Failures

In order to maintain compliance with the effluent limitation and prohibitions of this permit, the permittee shall either:

> In accordance with the Schedule of Compliance contained in Part I, provide an alternative power source sufficient to operate the wastewater control facilities;

or if such alternative power source is not in existence, and no date for its implementation appears in Part I,

> Halt reduce or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

(r) Availability of Reports

Except for data determined to be confidential under paragraph (w) below, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the DEM, 291 Promenade Street, Providence, Rhode Island. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the CWA and under Section 46-12-14 of the Rhode Island General Laws.

(s) State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law.

(t) Other Laws

The issuance of a permit does not authorize any injury to persons or property or invasion of other private rights, nor does it relieve the permittee of its obligation to comply with any other applicable Federal, State, and local laws and regulations.

(u) Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

(v) Reopener Clause

The Director reserves the right to make appropriate revisions to this permit in order to incorporate any appropriate effluent limitations, schedules of compliance, or other provisions which may be authorized under the CWA or State law. In accordance with Rules 15 and 23 of the RIPDES Regulations, if any effluent standard or prohibition, or water quality standard is promulgated under the CWA or under State law which is more stringent than any limitation on the pollutant in the permit, or controls a pollutant not limited in the permit, then the Director may promptly reopen the permit and modify or revoke and reissue the permit to conform to the applicable standard.

(w) Confidentiality of Information

(1) Any information submitted to DEM pursuant to these regulations may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, DEM may make the information available to the pubic without further notice.

(2) Claims of confidentiality for the following information will be denied:

(i) The name and address of any permit applicant or permittee;

(ii) Permit applications, permits and any attachments thereto; and

(iii) NPDES effluent data.

(x) Best Management Practices

The permittee shall adopt Best Management Practices (BMP) to control or abate the discharge of toxic pollutants and hazardous substances associated with or ancillary to the industrial manufacturing or treatment process and the Director may request the submission of a BMP plan where the Director determines that a permittee's practices may contribute significant amounts of such pollutants to waters of the State.

(y) Right of Appeal

Within thirty (30) days of receipt of notice of a final permit decision, the permittee or any interested person may submit a request to the Director for an adjudicatory hearing to reconsider or contest that decision. The request for a hearing must conform to the requirements of Rule 49 of the RIPDES Regulations.

DEFINITIONS

1. For purposes of this permit, those definitions contained in the RIPDES Regulations and the Rhode Island Pretreatment Regulations shall apply.

2. The following abbreviations, when used, are defined below.

cu. M/day or M^3/day	cubic meters per day
mg/l	milligrams per liter
ug/l	micrograms per liter
lbs/day	pounds per day
kg/day	kilograms per day
Temp. °C	temperature in degrees Centigrade
Temp. °F	temperature in degrees Fahrenheit
Turb.	turbidity measured by the Nephelometric Method (NTU)
TNFR or TSS	total nonfilterable residue or total suspended solids
DO	dissolved oxygen
BOD	five-day biochemical oxygen demand unless otherwise specified
TKN	total Kjeldahl nitrogen as nitrogen
Total N	total nitrogen
NH_3-N	ammonia nitrogen as nitrogen
Total P	total phosphorus
COD	chemical oxygen demand
TOC	total organic carbon
Surfactant	surface-active agent
pH	a measure of the hydrogen ion concentration
PCB	polychlorinated biphenyl
CFS	cubic feet per second
MGD	million gallons per day
Oil & Grease	Freon extractable material
Total Coliform	total coliform bacteria
Fecal Coliform	total fecal coliform bacteria
ml/l	milliliter(s) per liter
NO_3-N	nitrate nitrogen as nitrogen
NO_2-N	nitrite nitrogen as nitrogen
NO_3-NO_2	combined nitrate and nitrite nitrogen as nitrogen
$C1_2$	total residual chlorine

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 PROMENADE STREET
PROVIDENCE, RHODE ISLAND 02908

STATEMENT OF BASIS

RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM (RIPDES) PERMIT TO DISCHARGE TO WATERS OF THE STATE

RIPDES PERMIT NO. **RI0023868**

NAME AND ADDRESS OF APPLICANT:

Rhodes Technologies
498 Washington Street
Coventry, RI 02816

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Rhodes Technologies
498, 500, and 500B Washington Street
Coventry, RI 02816

RECEIVING WATER: **South Branch of the Pawtuxet River (Waterbody ID # RI0006014R-04B)**

CLASSIFICATION: **B1**

I. Proposed Action, Type of Facility, and Discharge Location

The above named applicant has applied to the Rhode Island Department of Environmental Management (DEM) for reissuance of a RIPDES Permit to discharge into the designated receiving water. A summary of monitoring data from the period beginning September 2009 thru September 2013 can be found in *Attachment A.*

II. Limitations and Conditions

The effluent limitations and monitoring requirements may be found in the draft permit.

III. Permit Basis and Explanation of Effluent Limitation Derivation

Facility Description

Rhodes Technologies manufactures active pharmaceutical ingredients (API) for use in finished dosage pharmaceutical formulations. To create these APIs, a proprietary formulation (containing organic solvents, inorganic and organic acids and bases, and other chemicals) is centrifuged, distilled, purified, and dried prior to shipping as finished product. The permitted discharge consists of stormwater from the facility. All stormwater runoff from the Rhodes Technologies' facility is discharged directly to the South Branch of the Pawtuxet River.

Industrial activities potentially exposed to stormwater include loading/unloading of raw material and finished products and storage of raw materials in tanks and containers. All manufacturing takes

place inside the facility buildings. Materials that are used in the process to manufacture the active pharmaceutical ingredient products that are not amenable to reuse and recovery are properly characterized as to their hazards under federal and state hazardous waste programs. These waste materials are properly containerized, labeled, and stored under the roofed hazardous waste storage area pending off site disposal at a properly permitted waste disposal facility.

Rhodes Technologies operates two tank farms for the use of storing a variety of materials. The tank farms have epoxy-lined secondary containment with capacity for 110% of the tank volume stored in the tank farm. The tank farm is inspected on a daily basis by Rhodes facilities and maintenance personnel and any accumulated stormwater is evaluated for possible contamination. If rainwater requires discharge, the permit requires a visual, odor, and pH analysis to verify that there is no contamination prior to discharge. The permit requires Rhodes to document each stormwater discharge event that occurs from secondary containment areas. Documentation must include the results of visual, odor, and pH monitoring as well as the date and time of the discharge. If contamination is discovered, the rainwater will not be discharged, but will be collected and disposed at a properly permitted off-site disposal facility. Documentation of collection and offsite disposal activities associated with any contaminated stormwater must also be kept and made available as part of the SWPPP.

Rhodes also stores Therminol D12 (heat transfer fluid) and No. 2 diesel fuel in bulk. Therminol D12 is in a 1,500 gallon heat transfer fluid expansion tank located on the roof of the Rhodes manufacturing Building 7. This tank has adequate secondary containment and is inspected on a daily basis. No. 2 diesel fuel is used in the site emergency generator, which has a storage capacity of approximately 1,700 gallons. The generator has adequate secondary containment, a high level alarm, interstitial monitoring, and is inspected on a daily basis.

Raw materials used at the site include solids and solvents. Raw materials and waste are stored in 55-gallon drums or equivalent containers under roofed storage areas and are provided with secondary containment. Similar to the tank farm, any rainwater that is blown under the roof and into the secondary containment area is collected and evaluated visually, evaluated for odors, and pH testing is conducted prior to discharge (or disposal if contamination is present).

To mitigate the effects of potential pollutants onsite Rhodes has in place a number of institutional controls. Rhodes emergency response team members are trained to respond to spills and protect surface water bodies. Each product produced in the facility is accompanied by a batch record that provides specific guidance to plant personnel regarding the proper spill response for each chemical used in the process. In the event of a spill during processing the batch record denotes specific actions that will be taken in order to protect process drains and stop materials from exiting the facility. Rhodes also has standard operating procedures in place for the loading and unloading of raw materials and products that serve to protect the stormwater and the adjacent surface water body. Landscaping activities are maintained by Rhodes during spring, summer, and fall months with the minimal use of fertilizers, herbicides, and pesticides necessary.

Former Clariant Corporation Property Acquisition

Rhodes Technologies acquired the following buildings and parcels from Clariant Corporation on February 9, 2012: The Rhodes Technologies Storeroom/Receiving (former Clariant Raw Material Warehouse), Quidneck Street, The Research and Development RTC Building (formerly the CTC), the High-Rise Warehouse, the High-Rise Firewater Pump House, the former Clariant Security Center, and Parking Lots: North Street, South Street, High-Rise, and Rhodes Technologies Storeroom/Receiving (former Clariant Raw Material Warehouse). In addition, Rhodes Technologies leases areas of property; specifically the Upper Mill Building and the former Color Concentrates Building (now demolished). The Upper Mill Building has sheet flow discharge only (no outfalls) and the former Color Concentrates Building has one associated outfall, which is

designated as Outfall 002. Neither leased area has industrial activity. These buildings and parcels are subject to stormwater flowage in Drainage Areas A-G as shown on the Storm Drains & Outfalls Underground Utility Site Plan located in *Attachment B*. Each of the drainage areas depicted on the Storm Drains & Outfalls Underground Utility Site Plan in *Attachment B* discharge to their own stormwater outfalls. The outfalls depicted in *Attachment B* are summarized in Table 1 below:

Table 1

Rhodes Outfall #	Former Clariant Outfall #	Drainage Area Description	Industrial Exposure (Yes/No)
001	014	Drainage Area B	Yes
002	018	Drainage Area G	No
003	030	Drainage Area A	No
004	015	Trench	No
005	006	Drainage Area C	No
006	023	Drainage Area D	No
007	026	Drainage Area E	No
Sheet Flow	Not applicable	Drainage Area F	No

According to Rhodes Technologies' SWPPP update dated May 14, 2012, Drainage Areas A, C, D, E, F, and G meet the DEM's condition of "no exposure". The areas that Rhodes Technologies claimed met the DEM's condition of "no exposure" were also verified during a DEM inspection which took place on May 13, 2014. A condition of "no exposure" exists at an industrial facility when all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowfall, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, byproducts, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product.

Rhodes Technologies is required to obtain permit coverage for the discharges of stormwater from outfall 001 due to the fact that this outfall constitutes a point source discharge of stormwater which is exposed to industrial activity. Outfalls 002-007 meet the "no exposure" requirement. Because these outfalls do not have any exposure to industrial activity, monitoring requirements will not be applied to outfalls 002-007. This permit also includes a provision that requires Rhodes Technologies to modify its SWPPP and notify the DEM prior to making changes at its facility that would result in changes to the no exposure status of outfalls 002-007.

Discharge Location

The discharges from this facility enter into the South Branch of the Pawtuxet River. The South Branch of the Pawtuxet River is designated as Water Body ID No. RI0006014R-04B from the Quidnick Dye Mill dam to its confluence with the North Branch of the Pawtuxet River in Coventry, West Warwick, and Warwick. The receiving water is designated as Class B1. Class B1 waters are designated for primary and secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have good aesthetic value. Primary contact recreation activities may be impacted due to pathogens from approved wastewater discharges, however all Class B criteria must be met.

According to the 2012 303(d) List of Impaired Waters, multiple impairments have been identified for Water Body ID No. RI0006014R-04B. This water body is not supporting fish and wildlife habitat due

to impairments from Lead. The water body has not been assessed for fish consumption. However, primary and secondary contact recreation is currently not supported due to impairments attributed to Enterococcus.

General Requirements

DEM's primary authority over this permit comes from the Environmental Protection Agency's (EPA's) delegation of the RIPDES program, in September 1984, under the Federal Clean Water Act. The requirements set forth in this draft permit are from the State's Water Quality Regulations and the State's Regulations for the Rhode Island Pollutant Discharge Elimination System, both filed pursuant to Chapter 46-12, of the Rhode Island General Laws, as amended.

This permit authorizes the discharge of stormwater and certain non-stormwater discharges (limited to: discharges from fire fighting activities; fire hydrant flushings; fire protection system testing (which entails the testing of flow switches within the system); deluge testing of the facility hydrogen storage pad system; external building wash down that does not use detergents; lawn watering; uncontaminated ground water; springs; air conditioning condensate; potable waterline flushings; irrigation drainage; foundation or footing drains where flows are not contaminated with process materials, such as solvents, or contaminated by contact with soils, where spills or leaks of toxic or hazardous materials have occurred; and incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blow down or drains); uncontaminated utility vault dewatering; dechlorinated water line testing water; hydrostatic test water that does not contain any treatment chemicals and is not contaminated with process chemicals. If any of these allowable non-stormwater discharges may reasonably be expected to be present and to be mixed with stormwater discharges, they must be specifically identified and addressed in the facility's Stormwater Pollution Prevention Plan. Any other discharges are not authorized under this permit.

Compliance monitoring for outfall 001 is required to take place at Catch Basin # CB5, the final monitoring point prior to discharge from the facility as depicted in *Attachment B* which contains Rhodes Technologies Civil Underground Utility Storm Drains & Outfalls Site Plan listed as Figure 2 from the Stormwater Pollution Prevention Plan (SWPPP) developed for the facility dated May 14, 2012. Additionally, this permit also requires Rhodes Technologies to comply with the approved Stormwater Pollution Prevention Plan (SWPPP) developed for the facility and any future amendments. The SWPPP includes, but is not limited to, a description of the pollution controls as well as maintenance activities necessary to properly control stormwater runoff.

Effluent monitoring requirements for pH, Zinc, and Lead are applied based on the presence of these pollutants in stormwater as reported either in the December 6, 2013 permit application or in past Discharge Monitoring Report records. In addition the receiving water is currently impaired for Lead adding further justification for monitoring of this particular parameter. Detailed information regarding why monitoring is required for each pollutant is summarized below. Any applicable benchmark concentrations applied are consistent with the monitoring requirements in the RIPDES Multi-Sector Industrial Stormwater General Permit (MSGP). Any exceedances of the benchmark values shall trigger a review of the facility's SWPPP by the permittee and modification as necessary to reduce the pollutant concentrations in the discharge to levels below the benchmark concentrations.

Monitoring Requirements

According to the September 2001, Clariant Corporation DEM RIPDES Permit Development Document, the appropriate hardness value of the Pawtuxet River in the area of Clariant's discharge was 63.2 mg/L as $CaCO_3$. Given the fact that Rhodes Technologies discharges to the same section of the river, this hardness value can be utilized in the calculation of Rhodes Technologies'

benchmark concentrations. Aquatic life criteria for many metals are a function of hardness. Hardness is defined as the concentration of calcium and magnesium ions in the water column and has the units of milligram per liter (mg/l) of calcium carbonate ($CaCO_3$) equivalents. Freshwater aquatic life criteria for certain metals are expressed as a function of hardness because hardness and/or water quality characteristics that are usually correlated with hardness can affect the toxicities of some metals. Increasing hardness has the effect of decreasing toxicity of certain metals to aquatic life.

Consistent with the 2013 RIPDES MSGP, benchmark monitoring concentrations established for Subsector C – Chemical and Allied Products Manufacturing, and Refining, are hardness dependent for Lead and Zinc. For water hardness in the range of 50-75 mg/L which is the range applicable to the Pawtuxet River in segment RI0006014R-04B the applicable benchmark monitoring concentrations for Lead and Zinc are 0.045 mg/L and 0.08 mg/L respectively.

According to the *State of Rhode Island 2012 303(d) List of Impaired Waters* dated August 2012 the South Branch of the Pawtuxet River from the Quidnick Dye Mill dam to its confluence with the North Branch of the Pawtuxet River is impaired for Lead. Therefore, monitoring for Total Lead is required on a Quarterly Basis in order to quantify the Total Lead load that Rhodes' discharge contributes to the river. Continued monitoring for Zinc is also required since this pollutant was reported as being present in the discharge on the permit application and in historic discharge monitoring report submittals as provided in *Attachment A*. As a result monitoring for Zinc will be required on a quarterly basis to monitor the effectiveness of the facility's SWPPP. Monitoring for pH is required since the facility has bulk storage of several chemicals that have the potential to change pH (i.e., sodium hydroxide and formic acid). The pH monitoring will allow the DEM to evaluate the facility's stormwater controls. Additional parameters were listed as being present in the discharge of stormwater from the site but for each of these other parameters either no applicable benchmark existed, the concentration of these parameters were significantly below applicable water quality criteria and/or applicable benchmarks from the 2013 RIPDES MSGP, or no water quality criteria exists for these parameters. A summary of the average DMR data, permit application data, and all applicable benchmarks is provided in *Attachment C.*

The remaining general and specific conditions of the permit are based on the RIPDES regulations as well as 40 CFR Parts 122 through 125 and consist primarily of requirements common to all stormwater permits.

Since the permit requires that the facility develop and implement an effective SWPPP that will prevent the contamination of stormwater from industrial activity, the permit will not result in any increased quantities of pollutants discharged, when compared to historic levels. Therefore, the DEM has determined that the permit is consistent with the State's antidegradation and antibacksliding requirements.

IV. Comment Period

All persons, including applicants who believe any condition of the draft permit is inappropriate must raise all issues and submit all available arguments and all supporting material for their arguments in full by close of the public comment period, to the Rhode Island Department of Environmental Management, Office of Water Resources, 235 Promenade Street, Providence, Rhode Island, 02908-5767. Any person, prior to such date, may submit a request in writing for a public hearing to consider the draft permit to the Rhode Island Department of Environmental Management. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public hearing may be held after at least thirty (30) days public notice whenever the Director finds that the response to this notice indicated significant public interest. In reaching a final decision on the draft permit the Director will respond to all significant comments and make these responses available to the public at DEM's Providence Office.

Following the close of the comment period, and after a public hearing, if such hearing is held, the Director will issue a final permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice. Within thirty (30) days following the notice of the final permit decision any interested person may submit a request for a formal hearing to reconsider or contest the final decision. Requests for formal hearings must satisfy the requirements of Rule 49 of the Regulations for the Rhode Island Pollutant Discharge Elimination System.

V. DEM Contact

Additional information concerning the permit may be obtained between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, excluding holidays, from:

Brian D. Lafaille, P.E.
Rhode Island Department of Environmental Management
RIPDES Program
235 Promenade Street
Providence, Rhode Island 02908
Telephone: (401) 222-4700, ext: 7731

3/19/15
Date

Joseph B. Haberek, PE
Principal Sanitary Engineer
RIPDES Permitting Section
Office of Water Resources
Department of Environmental Management

Attachment A

Discharge Monitoring Report Data Summary
September 2009 thru September 2013

RHODES TECHNOLOGIES

DMR Data Listing with Qualifier 5/9/14

***** NOT ICIS CERTIFIED*****

001A

Monitoring Location = 1

Lead, total [as Pb] Location = 1

		DAILY MX
01051	09/30/2009	<0.04 mg/L
01051	12/31/2009	<0.04 mg/L
01051	03/31/2010	<0.04 mg/L
01051	06/30/2010	<0.04 mg/L
01051	09/30/2010	<0.04 mg/L
01051	12/31/2010	<0.04 mg/L
01051	03/31/2011	<0.04 mg/L
01051	06/30/2011	<0.04 mg/L
01051	09/30/2011	<0.04 mg/L
01051	12/31/2011	<0.04 mg/L
01051	03/31/2012	<0.04 mg/L
01051	06/30/2012	=0 mg/L
01051	09/30/2012	=0 mg/L
01051	12/31/2012	<0.04 mg/L
01051	03/31/2013	<0.04 mg/L
01051	06/30/2013	=0 mg/L
01051	09/30/2013	=0 mg/L

pH Location = 1

		MINIMUM	MAXIMUM
00400	09/30/2009	=7.2 SU	=7.2 SU
00400	12/31/2009	=7.3 SU	=7.3 SU
00400	03/31/2010	=7.3 SU	=7.3 SU
00400	06/30/2010	=6.4 SU	=6.4 SU
00400	09/30/2010	=6.31 SU	=6.31 SU
00400	12/31/2010	=6.6 SU	=6.6 SU
00400	03/31/2011	=6.7 SU	=6.7 SU
00400	06/30/2011	=7 SU	=7 SU
00400	09/30/2011	=6.9 SU	=6.9 SU
00400	12/31/2011	=6.9 SU	=6.9 SU
00400	03/31/2012	=6.5 SU	=6.5 SU
00400	06/30/2012	=6 SU	=6 SU
00400	09/30/2012	=6.1 SU	=6.1 SU
00400	12/31/2012	=5.6 SU	=5.6 SU
00400	03/31/2013	=6 SU	=6 SU
00400	06/30/2013	=5.9 SU	=5.9 SU
00400	09/30/2013	=6.1 SU	=6.1 SU

Zinc, total [as Zn] Location = 1

		DAILY MX
01092	09/30/2009	=2.41 mg/L
01092	12/31/2009	=0.14 mg/L
01092	03/31/2010	=0.14 mg/L
01092	06/30/2010	=1.32 mg/L

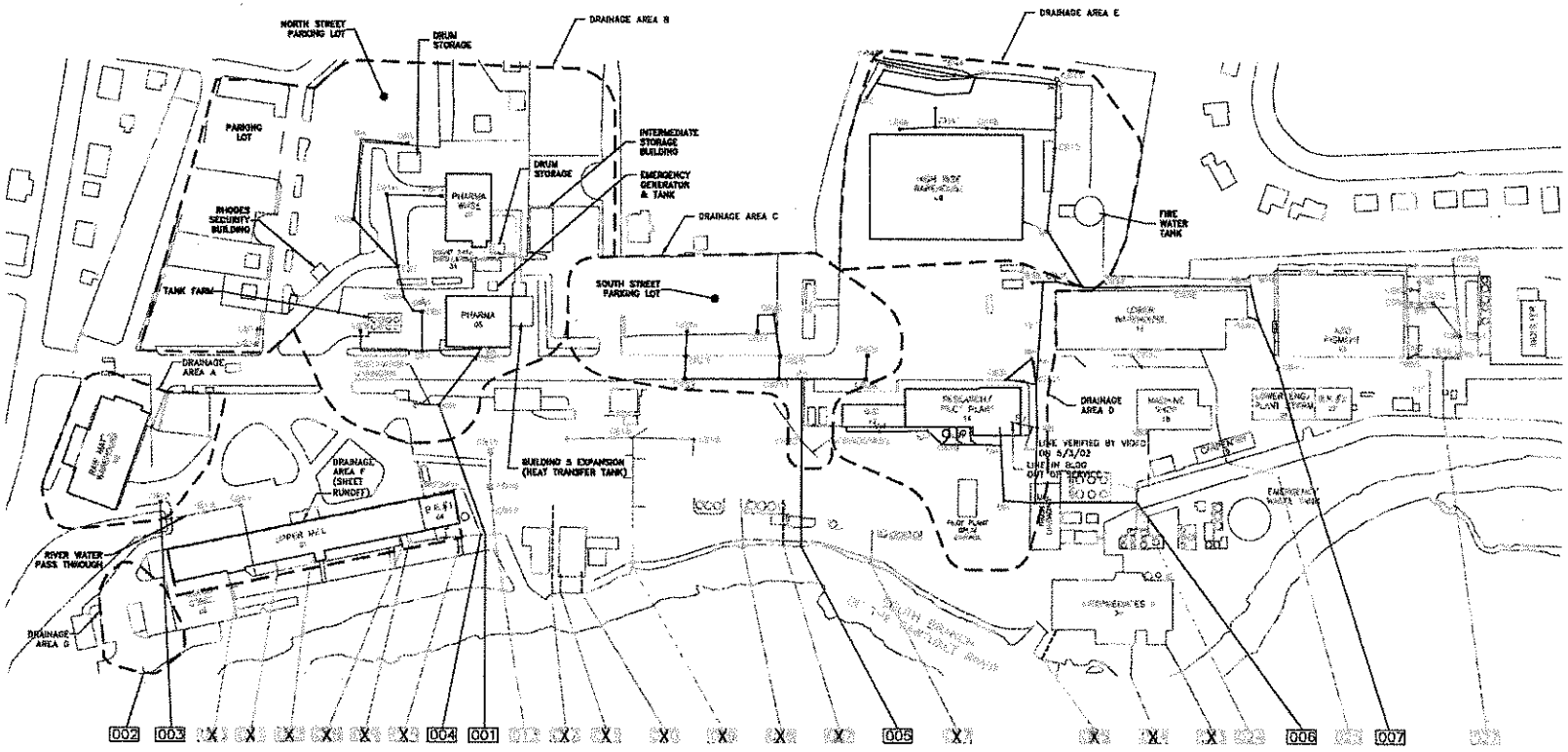
RHODES TECHNOLOGIES

DMR Data Listing with Qualifier 5/9/14

		DAILY MX
01092	09/30/2010	=0.85 mg/L
01092	12/31/2010	=1.37 mg/L
01092	03/31/2011	<0.02 mg/L
01092	06/30/2011	=1.24 mg/L
01092	09/30/2011	=1.06 mg/L
01092	12/31/2011	=2.84 mg/L
01092	03/31/2012	=2.46 mg/L
01092	06/30/2012	=6.18 mg/L
01092	09/30/2012	=0.66 mg/L
01092	12/31/2012	=7.9 mg/L
01092	03/31/2013	=1.27 mg/L
01092	06/30/2013	=4.23 mg/L
01092	09/30/2013	=0.17 mg/L

Attachment B

Rhodes Technologies Storm Drains & Outfalls Underground Utility Site Plan



LEGEND:

— — APPROXIMATE DELINEATION OF RHODES DRAINAGE AREAS

DRAINAGE AREA DELINEATED BY WOODARD & CURRAN ON APRIL 12, 2012.

OUTFALLS 001 THROUGH 007 DESIGNATE THE OUTFALLS THAT RHODES TECHNOLOGIES IS AUTHORIZED TO DISCHARGE FROM IN ACCORDANCE WITH RIPDES PERMIT NO. RI0023888.

"X" INDICATES THAT THE OUTFALL IS NO LONGER ACTIVE.

STORM DRAINS & OUTFALLS
UNDERGROUND UTILITY
SITE PLAN

5/14/12 KAC BD WOODARD & CURRAN DEPICTED RHODES DRAINAGE AREAS AND OUTFALLS

RHODES OUTFALL	PIPE SIZE (IN.)	PIPE MATERIAL	DRAINAGE AREA	STATUS
001	18	CONCRETE	B	ACTIVE
002	--	STONE	G	ACTIVE
003	UNKNOWN	UNKNOWN	A	ACTIVE
004	10	CONCRETE	B	ACTIVE
005	15	PVC	C	ACTIVE
006	UNKNOWN	UNKNOWN	D	ACTIVE
007	UNKNOWN	UNKNOWN	E	ACTIVE

FORMER CLARIANT OUTFALLS 003-005, 007-012, 016, 017, 028, 029, 031-033, ARE INACTIVE.
FORMER CLARIANT OUTFALLS 013, 024, 025, AND 027 ARE ACTIVE, BUT ARE NOT ASSOCIATED WITH RHODES.

FIGURE 2

* CURRENT USAGE AND EPA PERMIT STATUS.

TRUE NORTH
MAGNETIC NORTH
NGC GRID

REFERENCES

NOTE:

REV	DATE	DWN	APPD	DESCRIPTION
J	[illegible]	[illegible]	[illegible]	[illegible]
I	[illegible]	[illegible]	[illegible]	[illegible]
H	[illegible]	[illegible]	[illegible]	[illegible]
G	[illegible]	[illegible]	[illegible]	[illegible]
F	[illegible]	[illegible]	[illegible]	[illegible]

Clariant Corporation
Coventry Plant, 500 Washington St. Coventry RI, 02816

	BY	DATE
ORIG	AXC	12/20/93
DWN	CJB	12/20/93
APPD	AXC	10/19/94
DWG SCALE	N.T.S.	

CIVIL UNDERGROUND UTILITY
STORM DRAINS & OUTFALLS
SITE PLAN
PLANT AREA

LAST EDIT DATE Jun 04, 2008 - 09:38:22

DWG FILE NAME C000441A

E	MODE	SIZE	NUMBER	REV	SHEET
DWG NO.	C	00	0441	J	1 of 1

Attachment C

Stormwater Discharge Data Analysis

Parameter	Units	Rhodes 2013 Individual Permit Application Data	Average DMR Data July 2009 thru December 2013	2009 Rhodes Individual Permit Benchmark Concentration	2013 MSGP Benchmark Concentration or RI Water Quality Criteria	Proposed 2014 Rhodes Individual Permit Benchmark Concentration
Oil and Grease	mg/L	2	No data	No Benchmark Applied	BM = 15	NRP to Exceed
Biological Oxygen Demand	mg/L	13	No data	No Benchmark Applied	BM = 30	NRP to Exceed
Chemical Oxygen Demand	mg/L	30	No data	No Benchmark Applied	BM =120	NRP to Exceed
Total Suspended Solids (TSS)	mg/L	13	No data	No Benchmark Applied	BM = 100	NRP to Exceed
Total Nitrogen	mg/L	1.11	No data	No Benchmark Applied	No BM/No Numeric WQC	NRP to Exceed
Total Phosphorus	mg/L	0.1	No data	No Benchmark Applied	No BM/ No Numeric WQC	NRP to Exceed
Bis (2-ethylhexyl)	ug/L	20	No data	No Benchmark Applied	No BM/No WQC	NRP to Exceed
Fluoranthene	ug/L	7	No data	No Benchmark Applied	No BM/No WQC	NRP to Exceed
Fecal coliform	MPN/100ml	8	No data	No Benchmark Applied	No BM/WQC = 200	NRP to Exceed
Phosphate	mg/L	0.1	No data	No Benchmark Applied	No BM/ No Numeric WQC	NRP to Exceed
Phenol	mg/L	0.03	No data	No Benchmark Applied	No BM/Acute WQC = 0.251	NRP to Exceed
pH (min.)	s.u.	5.6	6.5	6	BM = 6	**6**
pH (max.)	s.u.	7.3	6.5	9	BM = 9	**9**
Lead	mg/L	<0.04	<0.04	0.0816	BM = 0.045	**0.045**
Zinc	mg/L	2.01	2.01	0.117	BM = 0.08	**0.08**

* NRP to Exceed indicates that available effluent data does not demonstrate that there is reasonable potential to exceed applicable benchmarks or applicable water quality criteria.