

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

PUBLIC NOTICE OF PROPOSED PERMIT ACTIONS 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: Friday, September 20, 2024

PUBLIC NOTICE NUMBER: PN-24-05

DRAFT RIPDES PERMITS

RIPDES PERMIT NUMBER: RI0000949

NAME AND MAILING ADDRESS OF APPLICANT:

U.S. Environmental Protection Agency
Atlantic Coastal Environmental Sciences Division
27 Tarzwell Drive
Narragansett, RI 02882

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

U.S. Environmental Protection Agency
Atlantic Coastal Environmental Sciences Division
27 Tarzwell Drive
Narragansett, RI 02882

RECEIVING WATER: Narragansett Bay – West Passage
(Waterbody ID #: RI0007027E-03H)

RECEIVING WATER CLASSIFICATION: SB

The facility, which is the source of the discharge, is located in Narragansett and is engaged in measuring the effects of pollutants on marine and estuarine organisms and ecosystems. The facility has reapplied to the Rhode Island Department of Environmental Management (DEM) for reissuance of an individual RIPDES permit to discharge water that is circulated through aquaria used for raising marine organisms that are to be used in experiments. The discharge to Narragansett Bay through Outfall 001 consists of filtered seawater used in the wet labs, bypassed unfiltered seawater, and intermittent discharges of filter back wash and filter chlorination rinsate. A portion of the water is filtered before use and the filters are backwashed every 24 hours without disinfection (or more often as needed). The backwash is included in the discharge. The permit includes permit limits to ensure that the discharge will not cause a water

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quality violation. The draft permit contains new requirements for monitoring enterococci to allow for evaluation of the effluent versus the current recreational criteria. This permit also authorizes the discharge of boat bottom wash water from aluminum and fiberglass boats that are not painted with anti-fouling paints provided that detergents are not used.

The DEM has determined that the proposed activities comply with the Policy on the Implementation of the Antidegradation Provisions of the Rhode Island Water Quality Regulations (250-RICR-150-1) and that existing uses will be maintained and protected. A detailed evaluation of the water quality impact from the proposed activities and any important benefits demonstrations, if required, may be found in statement of basis which is available as noted below.

FURTHER INFORMATION:

A statement of basis (describing the type of facility and 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:

Samuel Kaplan, P.E.
Environmental Engineer II
Rhode Island Department of Environmental Management
Office of Water Resources
Permits Section
235 Promenade Street
Providence, Rhode Island 02908-5767
(401) 537-4240
samuel.kaplan@dem.ri.gov

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 Chapter 42-17.4 of the Rhode Island General Laws a public hearing has been scheduled to consider these permits if requested. Requests for a Public Hearing must be submitted in writing to the attention of Samuel Kaplan 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 4:00PM, Wednesday, October 23, a public hearing will be held at the following time and place:

5:00 PM, Monday, October 28, 2024
Room 280
235 Promenade Street
Providence, Rhode Island 02908

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

235 Promenade Street is accessible to individuals who are handicapped. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call Samuel Kaplan or RI Relay 711 at least three (3) business days prior

to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting.

Interested parties may submit comments on the permit actions and the administrative record to the address above no later than 4:00 PM, Tuesday, October 29, 2024.

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.

Any person, including the permittee/applicant, who believes these permit actions are 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 under 250-RICR-150-10-1.42 of the Regulations for the Rhode Island Pollutant Discharge Elimination System. The public comment period is from Friday, September 20, 2024 to Tuesday, October 29, 2024. Commenters may request a longer comment period if necessary to provide a reasonable opportunity to comply with these requirements. Comments should be directed to DEM as noted above.

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 decision and forward a copy of the final decision to the permittee and each person who has submitted written comments or requested notice. Within 30 days following the notice of the final decision, any interested person may submit a request for a formal hearing in accordance with the requirements of 250-RICR-150-10-1.50 of the Regulations of the Rhode Island Pollutant Discharge Elimination System.

13 September 2024

Date

Heidi Traverso

Heidi Travers, P.E.
Environmental Engineer IV
RIPDES, Office of Water Resources
Department of Environmental Management