

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 PROMENADE STREET
PROVIDENCE, RHODE ISLAND 02908-5767**

PUBLIC NOTICE OF PROPOSED PERMIT ACTION UNDER THE RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM (RIPDES) PROGRAM WHICH REGULATES DISCHARGES INTO THE WATERS OF THE STATE UNDER CHAPTER 46-12 OF THE RHODE ISLAND GENERAL LAWS OF 1956, AS AMENDED.

DATE OF NOTICE: November 15, 2018

PUBLIC NOTICE NUMBER: PN 18-07

DRAFT RIPDES PERMIT: RIPDES GENERAL PERMIT FOR NON-CONTACT COOLING WATER DISCHARGES

RIPDES PERMIT NUMBER: RIG250000

In accordance with Chapter 46-12 of the Rhode Island General Laws, the discharge of pollutants to Waters of the State via point source discharges is prohibited unless the discharges are in compliance with the RIPDES Regulations. The Rhode Island Department of Environmental Management (DEM) had previously determined that the most efficient approach for permitting discharges of non-contact cooling water and discharges associated with the treatment of remediated wastewaters to Waters of the State is to utilize general permits. The primary benefit of using a general permit, as opposed to issuing individual permits, is a streamlined permitting process that prevents delays, while affording equal environmental protection. The permit streamlining reduces the application period, thereby effectively allowing DEM to respond quicker to environmental concerns and produce savings to potential applicants. This public notice is for the DEM's proposed reissuance of the General Permit for Non-Contact Cooling Water Discharges.

The draft General Permit for Non-Contact Cooling Water Discharges includes permit limitations for pH and temperature, based upon the receiving water classification (freshwater coldwater habitat, freshwater warmwater habitat, and saltwater habitat) and the amount of dilution achieved. The general permit also includes a flow limitation to ensure that a permitted facility does not cause an adverse impact to the receiving water and an annual self-certification requirement to verify that the discharge is not contaminated by faulty/leaking heat exchangers. The draft permit also includes a new section for total residual chlorine limits for facilities that use municipal water as their source of non-contact cooling water, subject to applicable exceptions. Facilities that use surface waters as their source of non-contact cooling water will no longer be able to apply under the general permit and new facilities would need to apply under an individual permit. Based on new data about average winter water temperatures in Rhode Island from USGS streamgages, the maximum temperature for discharges was reduced from 100 °F for dischargers with dilution factors of 15 or greater to 92 °F. Finally, monitoring frequency was increased for facilities that discharge more than 50,000 gallons per day from once per month to once per week.

FURTHER INFORMATION:

Copies of the draft general permit and fact sheet (describing the significant factual, legal and

policy questions considered in these permit actions) may be obtained at no cost by writing or calling DEM as noted below:

Travis Babikoff
Rhode Island Department of Environmental Management
RIPDES Program
235 Promenade Street
Providence, Rhode Island 02908-5767
Phone: 401-222-4700, extension 7274
E-mail: travis.babikoff@dem.ri.gov

This information is also available at the following website during the public comment period:

<http://www.dem.ri.gov/programs/water/permits/ripdes/>

The administrative record containing all documents relating to these permit actions is on file and may be inspected, by appointment, at the DEM's Providence office mentioned above between 8:30 a.m. and 4:00 p.m., Monday through Friday, except holidays.

PUBLIC COMMENT AND REQUEST FOR PUBLIC HEARING:

Pursuant to Chapters 46-12 and 42-35 of the Rhode Island General Laws, a public hearing has been tentatively scheduled to consider this draft RIPDES permit, if requested. Requests for a Public Hearing must be submitted in writing to the attention of Travis Babikoff at the address indicated above. Notice should be taken that if DEM receives a request from twenty-five (25) people, a governmental agency or subdivision, or an association having no less than twenty-five (25) members on or before 4:00 PM, Monday, December 17, 2018, the public hearing will be held at the following time and place:

Thursday, December 20, 2018 at 5:00 PM
Room 280
235 Promenade Street
Providence, Rhode Island 02908

Interested persons should contact DEM in advance to confirm if a hearing will be held at the time and location noted above.

235 Promenade is accessible to the handicapped. Individuals requesting interpreter services for the hearing impaired must notify the DEM at 831-5508 (T.D.D.) 72 hours in advance of the hearing date.

Interested parties must submit comments on the permit actions and the administrative record to the address above no later than 4:00 P.M. December 21, 2018.


All persons who believe any condition of the draft permit is inappropriate, must raise all reasonably ascertainable issues and submit all reasonably available arguments and factual grounds supporting their position, including all supporting material, by the close of the public comment period on December 21, 2018. Commenters may request a longer comment period if necessary to provide a reasonable opportunity to comply with these requirements. Comments should be directed to Travis Babikoff as directed above.

If, during the public comment period, significant new questions are raised concerning the permit, DEM may require a new draft permit or statement of basis or may reopen the public comment period. A public notice will be issued for any of these actions.

FINAL DECISION AND APPEALS:

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 each person who has submitted written comments or requested notice. Within 30 days following the notice of the final permit decision, any interested person may submit a request for a formal hearing in accordance with the requirements of Rule 49 of the Regulations for the Rhode Island Pollutant Discharge Elimination System.

11/7/18
Date



Joseph B. Haberek, P.E.
Supervising Sanitary Engineer
Office of Water Resources
Department of Environmental Management