

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:** May 24, 2024

**PUBLIC NOTICE NUMBER:** PN 24-03

**DRAFT RIPDES PERMIT:** RIPDES MULTI-SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY (EXCLUDING CONSTRUCTION ACTIVITY)

**RIPDES PERMIT NUMBER:** RIR500000

In accordance with Chapter 46-12 of the Rhode Island General Laws, the discharge of pollutants to Waters of the State via a point source discharge is prohibited unless the discharge is in compliance with the RIPDES Regulations. The Rhode Island Department of Environmental Management (DEM) had previously determined that the most efficient approach for permitting stormwater discharges associated with industrial activities 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.

On May 3, 2019, the DEM issued a Rhode Island Multi-Sector General Permit (MSGP) to authorize the discharge of stormwater from industrial facilities. This permit expired on May 2, 2024. The DEM proposes to reissue the Rhode Island MSGP to cover industrial stormwater discharges. Changes to the 2019 MSGP proposed in the new permit include: Polychlorinated Biphenyls (PCBs) benchmarks (BMs) added to Sector N facilities engaged in the processing of construction and demolition debris; Aluminum, Lead, and Zinc BMs added to Sector P facilities, including transfer stations, where the temporary storage and/or transfer of solid waste (not including recyclables) is exposed to stormwater; Antimony BM value reduced from 0.64 mg/L to 0.45 mg/L (affects Subsector G2 only); Cyanide BM for saltwater increased from 0.001 mg/L to 0.005 mg/L (affects Sector K only); removal of Magnesium BM for Sector K; removal of Iron BM for Subsectors C1,C2,E2,F2,G2,H1,L2,M1,N1,O1,Q1,R1, and AA1; language clarifications added to BM monitoring requirements; new Indicator Monitoring for Enterococcus and Copper added to Sector P facilities, including transfer stations, where the temporary storage and/or transfer of solid waste (not including recyclables) is exposed to stormwater; new Indicator Monitoring for Copper applies to Sectors M,Q,R,AA; Corrective Action Reports will be required to be uploaded electronically with annual reports; pavement wash water has been added as an allowable non-stormwater discharge; language clarifications added for power wash water allowable non-stormwater discharges; new requirements added minimizing stormwater impacts from major storm events; language clarification made regarding monitoring outside of normal business hours; removal of the pre-existing automatic permit transfer option; removal of weblink option for making Stormwater Management Plans available; records retention timeframe increased from 3 years to 5 years; and

applicable NAICS codes must now be provided on the Notice of Intent (NOI). A detailed written summary of the proposed changes can be found in the Fact Sheet.

Notice is hereby given that the DEM held informational workshops on April 25 and 30, 2024 to discuss the draft general permit and the proposed changes. A recording of the informational workshops and the presentation slides may be found at the DEM's website here: [www.dem.ri.gov/MSGP](http://www.dem.ri.gov/MSGP). Note: the DEM made further changes to the proposed permit since these workshops based on feedback received from stakeholders and the Environmental Protection Agency.

#### **FURTHER INFORMATION:**

Copies of the Draft General Permit, Fact Sheet, and the Public Notice may be obtained at no cost by visiting the DEM's website at [www.dem.ri.gov/MSGP](http://www.dem.ri.gov/MSGP) or by writing or calling the DEM as noted below:

Jennifer Stout  
Rhode Island Department of Environmental Management  
Office of Water Resources  
RIPDES Municipal and Industrial Stormwater Program  
235 Promenade Street  
Providence, Rhode Island 02908-5767  
(401) 222-4700 or (401) 537-4170 (direct)  
E-mail: DEM.RIPDESMSGP@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 HEARING:**

Pursuant to Chapters 46-12 and 42-35 of the Rhode Island General Laws, a public hearing has been scheduled to consider this draft RIPDES general permit, if requested. Requests for a Public Hearing must be submitted in writing to the attention of Jennifer Stout at the address indicated above. Notice should be taken that if the 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, June 24, 2024, the public hearing will be held at the following time and place:

Thursday, June 27, 2024 at 5:00 PM  
Room 280  
235 Promenade Street  
Providence, Rhode Island 02908

In accordance with the RIPDES Regulations, the following is a summary of the procedures that shall be followed at the Public Hearing, if such hearing is held:

- a. The Presiding Officer shall have the authority to open and conclude the Hearing and to maintain order; and
- b. Any persons appearing at such a hearing may submit oral or written statements and data concerning the draft permit.

In addition, for the sake of accuracy, it is requested that statements be submitted in writing at the time of the hearing or mailed to the DEM's Office of Water Resources, RIPDES Municipal and Industrial

Stormwater Program, at the above address, before the date of the hearing. Oral testimony will also be heard at the Public Hearing but will be limited to five (5) minutes in duration.

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 Jennifer Stout 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.

**PUBLIC COMMENT PERIOD: MAY 24, 2024 TO JUNE 28, 2024**

Interested parties may submit comments on the permit actions and the administrative record to the address above no later than 4:00 PM on Friday, June 28, 2024.

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 June 28, 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 the DEM's Office of Water Resources, RIPDES Municipal and Industrial Stormwater Program at the address above.

If, during the public comment period, significant new questions are raised concerning the permit, the DEM may require a new draft permit or fact sheet 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 and response to comments to each person who has submitted written comments or requested notice. Within thirty (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 §1.50 of the Regulations for the Rhode Island Pollutant Discharge Elimination System (RI Code of Regulations; 250-RICR-150-10-1.50).

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Brian D. Lafaille, P.E.  
Environmental Engineer IV  
RIPDES Municipal and Industrial Stormwater Program  
Office of Water Resources  
Rhode Island Department of Environmental Management

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Date