

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: December 19, 2024

PUBLIC NOTICE NUMBER: PN 24-06

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

RIPDES PERMIT NUMBER: RIG250000

In accordance with the regulations as adopted pursuant to Chapter 46-12 of the General Laws of Rhode Island, as amended, the Rhode Island Department of Environmental Management intends to re-issue a Rhode Island Pollutant Discharge Elimination System (RIPDES) general permit for Non-Contact Cooling Water.

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 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 cold-water 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.

Permit changes for the reissuance of the general permit, with particular attention, should be made to the given sections:

Monitoring Requirements and Limitations

The following conditions, limitations, or monitoring requirements have changed from the previous permit. The Monitoring Frequency Requirements in Part II.E of once per week for flow,

pH, and temperature will apply to all dischargers regardless of their permitted flow. Previously permitted flows of less than or equal to 50,000 gallons per day required once per month monitoring for these parameters. Total Residual Chlorine monitoring requirements remain unchanged at once per quarter for all permittees. An effluent limit was added in Part II.E for facilities that discharge to temperature-impaired waters with dilution limits greater than or equal to fifteen must meet applicable temperature water quality criteria at the point of discharge. The pH effluent limits in Table in Part II. E. for facilities that use a municipal water supply as its source water have been changed. Compliance for pH will now be determined by a range of 6.5 s.u.(min) to 9 s.u.(max) for freshwater and 6.5 s.u.(min) to 8.5 s.u.(max) for saltwater. Previously permittees were required to meet a pH limit where the effluent did not change more than 0.5 s.u. from the pH of the influent source water.

Monitoring and Reporting

The U.S. Environmental Protection Agency (EPA) has published the NPDES Electronic Reporting Rule. The rule requires regulated entities to report information electronically instead of filing written paper reports. Language has been included in Part I.H of the permit to include the submittals of DMRs, DMR cover letters, and below Detection Limit summary tables using NetDMR.

FURTHER INFORMATION:

A fact sheet/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:

Madison Heller
Rhode Island Department of Environmental Management
RIPDES Program
235 Promenade Street
Providence, Rhode Island 02908-5767
Phone: (401) 537-4197
E-mail: Madison.heller@dem.ri.gov

This information is also available at the following website during the public comment period:
<https://dem.ri.gov/environmental-protection-bureau/water-resources/permitting/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 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 Madison Heller 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, January 21, 2025, a public hearing will be held at the following time and place:

Tuesday, January 28, 2025 at 5:00 PM
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 NAME 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 January 29, 2025.

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-150-10-1.42,1.43. The public comment period is from December 19, 2024 to January 29, 2025. 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 for the Rhode Island Pollutant Discharge Elimination System.

05 Dec 2024
Date

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