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: January 28, 2019

PUBLIC NOTICE NUMBER: PN 19-03

DRAFT RIPDES PERMIT: MODIFICATIONS

RIPDES PERMIT NUMBER: RI0100315

NAME AND MAILING ADDRESS OF APPLICANT:

The Narragansett Bay Commission
One Service Road
Providence, RI 02905

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Field’s Point Wastewater Treatment Facility
2 Ernest Street
Providence, RI 02905 and
associated Combined Sewer Overflows (CSOs)

RECEIVING WATER:

Providence River, Water Body ID# RI0007020E-01B (Field’s Point WWTF)
Seekonk River, Water Body ID# RI0007019E-01 (CSO Outfalls)
Moshassuck River, Water Body ID# RI0003008R-01 (CSO Outfalls)
West River, Water Body ID# RI0003008R-03C (CSO Outfalls) and
Woonasquatucket River, Water Body ID#RI0002007R-10D (CSO Outfalls)

RECEIVING WATER CLASSIFICATION:

SB1 {a} (Providence and Seekonk Rivers); B1{a} (Woonasquatucket River)
& B{a} (Moshassuck and West Rivers)

RIPDES PERMIT NUMBER: RI0100072

NAME AND MAILING ADDRESS OF APPLICANT:
The Narragansett Bay Commission
One Service Road
Providence, RI 02905

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Bucklin Point Wastewater Treatment Facility
102 Campbell Avenue
East Providence, RI 02916 and
associated Combined Sewer Overflows (CSOs)

RECEIVING WATER:

Seekonk River (Water Body ID# RI0007019E-01) (Bucklin Point WWTF),
Moshassuck River (Water Body ID# RI0003008R-01C) (CSO Outfalls), and
Blackstone River (Water body ID# RI0001003R-01B) (CSO Outfalls)

RECEIVING WATER CLASSIFICATION:

SB1{a} (Seekonk River); B{a} (Moshassuck River); B1{a} (Blackstone River)

The above-named facilities, which are the source of the wastewater discharges, are engaged in
the treatment of domestic and industrial sewage and stormwater that enters the combined sewer
system. The discharges are from Field’s Point and Bucklin Point WWTFs and the CSOs
associated with the WWTF’s collection systems. The Bucklin Point facility serves the
communities of Central Falls, Cumberland, Pawtucket, and portions of Lincoln, East Providence,
and Smithfield. The Field’s Point facility services the communities of Johnston, Providence,
North Providence, and portions of Lincoln and Cranston.

On September 29, 2017, the DEM issued final RIPDES permits to these facilities. In letters
dated October 26, 2017, NBC requested an administrative adjudicatory hearing and moved to
stay certain conditions set forth in both of the Final Permits. In lieu of convening an
administrative adjudicatory hearing regarding the disputed permit conditions and in order to
affect a timely and amicable resolution of NBC’s appeal, DEM and NBC agreed to modify:
certain May 1 – October 31 CBOD₃ and TSS limits from Part I.A.1 of both permits, Part
I.D.1.a.ii.6 of both permits to clarify the solid and floatable materials control requirements for
NBC’s Industrial Pretreatment Program, Part I.D.2.a of both permits to clarify the NBC’s
requirements to implement the Nine Minimum Controls Plan approved by DEM, the deadline to
submit a Resiliency Plan under Part I.E.4 of both permits, include a new Part I.I in both permits
that clarifies the sampling requirements during declared States of Emergency or similar events
when NBC has determined that sample collection and analysis represents an unacceptable risk to
its employees, and Part II(o) language in both permits to clarify the change in discharge
requirements and which discharges are authorized under the permits. All other remaining
effluent limitations, monitoring requirements, and other conditions in both of the original permits
are unchanged, and unaffected by the proposed permit modifications.

FURTHER INFORMATION:
Copies of the draft permit modifications and modification fact sheets (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:

Joseph Haberek, P.E.
Rhode Island Department of Environmental Management
RIPDES Program
235 Promenade Street
Providence, Rhode Island 02908-5767
Phone: 401-222-4700, extension 7715
E-mail: joseph.haberek@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 these draft RIPDES permit modifications, if requested. Requests for a Public Hearing must be submitted in writing to the attention of Joseph Haberek 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, March 4, 2019, the public hearing will be held at the following time and place:

Thursday, March 7, 2019 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. March 8, 2019.

All persons who believe any condition of the draft permit modification 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 March 8, 2019. Commenters may request a longer comment period if necessary to provide a reasonable opportunity to comply with these requirements. Comments should be
directed to Joseph Haberek as directed above.

If, during the public comment period, significant new questions are raised concerning either of the permits, 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 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 250-RICR-150-10-1.50 of the Regulations for the Rhode Island Pollutant Discharge Elimination System.

1/18/19

Date

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