RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

September 30, 2008

CERTIFIED MAIL

Mr. Stan Olson
Terminal Superintendent
ExxonMobil Oil Corporation – East Providence Terminal
1001 Wampanoag Trail
Riverside, RI 02915

RE: ExxonMobil Oil Corporation
RIPDES Permit No. RI0001333

Dear Mr. Olson:

Enclosed is your final Rhode Island Pollutant Discharge Elimination System (RIPDES) Permit. State regulations, promulgated under Chapter 46-12 of the Rhode Island General Laws of 1956, as amended, require this permit to become effective on the date specified in the permit.

Also enclosed is information relative to hearing requests and stays of RIPDES Permits along with the Rhode Island Department of Environmental Management's (DEM) responses to the written comments that were raised by ExxonMobil in a letter dated July 29, 2008.

The DEM appreciates your cooperation throughout the development of this permit. Should you have any questions, regarding the enclosed RIPDES permit process or the hearing request and stay request, you may contact Joseph Camara at 222-4700, extension 7640.

Sincerely,

Eric A. Beck, P.E.
Supervising Sanitary Engineer
Permitting Section

EAB/jc

Enclosures
cc: David Turin, EPA Permits Branch, Region 1
Joseph Haberek, RIDEM
Annie McFarland, RIDEM
Bonnie Stewart, RIDEM
Joseph Camara, RIDEM
Tom Budde, ExxonMobil Oil Corporation
Traci Pena, RIDEM

Response to Comments

From June 27, 2008 to July 30, 2008 the DEM solicited public comment on the draft RIPDES permit for ExxonMobil. The following responses address the comments that were raised by ExxonMobil in a letter dated July 29, 2008.

Comment No. 1 Part I.A.1. Effluent Limitations and Monitoring Requirements – pH limits
ExxonMobil requests clarification on whether the DEM can authorize a compliance schedule to complete the mixing study.

Response No. 1

The DEM's Water Quality Regulations do not allow compliance schedules to be incorporated into permits for water quality-based limits. Therefore, DEM intends to enter into a Consent Agreement with ExxonMobil to establish interim limits for pH and an enforceable schedule for ExxonMobil to complete the mixing study. Please note that, in order to enter into a Consent Agreement, ExxonMobil will need to file a hearing request and a stay request in accordance with the attached instructions within thirty (30) days of receipt of this letter.

Comment No. 2 Part I.A.2. Effluent Limitations and Monitoring Requirements --- MTBE
ExxonMobil requests a provision be added to the permit to allow an "off ramp" for monitoring if MTBE or Ethanol is measured at de minimis or non-detect concentrations.

Response No. 2
The DEM is willing to develop a permit modification that would suspend sampling for these pollutants if they are not detected for a given length of time. This permit modification would be incorporated into a Consent Agreement. If ExxonMobil appeals this monitoring requirement and files a hearing and stay request, then the Consent Agreement could include a permit modification to allow an "off ramp" for monitoring of MTBE and ethanol at Outfall 001.

Comment No.3 Part I.A.2. Effluent Limitations and Monitoring Requirements – footnote 1
ExxonMobil request that the monitoring requirements for MTBE and ethanol be consistent with the BTEX monitoring as discussed in Part I.A.1, footnote 2.

Response No. 3
The requirement to monitor MTBE at Outfall 001 was added to the permit to determine if there is inflow into the drainage system of MTBE from contaminated groundwater. The DEM has determined that the monitoring requirements in Part I.A.2, footnote 2 are appropriate for MTBE and ethanol. As previously indicated in response #3 the Consent Agreement could include a permit modification to allow an off ramp for monitoring of MTBE and ethanol at Outfall 001.

Comment No.4 Part I.A.4. Effluent Limitations and Monitoring Requirements – Limits for PAHs on Internal Outfalls (comments also applies to I.A.6 and I.A.8)
ExxonMobil objects to the inclusion of water quality based effluent limitations for polynuclear aromatic hydrocarbons (PAHs) at any of the internal outfalls (100A, 200A and 300A). Water quality based effluent limitations are supposed to be applied only at the final discharge surface waters of the state (Outfall 001A).

Response No.4
Although the limits were changed to be consistent with the Rhode Island Water Quality Regulations, these are technology-based limits which ExxonMobil has demonstrated are achievable based on historical DMR data. The previous permit established the internal outfalls as appropriate monitoring locations.

Comment No.5 Part I.A.20. Hydrostatic test water requirements
It is ExxonMobil's experience that the proposed procedures are overly complicated and burdensome for discharges from hydrostatic testing of pipes, which typically have a total volume of less than 100,000 gallons. The proposed procedure, that requires four samples of hydrostatic test water beginning with a the raw water supply will not be practical for piping that is drained rapidly and may consist of as little as several hundred or thousand gallons. ExxonMobil requests that the permit include a provision that allows the permittee to submit alternative sampling for hydrostatic testing of piping to DEM for prior approval if the sampling method in this provision is infeasible.

Response No.5
The DEM is willing to review the alternative sampling language to address low volume hydrostatic flows from piping. ExxonMobil will need to appeal Part I.A.20 of the permit and submit the language for the alternative procedure. The DEM will review the alternative procedure and, if found acceptable, will process a permit modification that addresses low volume hydrostatic testing as part of a Consent Agreement,

Comment No. 6 Part I.A.21.b.4. Main Tank Farm Oil/Water Separator
When an oily suspended layer is present beyond the first chamber, ExxonMobil requests the permit language be modified to allow the ability to pump from the separator only during emergency situations upon approval by DEM in lieu of the "no pumping" condition. Pumping may be necessary under emergency situations (e.g, unusually heavy rainfalls) in order to prevent flooding, system washouts and personnel safety.

Response No. 6
This condition remains unchanged from the previous permit. Pumping the separator during emergency situations could be covered under the bypass or upset provisions in Part II of the permit as an affirmative defense if all of the conditions of Part II are met. No change is necessary.

Comment No.7 Part I.C. Detection Limits – Methods for MTBE and Xylenes
ExxonMobil requests clarification on whether the DEM will allow the use of Method 624 for measuring MTBE and total xylenes in effluent samples.

Response No. 7
ExxonMobil will be required to use methods in 40 CFR 136 for monitoring total xylenes. Since MTBE is not identified in any of the tables in 40 CFR 136, the DEM will allow ExxonMobil to use Method 624 for measuring MTBE.

Comment No. 8 Part I.C. Detection Limits – Matrix Interferences
ExxonMobil believes that the language in Part I.C relating to matrix interferences that result in a laboratory being unable to achieve a reagent water method detection limit (MDL) is unclear.

Response No. 8
As indicated in Part I.C. all sample results shall be reported as: an actual value, "could not be analyzed", less than the reagent water MDL, or less than an effluent or sludge specific MDL no change is necessary.

Comment No. 9 Part I.C Detection Limits -- Other Toxic Pollutants (page 22)
Xylenes should be corrected to read Total Xylenes. Footnote 1 should be referenced in the title of the table that lists "Other Toxic Pollutants". References to "*","**", and "***" should be added to the appropriate pollutants in the list "Other Toxic Pollutants".

Response No. 9
The DEM has revised Part I.C.

HEARING REQUESTS

If you wish to contest any of the provisions of this permit, you may request a formal hearing within thirty (30) days of receipt of this letter. The request should be submitted to the Administrative Adjudication Division at the following address:

Bonnie Stewart, Clerk
Department of Environmental Management
Office of Administrative Adjudication
235 Promenade Street, 3rd Floor
Providence, Rhode Island 02908

Any request for a formal hearing must conform to the requirements of Rule 49 of the State Regulations.

STAYS OF RIPDES PERMITS

Should the Department receive and grant a request for a formal hearing, the contested conditions of the permit will not automatically be stayed. However, the permittee, in accordance with Rule 50, may request a temporary stay for the duration of adjudicatory hearing proceedings. Requests for stays of permit conditions should be submitted to the office of Water Resources at the following address:

Angelo S. Liberti, P.E.
Chief of Surface Water Protection
Office of Water Resources
235 Promenade Street
Providence, Rhode Island 02908

All uncontested conditions of the permit will be effective and enforceable in accordance with the provisions of Rule 49.

AUTHORIZATION TO DISCHARGE UNDER THE
RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of Chapter 46-12 of the Rhode Island General Laws, as amended,

ExxonMobil Oil Corporation
3225 Gallows Road
Fairfax, Virginia 22037

is authorized to discharge from a facility located at

ExxonMobil Oil Corporation - East Providence Terminal
1001 Wampanoag Trail
East Providence, Rhode Island 02915

to receiving waters named

Providence River

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This Permit shall become effective on December 1, 2008.

This permit and the authorization to discharge expire at midnight, five (5) years from the date of signature.

This permit supersedes the permit issued on December 31, 2001.

This permit consists of 23 pages in Part I including effluent limitations, monitoring requirements, etc. and 10 pages in Part II including General Conditions.

Signed this 30th day of September, 2008.

Angelo S. Liberti, P.E., Chief of Surface Water Protection
Office of Water Resources
Rhode Island Department of Environmental Management
Providence, Rhode Island

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through permit expiration, the permittee is authorized to discharge from outfall serial number 001A. (Overflow Weir from Second Lagoon).
   Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirement	
	Quantity - lbs./day		Concentration - specify units				
	Average Monthly	Maximum Daily	Average Monthly *(Minimum)	Average Weekly *(Average)	Maximum Daily *(Maximum)	Measurement Frequency	Sample Type
Flow	--- MGD	--- MGD				Continuous	Recorder
TSS			21 mg/l		33 mg/l	2/Month[1,3]	Grab
Oil and Grease			--- mg/l		15 mg/l	2/Month[1,3]	Grab
pH			(6.5 S.U.)		(8.5 S.U.)	2/Month[1,3]	Grab
Benzene			--- µg/l		--- µg/l	1/Month[2,3]	Grab
Toluene			--- µg/l		--- µg/l	1/Month[2,3]	Grab
Ethyl-benzene			--- µg/l		--- µg/l	1/Month[2,3]	Grab
Total Xylenes			--- µg/l		--- µg/l	1/Month[2,3]	Grab

[1]The two (2) grab samples shall be taken as follows: one when the separator at Main Tank Farm is being pumped with proper allowances for hydraulic detention time (time for flow to travel from separator to overflow weir) and one (1) during dry weather or when the pumps at the Main Tank Farm are not in operation. If the separator at the Main Tank Farm can not be pumped under normal operating conditions, the two (2) samples for TSS, Oil and Grease, and pH for the current month shall be taken during dry weather (when the pumps at the Main Tank Farm are not in operation).

[2]The one grab sample shall be taken when the Main Tank Farm Separator is being pumped, giving proper allowances for hydraulic detention time (time for flow to travel from separator to overflow weir). If pumping can not occur under normal operating conditions, BTEX sampling shall be suspended for that month.

[3] The permittee must keep a log of times when the pumps at the Main Tank Farm are in operation in accordance with Part I.A.21 of the permit, and maintain the log data on-site for 5 years.

--- Signifies a parameter which must be monitored and data must be reported; no limit has been established at this time.

*Values in parentheses ( ) are to be reported as Minimum/Average/Maximum for the reporting period rather than Average Monthly/Average Weekly/Maximum Daily.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: Outfall 001A - overflow weir from second lagoon.

PART I

A. **EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

2. During the period beginning on the effective date and lasting through permit expiration, the permittee is authorized to discharge from outfall serial number 001A. (Overflow Weir from Second Lagoon).
   Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirement	
	Quantity - lbs./day		Concentration - specify units				
	Average Monthly	Maximum Daily	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type
MTBE			--- µg/l		--- µg/l	1/Month[1,2]	Grab
Ethanol			--- µg/l		--- µg/l	1/Month[1,2,3]	Grab

[1]The sample shall be taken when the separator at Main Tank Farm is being pumped with proper allowances for hydraulic detention time (time for flow to travel from separator to overflow weir). If the separator at the Main Tank Farm can not be pumped under normal operating conditions, the sample for MTBE and Ethanol for the current month shall be taken during dry weather (when the pumps at the Main Tank Farm are not in operation).

[2]The permittee must keep a log of times when the pumps at the Main Tank Farm are in operation in accordance with Part I.A.21 of the permit, and maintain the log data on-site for 5 years.

[3]Ethanol shall be analyzed using EPA method 1671.

--- Signifies a parameter which must be monitored and data must be reported; no limit has been established at this time.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: Outfall 001A - overflow weir from second lagoon.

PART 1

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning on the effective date and lasting through permit expiration, the permittee is authorized to discharge from outfall serial number 100A. (Effluent from PCS Groundwater Treatment System).
   Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirement	
	Quantity - lbs./day		Concentration - specify units				
	Average Monthly	Maximum Daily	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type
Flow	--- gpm	600 gpm				Continuous[1]	Recorder
Benzene			5.0 µg/l		5.0 µg/l	2/Month	Grab
Toluene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Ethylbenzene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Total Xylenes			30.0 µg/l		30.0 µg/l	2/Month	Grab
Total BTEX[2]			--- µg/l		--- µg/l	2/Month	Grab
MTBE			--- µg/l		70.0 µg/l	2/Month	Grab
Total Iron			--- µg/l		--- µg/l	2/Month	Grab

[1]Monitor flow and submit a flow log with the monitoring results. The flow log shall include the rate and duration of flow including the time(s) of day when flow commences and ceases. In addition, the flow log shall specify the volume and flow rates associated with flows, if any, generated from Tank 58.

[2]Sum of benzene, toluene, ethylbenzene and total xylenes.

--- signifies a parameter which must be monitored and data must be reported; no limit has been established at this time.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: Outfall 100A - effluent from Perimeter Containment System (PCS) groundwater treatment system. The two (2) samples taken per month shall be separated by a minimum of ten (10) days.

PART 1

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. During the period beginning on the effective date and lasting through permit expiration, the permittee is authorized to discharge from outfall serial number 100A. (Effluent from PCS Groundwater Treatment System).
   Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirement	
	Quantity - lbs./day		Concentration - specify units				
	Average Monthly	Maximum Daily	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type
Acenaphthene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Acenaphthylene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Anthracene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Benzo (a) Anthracene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Benzo (a) Pyrene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Benzo (b) Fluoranthene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Benzo (ghi) Perylene			41.0 µg/l		41.0 µg/l	2/Month	Grab
Benzo (k) Fluoranthene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Chrysene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Dibenzo (a,h) Anthracene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Fluoranthene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Fluorene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Indeno (1, 2, 3 - cd) Pyrene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Naphthalene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Phenanthrene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Pyrene			10.0 µg/l		10.0 µg/l	2/Month	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: Outfall 100A - effluent from PCS groundwater treatment system. The two (2) samples taken per month shall be separated by a minimum of ten (10) days.

PART 1

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

5. During the period beginning on the effective date and lasting through permit expiration, the permittee is authorized to discharge from outfall serial number 200A. (Effluent from Tank 58 Treatment System).
   Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirement	
	Quantity - lbs./day		Concentration - specify units				
	Average Monthly	Maximum Daily	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type
Flow	--- gpm	50 gpm				Continuous[1]	Recorder
Flow (Volume)		--- MG				Continuous	Recorder
Benzene			5.0 µg/l		5.0 µg/l	3/Discharge[2]	Grab
Toluene			10.0 µg/l		10.0 µg/l	3/Discharge[2]	Grab
Ethylbenzene			10.0 µg/l		10.0 µg/l	3/Discharge[2]	Grab
Total Xylenes			30.0 µg/l		30.0 µg/l	3/Discharge[2]	Grab
Total BTEX[3]			--- µg/l		--- µg/l	3/Discharge[2]	Grab
Ethanol			--- µg/l		--- µg/l	3/Discharge[2]	Grab
Total Iron			--- µg/l		--- µg/l	3/Discharge[2]	Grab

[1]Monitor flow and submit a flow log with the monitoring results. The flow log shall include the rate and duration of flow including the time(s) of day when flow commences and ceases. The average monthly flow should be based on the days of the month that there is a discharge from the treatment system.

[2]The three (3) grab samples shall be equally spaced over the course of drainage of Tank 58 and should be representative of the contents of the entire tank.

[3]Sum of benzene, toluene, ethylbenzene and total xylenes.

---signifies a parameter which must be monitored and data must be reported; no limit has been established at this time.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: Outfall 200A - effluent from Tank 58 treatment system.

PART 1

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

6. During the period beginning on the effective date and lasting through permit expiration, the permittee is authorized to discharge from outfall serial number 200A. (Effluent from Tank 58 Treatment System).
   Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirement	
	Quantity - lbs./day		Concentration - specify units				
	Average Monthly	Maximum Daily	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type
Acenaphthene			10.0 µg/l		10.0 µg/l	3/Discharge[1]	Grab
Acenaphthylene			10.0 µg/l		10.0 µg/l	3/Discharge[1]	Grab
Anthracene			10.0 µg/l		10.0 µg/l	3/Discharge[1]	Grab
Benzo (a) Anthracene			1.44 µg/l		1.44 µg/l	3/Discharge[1]	Grab
Benzo (a) Pyrene			1.44 µg/l		1.44 µg/l	3/Discharge[1]	Grab
Benzo (b) Fluoranthene			1.44 µg/l		1.44 µg/l	3/Discharge[1]	Grab
Benzo (ghi) Perylene			41.0 µg/l		41.0 µg/l	3/Discharge[1]	Grab
Benzo (k) Fluoranthene			1.44 µg/l		1.44 µg/l	3/Discharge[1]	Grab
Chrysene			1.44 µg/l		1.44 µg/l	3/Discharge[1]	Grab
Dibenzo (a,h) Anthracene			1.44 µg/l		1.44 µg/l	3/Discharge[1]	Grab
Fluoranthene			10.0 µg/l		10.0 µg/l	3/Discharge[1]	Grab
Fluorene			10.0 µg/l		10.0 µg/l	3/Discharge[1]	Grab
Indeno (1, 2, 3 - cd) Pyrene			1.44 µg/l		1.44 µg/l	3/Discharge[1]	Grab
Naphthalene			10.0 µg/l		10.0 µg/l	3/Discharge[1]	Grab
Phenanthrene			10.0 µg/l		10.0 µg/l	3/Discharge[1]	Grab
Pyrene			10.0 µg/l		10.0 µg/l	3/Discharge[1]	Grab

[1]The three(3) grab samples shall be equally spaced over the course of drainage of Tank 58 and should be representative of the contents of the entire tank.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: Outfall 200A - effluent from Tank 58 treatment system.

PART 1

A. **EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

7. During the period beginning on the effective date and lasting through permit expiration, the permittee is authorized to discharge from outfall serial number 300A. (Effluent from the Vanity Fair Cliffs Area Recovery/Treatment System).
Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirement	
	Quantity - lbs./day		Concentration - specify units				
	Average Monthly	Maximum Daily	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type
Flow	--- gpm	10.0 gpm				Continuous[1]	Recorder
Benzene			5.0 µg/l		5.0 µg/l	2/Month	Grab
Toluene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Ethylbenzene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Total Xylenes			30.0 µg/l		30.0 µg/l	2/Month	Grab
Total BTEX[2]			--- µg/l		--- µg/l	2/Month	Grab
MTBE			--- µg/l		70.0 µg/l	2/Month	Grab
Total Iron			--- µg/l		--- µg/l	2/Month	Grab

[1]Monitor flow and submit a flow log with the monitoring results. The flow log shall include the rate and duration of flow including the time(s) of day when flow commences and ceases.

[2]Sum of benzene, toluene, ethylbenzene and total xylenes.

---signifies a parameter which must be monitored and data must be reported; no limit has been established at this time.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: Outfall 300A - effluent from the Vanity Fair Cliffs Area Recovery/Treatment System. The two (2) samples taken per month shall be separated by a minimum of ten (10) days.

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A. **EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

8. During the period beginning on the effective date and lasting through permit expiration, the permittee is authorized to discharge from outfall serial number 300A. (Effluent from the Vanity Fair Cliffs Area Recovery/Treatment System).
Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirement	
	Quantity - lbs./day		Concentration - specify units				
	Average Monthly	Maximum Daily	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type
Acenaphthene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Acenaphthylene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Anthracene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Benzo (a) Anthracene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Benzo (a) Pyrene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Benzo (b) Fluoranthene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Benzo (ghi) Perylene			41.0 µg/l		41.0 µg/l	2/Month	Grab
Benzo (k) Fluoranthene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Chrysene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Dibenzo (a,h) Anthracene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Fluoranthene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Fluorene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Indeno (1, 2, 3 - cd) Pyrene			1.44 µg/l		1.44 µg/l	2/Month	Grab
Naphthalene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Phenanthrene			10.0 µg/l		10.0 µg/l	2/Month	Grab
Pyrene			10.0 µg/l		10.0 µg/l	2/Month	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: Outfall 300A - effluent from the Vanity Fair Cliffs Area Recovery/Treatment System. The two (2) samples taken per month shall be separated by a minimum of ten (10) days.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

9. During the period beginning on the effective date and lasting through permit expiration, the permittee is authorized to discharge from outfall serial number 400A. (Effluent from the Main Oil Water Separator).
   Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirement	
	Quantity - lbs./day		Concentration - specify units				
	Average Monthly	Maximum Daily	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type
Flow	--gpm	--gpm				1/Month	Estimate
TSS			---µg/l		--- µg/l	1/Month	Grab
Oil and Grease			--- µg/l		--- µg/l	1/Month	Grab
Benzene			--- µg/l		--- µg/l	1/Month	Grab
Toluene			--- µg/l		--- µg/l	1/Month	Grab
Ethyl-benzene			--- µg/l		--- µg/l	1/Month	Grab
Total Xylenes			--- µg/l		--- µg/l	1/Month	Grab
Ethanol			--- µg/l		--- µg/l	1/Month	Grab

--- Signifies a parameter which must be monitored and data must be reported; no limit has been established at this time.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: Outfall 400A -- effluent from the Main Oil Water Separator.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

10. During the period beginning on the effective date and lasting through permit expiration, the permittee is authorized to discharge from outfall serial number 500A. (Effluent from the Vanity Fair Cliffs Area Oil Water Separator).
Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirement	
	Quantity - lbs./day		Concentration - specify units				
	Average Monthly	Maximum Daily	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type
Flow	---gpm	---gpm				1/Month	Estimate
TSS			--- µg/l		--- µg/l	1/Month	Grab
Oil and Grease			--- µg/l		--- µg/l	1/Month	Grab
Benzene			--- µg/l		--- µg/l	1/Month	Grab
Toluene			--- µg/l		--- µg/l	1/Month	Grab
Ethyl-benzene			--- µg/l		--- µg/l	1/Month	Grab
Total Xylenes			--- µg/l		--- µg/l	1/Month	Grab

--- Signifies a parameter which must be monitored and data must be reported; no limit has been established at this time.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: Outfall 500A – effluent from the Vanity Fair Cliffs Area Oil Water Separator.

11.

a. The pH of the effluent shall not be less than 6.5 nor greater than 8.5 standard units at any time, unless these values are exceeded due to natural causes or as a result of the approved treatment processes.

b. The discharge shall not cause visible discoloration of the receiving waters.

c. The effluent shall contain neither a visible oil sheen, foam, nor floating solids at any time.

12. All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(1) One hundred micrograms per liter (100 µg/l);

(2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile, five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitro-phenol, and one milligram per liter (1 mg/l) for antimony;

(3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR s122.21(g)(7), or;

(4) Any other notification level established by the Director in accordance with 40 CFR s122.44(f) and Rhode Island Regulations.

b. That any activity has occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(1) Five hundred micrograms per liter (500 µg/l);

(2) One milligram per liter (1 mg/l) for antimony;

(3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR s122.21(g)(7), or;

(4) Any other notification level established by the Director in accordance with 40 CFR s122.44(f) and Rhode Island Regulations.

c. That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product any toxic pollutant which was not reported in the permit application.

13. The permittee shall analyze the effluent from Outfall 001A annually for the EPA Priority Pollutants as listed in 40 CFR 122, Appendix D, Tables II and III. The results of these analyses shall be submitted to the Department of Environmental Management by January 15th for the previous calendar year. All sampling and analysis shall be done in accordance with EPA Regulations, including 40 CFR 136 or other methods approved in this permit, grab and composite samples shall be taken as appropriate.

14. This permit serves as the State's water quality certification for the discharges described herein.

15. The permittee shall operate and maintain the Perimeter Containment System (PCS) in accordance with Order of Approval No. SROA 95-024 issued by RIDEM. Mechanical failure or breakthrough of the PCS system (exceedance of any permit limits) shall be immediately reported to the Office of Water Resources and the Office of Waste Management.

16. The addition of chemicals (i.e., disinfecting agents, detergents, emulsifiers, etc.) to the collection and treatment system is prohibited without prior approval by the Department. This prohibition will prevent the carryover of hydrocarbons and/or particulate matter to the Providence River. This prohibition does not apply to the addition of Percol 726 or 727, sodium hypochlorite, and aluminum chlorohydrate (per acceptance in the March 5, 1996 letter from the Department) to the PCS groundwater treatment system.

17. There shall be no direct discharge to either of the oil/water separators or the lagoons of untreated tank bottom drawoff water (water which separates from product during storage and settles to the tank bottom); untreated marine transportation water (water which separates and/or accumulates during marine transportation); or tank truck washwater, stormwater and washwater from spill tank at truck loading rack. These discharges may, however, be discharged to either the Tank 58 treatment system or the PCS groundwater treatment system, provided the discharge does not cause a permit violation.

18. This permit authorizes the discharge of groundwater from the recovery wells, as described in the Remedial Action Work Plan for the Groundwater Treatment Component of the Perimeter Containment System, dated January 13, 1995, to the PCS groundwater treatment system. In addition, this permit authorizes the discharge of well development/purge water from the monitoring wells, as described in the September 18, 1995 letter from Mobil to RIDEM, to the PCS groundwater treatment system. Also, this permit authorizes the discharge of water generated from a vapor/liquid separator associated with soil vapor extraction/air sparging in the vicinity of former tank No. 66 (North Operations) to the PCS groundwater treatment system, as described in the March 3, 1998 letter from RIDEM to ExxonMobil Oil Corporation. Authorization to discharge additional sources of contaminated groundwater to the PCS system shall only be granted upon receipt of satisfactory qualitative data that demonstrates the additional sources of groundwater are substantially the same as that of the PCS influent. Contaminated groundwater generated from recovery or monitoring wells during site investigation and remediation shall not be discharged to or placed in either oil/water separator. Infiltration/inflow of contaminated groundwater into the storm water collection system or into either oil/water separator shall be addressed by the permittee pursuant to Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases ("Remediation Regulations") under the direction of the Office of Waste Management, in association with the Office of Water Resources. Nothing in this paragraph shall be construed to relieve permittee's obligation to investigate and/or remediate contaminated groundwater in compliance with the Remediation Regulations or the regulations of the Office of Water Resources.

19. The discharge of tank bottom drawoff water or other wastewaters (including contaminated groundwater) generated off-site is strictly prohibited. This exclusion does not apply to the discharge of groundwater contaminated by sources which have originated and/or emanated from terminal property.

20. The permittee shall notify the Office of Water Resources at least twenty-four (24) hours prior to the commencement of any proposed hydrostatic-test water discharges. Prior to testing, the interior of the tank(s) and/or piping being tested shall be cleaned and certified to be free of petroleum product. There shall be no discharge of tank and/or pipe cleaning residual/debris to either of the oil/water separators or lagoons. At a minimum, four (4) representative samples shall be taken of the hydrostatic-test water: one (1) grab sample of the influent (water added to the tank) and three (3) serial-grab samples of the effluent (test water discharged from the tank), which after treatment though the oil water separator and two lagoons is discharged to the receiving waters. The influent grab sample shall be taken approximately midway through the fill segment of the hydrostatic-test procedure. The three (3) effluent serial-grab samples shall be

taken over the duration of the entire discharge segment of the hydrostatic-test procedure. The first serial-grab sample shall be taken during the initial phase of the discharge; the second serial grab sample is to be taken midway through the discharge; and the final sample shall be taken at the end of the discharge. All effluent samples should be taken directly from the effluent of the tank prior to discharge into the oil/water separator and/or mixing with any other authorized wastestreams. These samples should provide adequate characterization of the influent and effluent hydrostatic-test water.

These influent and effluent samples shall be analyzed for the following parameters:

a.	Total Suspended Solids (TSS)	d.	Chemical Oxygen Demand (COD)
b.	Oil & Grease (O/G)	e.	Dissolved Oxygen (DO)
c.	Total Iron	f.	pH

The hydrostatic test water released from the tank(s) must satisfy all the effluent limitations and conditions of this permit after treatment through the oil/water separator and lagoons. The surface of the oil/water separator should be routinely observed during hydrostatic test water discharges to determine if there is any detectable increase in the separated oil layer to prevent inadvertent hydrocarbon release to the receiving water(s). A logbook shall be kept to document the start and end of each hydrostatic test, the total flow discharged and all monitoring data.

Should any visual inspection or suspicious odor indicate the presence of petroleum while inspecting the oil/water separator as required above or if laboratory results from the representative samples of the discharge become available that may indicate an exceedance of the permit effluent limits, the transfer shall be halted immediately followed by notification to the RI DEM of the suspended discharge. After the discharge of the hydrostatic test water has been completed, the permittee shall submit a letter/report to the RI DEM within thirty (30) days, summarizing the results of the transfer. This report shall contain: the date(s) of hydrostatic test water transfer; the volume of hydrostatic test water transferred; and the analytically determined values of the discharge parameters.

21. Main Tank Farm Oil/Water Separator

a. Pumping Schedule: Except during periods of unusually heavy rainfall, or emergency situations, water collected in the oil/water separator shall only be pumped between the hours of sunrise and sunset.

b. Monitoring and Recordkeeping

Listed below are monitoring and recordkeeping requirements for the Main Tank Farm Separator. Frequency of inspection or checks of the treatment system shall be increased, as appropriate, during the periods of unusually heavy rainfall.

1. The separator shall be visually checked at least five (5) days a week to determine its water level and to observe the condition of the free floating petroleum hydrocarbons.

2. Before starting the pumping units, the operator shall visually check the separator for any free floating petroleum hydrocarbons. After starting the pump(s), a sample of the water from the discharge line shall be visually checked to determine that no oily suspended material or sludge is being pumped to the lagoons. This visual check will be made by running a small amount of the water in a container.

3. While the pump is running, the operator shall periodically visually inspect the water from the discharge of the pumps as described in b.2 above.

4. At least once a week, the first separator compartment shall be checked for the presence of oily suspended material below the water surface. The

suspended material may either be suspended solids or an oily substance which could form a layer or blanket that may not be visible at the surface. If a layer of oily suspended material is present in the first compartment, downstream compartments shall be checked to determine the extent of the layer. If an oily suspended layer is present beyond the first compartment, it must be immediately reported to the Terminal Supervisor. No pumping shall be done until the oily suspended material is removed.

5. Sludge build-up in the separator shall be monitored by taking measurements on a monthly basis at the inlet compartment. Downstream compartments will be checked as sludge builds up in the upstream compartments.
The results of the measurements will be recorded and reported to the Terminal Supervisor each month.

   The Terminal Supervisor shall evaluate the amount of sludge build-up in the separator and determine the need for cleaning and removal of the sludge based on the criteria in Part I.A.21.e and the potential effect on the efficiency of the system, once a month. Records on the monthly sludge amounts and cleaning/removal determination shall be maintained and be made available to DEM upon request.

6. The low liquid level switch on the separator shall be checked twice each calendar year, not more than 7-1/2 months apart. A record of these checks shall be maintained in the terminal office.

   The low liquid level switch will be checked by starting one of the units and letting it run until it shuts off. The water level in the compartment will then be measured to establish the level of the shut off. If it is not at five (5) feet, the switch will be adjusted to shut off at that level.

7. The permittee must keep a log of the times when the pumps at the Main Tank Farm are in operation, and maintain the log data on-site for 5 years.

c. Removal of Oily Suspended Material

The Terminal Supervisor shall immediately evaluate the extent of oily suspended material, determine its characteristic and initiate plans for its removal. No pumping of the separator shall be done until the material is removed.

d. Skimming Operation

Regular skimming of any oil, in the first compartment, shall be conducted when inspection reveals a measurable amount of oil exists, or more often when necessary. All petroleum hydrocarbons skimmed from the separator shall be disposed of in accordance with all applicable laws and regulations.

e. Sludge Removal

Sludge shall be removed from the separator when the Terminal Supervisor has determined that the separator requires cleaning as shown in item Part 1.A.21.b.5. Under no condition shall sludge be allowed to build up in the compartments on the south side of the separator that would result in exceeding effluent limits. When practicable, sludge removal shall be scheduled during the dry months of the year. However, removal plans shall be initiated when significant amounts of sludge accumulate in the separator.

The Terminal Supervisor shall estimate the amount of sludge contained in the separator and take appropriate steps to remove and dispose of the sludge, in accordance with all applicable laws and regulations.

22. Vanity Fair Oil/Water Separator

a. Monitoring and Recordkeeping

Listed below are monitoring and recordkeeping requirements for the Vanity Fair Separator:

1. The separator shall be visually checked at least five (5) days a week to determine its water level and to observe the condition of the free-floating petroleum hydrocarbons.

2. Sludge build-up in the separator shall be monitored by taking measurements on a monthly basis at the inlet compartment. Downstream compartments will be checked as sludge builds up in the upstream compartments. The results of the measurements will be recorded.

b. Skimming Operation

Skimming petroleum residue shall be done on an as required basis. Floating petroleum residue will be skimmed frequently enough so it will be contained in the first compartment. All petroleum hydrocarbons skimmed from the separator will be disposed of in accordance with all applicable laws and regulations.

c. Sludge Removal

The Terminal Supervisor will evaluate the amount of the sludge build-up and determine the need for cleaning and removal once a month. Under no conditions shall sludge be allowed to build up in compartments two (2) and three (3) that would result in exceeding the RIPDES limits of the system.

23. Lagoons and Outfall

a. Monitoring and Recordkeeping

1. The two (2) lagoons shall be visually checked at least once per month to determine if any floating hydrocarbons have reached the lagoons, or if any other unusual conditions exist. Special attention shall be paid to the outfall, weir and measurement equipment. The operator will note the date, time, and other relevant facts. Any indication of floating hydrocarbons on either lagoon will be reported to the Terminal Supervisor.

2. While the pump at the Main Tank Farm Separator is running, the operator shall periodically visually inspect the water passing through the weir and outfall.

3. Calibration of the weir flow measurement shall be made once each calendar year and in no event longer than thirteen (13) months after the prior calibration. Documentation shall be kept at the Terminal Office.

B. STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS

1. A Storm Water Pollution Prevention Plan (SWPPP) shall be maintained and implemented by the permittee. The SWPPP shall be prepared in accordance with good engineering practices and identify potential sources of pollutants, which may reasonably be expected to affect the quality of storm water discharges from the facility. In addition, the Plan shall describe and ensure the implementation of Best Management Practices (BMPs) which are to be used to reduce or eliminate the pollutants in storm water discharges at the facility and to assure compliance with the terms and conditions of this permit.

2. A SWPPP for the East Providence Terminal, dated July 19, 1996, (Revised April 21, 2006) has been developed, maintained, and implemented by the permittee. Within 30 days of the effective date of this permit the permittee shall amend its existing SWPPP to describe the implementation of Best Management Practices that the facility will use to manage ethanol, to prevent exposure to precipitation, manage contaminated run-off, and prevent leaks, drips and spills.

3. The Plan shall be signed by the permittee in accordance with RIPDES Rule 12 and retained on-site for at least five (5) years. The Plan shall be made available upon request to the Director.

4. If the Plan is reviewed by the Director, he or she may notify the permittee at any time that the Plan does not meet one or more of the minimum requirements of this part. After such notification from the Director, the permittee shall make changes to the Plan and shall submit to the Director a written certification that the requested changes have been made. Unless otherwise provided by the Director, the permittee shall have thirty (30) days after such notification to make the necessary changes.

5. The permittee shall amend the Plan, as soon as practicable, whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the waters of the State; a release of reportable quantities of hazardous substances and oil; or if the SWPPP proves to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. Amendments to the Plan may be reviewed by DEM in the same manner as Part B.4. of this permit.

6. The SWPPP shall include, at a minimum, the following items:

   a. Description of Potential Pollutant Sources. The Plan must provide a description of potential sources which may be reasonably expected to add significant amounts of pollutants to storm water discharges or that may result in unauthorized spills or releases to the environment. It must identify all activities and significant materials, which may potentially be significant pollutant sources.

      Each plan shall include:

      (1) A site plan diagram and a site drainage plan, as defined by Appendix F to 40 CFR 112; including the location of vehicle and equipment maintenance and/or cleaning areas;

      (2) A narrative description of significant materials that have been treated, stored, or disposed of in a manner to allow exposure to storm water between the time of three (3) years prior to the issuance of this permit to the present; method of on-site storage or disposal; materials management practices employed to minimize contact of these materials with storm water runoff between the time of three (3) years prior to the issuance of this permit and the present; materials loading and access areas; the location and description of existing structural and

nonstructural control measures to reduce pollutants in storm water runoff; and description of any treatment the storm water receives;

(3) A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at the facility three (3) years prior to the effective date of this permit to the present;

(4) For each area of the facility that generates storm water discharges with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow and an estimate of the types of pollutants, which are likely to be present in the storm water.

b. Storm Water Management Controls. The permittee must develop a description of storm water management controls appropriate for the facility and implement such controls. The appropriateness for implementing controls listed in the Plan must reflect identified potential sources of pollutants at the facility. The description of storm water management controls must address the following minimum components, including a schedule for implementing such controls:

(1) *Pollution Prevention Team.* The Plan must identify specific individual(s) within the facility organization as members of a team that are responsible for developing the Plan and assisting the plant manager in its implementation, maintenance, and revision. The Plan must clearly identify the responsibilities of each team member. The activities and responsibilities of the team must address all aspects of the facility's Plan.

(2) *Risk Identification and Assessment/Material Inventory.* The Plan must assess the potential of various sources which contribute pollutants to storm water. The Plan must include an inventory of the types of materials handled. Each of the following must be evaluated for the reasonable potential for contributing pollutants to runoff: loading and unloading operations, areas of soil and groundwater contamination, significant dust or particulate generating processes, and on-site waste disposal practices. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced, or discharged; the likelihood of contact with storm water, and the history of significant leaks or spills.

(3) *Preventative Maintenance.* A preventative maintenance program must involve inspection and maintenance of storm water management devices (i.e., catch basins) as well as inspecting and testing terminal equipment and systems to uncover conditions that could cause breakdown or failures resulting in discharges of pollutants to surface waters. Parts I.A. 21, 22 and 23 satisfactorily address this requirement for the oil/water separators and treatment lagoons.

(4) *Good Housekeeping.* Good housekeeping requires the maintenance of a clean, orderly facility.

(5) *Spill Prevention and Response Procedure.* For each area identified in Part I.B.6.a.(3), the potential for spills to enter the storm water drainage system must be eliminated wherever feasible. Where appropriate, specific material handling procedures, storage requirements, and procedures for cleaning up spills must be identified in the Plan and made available to the appropriate personnel. The necessary equipment to implement a clean-up must also be made available to personnel. The permittee shall immediately notify the Office of releases in excess of reportable quantities to Waters of the State.

(6) *Storm Water Management.* The Plan must contain a narrative consideration of the appropriateness of traditional storm water management practices. Based on an assessment of the potential of various sources at the plant to contribute pollutants to storm water discharges (see Part B.6.b.(2) of this permit), the Plan must provide that measures, determined to be reasonable and appropriate, must be implemented and maintained.

(7) *Sediment and Erosion Prevention.* The Plan must identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion and identify measures to limit erosion.

(8) *Employee Training.* Employee training programs must inform personnel responsible for implementing activities identified in the Plan, or otherwise responsible for storm water management at all levels, of the components and goals of the Plan. Training should address topics such as spill response, good housekeeping, and material management practices. The Plan must identify periodic dates for such training.

(9) *Visual Inspections.* Qualified plant personnel must be identified to inspect designated equipment and plant areas. Material handling areas must be inspected for evidence of, or the potential for, pollutants entering the drainage system. A tracking or follow up procedure must be used to ensure that the appropriate action has been taken in response to the inspection. Records of inspections must be maintained on site for at least five (5) years.

(10) *Recordkeeping and Internal Reporting Procedures.* Incidents such as spills, or other discharges, along with other information describing the quality and quantity of storm water discharges must be included in the records. All inspections and maintenance activities must be documented and maintained on site for at least five (5) years.

c. Site Inspection. An annual site inspection must be conducted by appropriate personnel to verify that the description of potential pollutant sources required under Part B.6.a. is accurate, that the drainage plan has been updated or otherwise modified to reflect current conditions, and controls to reduce pollutants in storm water discharges identified in the Plan are being implemented and are adequate. A tracking or follow up procedure must be used to ensure that the appropriate action has been taken in response to the inspection. Records documenting significant observations made during the site inspection must be retained as part of the SWPPP for a minimum of five (5) years.

d. Consistency with Other Plans. Storm water management controls may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the CWA or Best Management Practices (BMP) Programs otherwise required by a RIPDES permit and may incorporate any part of such plans into the SWPPP by reference.

C. DETECTION LIMITS

The permittee shall assure that all testing required by this permit, is performed in conformance with the method detection limits listed below. In accordance with 40 CFR Part 136, EPA approved analysis techniques, quality assurance procedures and quality control procedures shall be followed for all reports required to be submitted under the RIPDES program. These procedures are described in "Methods for the Determination of Metals in Environmental Samples" (EPA/600/4-91/010) and "Methods for Chemical Analysis of Water and Wastes" (EPA/600/4-79/020).

The report entitled "Methods for the Determination of Metals in Environmental Samples" includes a test which must be performed in order to determine if matrix interferences are present, and a series of tests to enable reporting of sample results when interferences are identified. Each step of the series of tests becomes increasingly complex, concluding with the complete Method of Standard Additions analysis. The analysis need not continue once a result which meets the applicable quality control requirements has been obtained. Documentation of all steps conducted to identify and account for matrix interferences shall be submitted along with the monitoring reports.

If, after conducting the complete Method of Standard Additions analysis, the laboratory is unable to determine a valid result, the laboratory shall report "could not be analyzed." Documentation supporting this claim shall be submitted along with the monitoring report. If valid analytical results are repeatedly unobtainable, DEM may require that the permittee determine a method detection limit (MDL) for their effluent or sludge as outlined in 40 CFR Part 136, Appendix B.

Therefore, all sample results shall be reported as: an actual value, "could not be analyzed", less than the reagent water MDL, or less than an effluent or sludge specific MDL. The effluent or sludge specific MDL must be calculated using the methods outlined in 40 CFR Part 136, Appendix B. Samples which have been diluted to ensure that the sample concentration will be within the linear dynamic range shall not be diluted to the extent that the analyte is not detected. If this should occur the analysis shall be repeated using a lower degree of dilution.

When calculating sample averages for reporting on discharge monitoring reports (DMRs):

1. "could not be analyzed" data shall be excluded, and shall not be considered as failure to comply with the permit sampling requirements;

2. results reported as less than the MDL shall be included as values equal to the MDL, and the average shall be reported as "less than" the calculated value.

For compliance purposes, DEM will replace all data reported as less than the MDL with zeroes, provided that DEM determines that all appropriate EPA approved methods were followed. If the recalculated average exceeds the permit limitation it will be considered a violation.

LIST OF TOXIC POLLUTANTS

The following list of toxic pollutants has been designated pursuant to Section 307(a)(1) of the Clean Water Act. The Method Detection limits (MDLs) represent the required Rhode Island MDLs.

Volatiles		MDL ug/l (ppb)
1V	acrolein	10.0
2V	acrylonitrile	5.0
3V	benzene	1.0
5V	bromoform	1.0
6V	carbon tetrachloride	1.0
7V	chlorobenzene	1.0
8V	chlorodibromomethane	1.0
9V	chloroethane	1.0
10V	2-chloroethylvinyl ether	5.0
11V	chloroform	1.0
12V	dichlorobromomethane	1.0
14V	1,1-dichloroethane	1.0
15V	1,2-dichloroethane	1.0
16V	1,1-dichloroethylene	1.0
17V	1,2-dichloropropane	1.0
18V	1,3-dichloropropylene	1.0
19V	ethylbenzene	1.0
20V	methyl bromide	1.0
21V	methyl chloride	1.0
22V	methylene chloride	1.0
23V	1,1,2,2-tetrachloroethane	1.0
24V	tetrachloroethylene	1.0
25V	toluene	1.0
26V	1,2-trans-dichloroethylene	1.0
27V	1,1,1-trichloroethane	1.0
28V	1,1,2-trichloroethane	1.0
29V	trichloroethylene	1.0
31V	vinyl chloride	1.0

Acid Compounds		MDL ug/l (ppb)
1A	2-chlorophenol	1.0
2A	2,4-dichlorophenol	1.0
3A	2,4-dimethylphenol	1.0
4A	4,6-dinitro-o-cresol	1.0
5A	2,4-dinitrophenol	2.0
6A	2-nitrophenol	1.0
7A	4-nitrophenol	1.0
8A	p-chloro-m-cresol	2.0
9A	pentachlorophenol	1.0
10A	phenol	1.0
11A	2,4,6-trichlorophenol	1.0

Pesticides		MDL ug/l (ppb)
1P	aldrin	0.059
2P	alpha-BHC	0.058
3P	beta-BHC	0.043
4P	gamma-BHC	0.048
5P	delta-BHC	0.034
6P	chlordane	0.211
7P	4,4 ' -DDT	0.251
8P	4,4 ' -DDE	0.049
9P	4,4 ' -DDD	0.139
10P	dieldrin	0.082
11P	alpha-endosulfan	0.031
12P	beta-endosulfan	0.036
13P	endosulfan sulfate	0.109
14P	endrin	0.050
15P	endrin aldehyde	0.062
16P	heptachlor	0.029
17P	heptachlor epoxide	0.040

Pesticides		MDL ug/l (ppb)
18P	PCB-1242	0.289
19P	PCB-1254	0.298
20P	PCB-1221	0.723
21P	PCB-1232	0.387
22P	PCB-1248	0.283
23P	PCB-1260	0.222
24P	PCB-1016	0.494
25P	toxaphene	1.670

Base/Neutral		MDL ug/l (ppb)
1B	acenaphthene*	1.0
2B	acenaphthylene*	1.0
3B	anthracene*	1.0
4B	benzidine	4.0
5B	benzo(a)anthracene*	0.013
6B	benzo(a)pyrene*	0.023
7B	3,4-benzofluoranthene*	0.018
8B	benzo(ghi)perylene*	2.0
9B	benzo(k)fluoranthene*	0.017
10B	bis(2-chloroethoxy)methane	2.0
11B	bis(2-chloroethyl)ether	1.0
12B	bis(2-chloroisopropyl)ether	1.0
13B	bis(2-ethylhexyl)phthalate	1.0
14B	4-bromophenyl phenyl ether	1.0
15B	butylbenzyl phthalate	1.0
16B	2-chloronaphthalene	1.0
17B	4-chlorophenyl phenyl ether	1.0
18B	chrysene*	0.15
19B	dibenzo (a,h)anthracene*	0.03
20B	1,2-dichlorobenzene	1.0
21B	1,3-dichlorobenzene	1.0
22B	1,4-dichlorobenzene	1.0
23B	3,3 ' -dichlorobenzidine	2.0
24B	diethyl phthalate	1.0
25B	dimethyl phthalate	1.0
26B	di-n-butyl phthalate	1.0
27B	2,4-dinitrotoluene	2.0
28B	2,6-dinitrotoluene	2.0
29B	di-n-octyl phthalate	1.0
30B	1,2-diphenylhydrazine (as azobenzene)	1.0
31B	fluoranthene*	1.0
32B	fluorene*	1.0
33B	hexachlorobenzene	1.0
34B	hexachlorobutadiene	1.0
35B	hexachlorocyclopentadiene	2.0
36B	hexachloroethane	1.0
37B	indeno(1,2,3-cd)pyrene*	0.043
38B	isophorone	1.0
39B	naphthalene*	1.0
40B	nitrobenzene	1.0
41B	N-nitrosodimethylamine	1.0
42B	N-nitrosodi-n-propylamine	1.0
43B	N-nitrosodiphenylamine	1.0
44B	phenanthrene*	1.0
45B	pyrene*	1.0
46B	1,2,4-trichlorobenzene	1.0

OTHER TOXIC POLLUTANTS

	MDL ug/l (ppb)
Antimony, Total[1]	3.0
Arsenic, Total[1]	1.0
Beryllium, Total[1]	0.2
Cadmium, Total[1]	0.1
Chromium, Total[1]	1.0
Chromium, Hexavalent***	20.0
Copper, Total[1]	1.0
Lead, Total[1]	1.0
Mercury, Total[1]	0.2
Nickel, Total[1]	1.0
Selenium, Total[1]	2.0
Silver, Total[1]	0.5
Thallium, Total[1]	1.0
Zinc, Total[1]	5.0
Asbestos	**
Cyanide, Total	10.0
Phenols, Total***	50.0
TCDD	**
MTBE (Methyl Tert Butyl Ether)	1.0
Total Xylene	0.5
Ethanol	2.0 mg/l

*Polynuclear Aromatic Hydrocarbons
**No Rhode Island Department of Environmental Management (RIDEM) MDL
***Not a priority pollutant as designated in the 1997 Water Quality Regulations (Table 5)

NOTE:

All MDLs have been established in accordance with the definition of "Detection Limits" in the RIDEM Water Quality Regulations for Water Pollution Control. Unless otherwise noted the MDLs have been determined in reagent water by the Rhode Island Department of Health, Division of Laboratories. The MDL for a given analyte may vary with the type of sample. MDLs which are determined in reagent water may be lower than those determined in wastewater due to fewer matrix interferences. Wastewater is variable in composition and may therefore contain substances (interferents) that could affect MDLs for some analytes of interest. Variability in instrument performance can also lead to inconsistencies in determinations of MDLs.

[1]Method detection limits for these metals were determined by the USEPA. They are not contrived values and should be obtainable with any satisfactory atomic absorption spectrophotometer. To insure valid data the analyst must analyze for matrix interference effects and if detected treat accordingly using either successive dilution matrix modification of Standard Additions (Methods for Chemical Analysis of Water and Wastes EPA-600/4-79/020).

To help verify the absence of matrix or chemical interference the analyst is required to complete specific quality control procedures. For the metals analyses listed above the analyst must withdraw from the sample two equal aliquots; to one aliquot add a known amount of analyte, and then dilute both to the same volume and analyze. The unspiked aliquot multiplied by the dilution factor should be compared to the original. Agreement of the results within 10% indicates the absence of interference. Comparison of the actual signal from the spiked aliquot to the expected response from the analyte in an aqueous standard should help confirm the finding from the dilution analysis. (Methods for Chemical Analysis of Water and Wastes EPA-600/4-79/020).

For Methods 624 and 625 the laboratory must on an ongoing basis, spike at least 5% of the samples from each sample site being monitored. For laboratories analyzing 1 to 20 samples per month, at least one spiked sample per month is required. The spike should be at the discharge permit limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger. (40 CFR Part 136 Appendix B Method 624 and 625 subparts 8.3.1 and 8.3.11).

D. MONITORING AND REPORTING

1. Monitoring

   All monitoring required by this permit shall be done in accordance with sampling and analytical testing procedures specified in Federal Regulations (40 CFR Part 136), except as noted in the permit, or approved in writing by the Department.

2. Reporting

   Monitoring results obtained during the previous month shall be summarized and reported on Discharge Monitoring Report (DMR) Forms, postmarked no later than the 15th day of the month following the completed reporting period. A copy of the analytical laboratory report, specifying analytical methods used, shall be included with each report submission. The first report is due on January 15, 2009. Signed copies of these, and all other reports required herein, shall be submitted to:

Annie McFarland
Electronic Computer Operator
Office of Water Resources
Rhode Island Department of Environmental Management
235 Promenade Street
Providence, Rhode Island 02908

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

FACT SHEET

RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM (RIPDES) PERMIT TO DISCHARGE TO WATERS OF THE STATE

RIPDES PERMIT NO. **RI0001333**

NAME AND ADDRESS OF APPLICANT:

ExxonMobil Oil Corporation
3225 Gallows Road
Fairfax, Virginia 22037

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

ExxonMobil Oil Corporation- East Providence Terminal
1001 Wampanoag Trail
East Providence, Rhode Island 02915

RECEIVING WATER:

Providence River

CLASSIFICATION: **SB1{a}**

I. Proposed Action, Type of Facility, and Discharge Location

The above-named applicant has applied to the Rhode Island Department of Environmental Management for reissuance of a RIPDES Permit to discharge into the designated receiving water. The facility is engaged in the storage and distribution of refined petroleum products.

II. Description of Discharge

A quantitative description of the discharges from the treatment lagoons in terms of significant effluent parameters based on Discharge Monitoring Report Data for the past five (5) years is shown in Attachments A-1, A-2, A-3, and A-4.

III. Permit Limitations and Conditions

The final effluent limitations and monitoring requirements may be found in the draft permit.

IV. Permit Basis and Explanation of Effluent Limitation Derivation

ExxonMobil Oil Corporation owns and operates the ExxonMobil Oil Corporation-East Providence Terminal located at 1001 Wampanoag Trail, East Providence, Rhode Island. Refined petroleum products (three (3) grades of gasoline, No. 2 fuel, diesel and ethanol) are transported to the facility by marine tankers or barges and off-loaded to storage tanks. Deliveries are then made to either the pipeline, truck rack or back to the docks for loading to tankers and/or barges.

The East Providence Terminal is also the site of an active remediation project due to the presence of a contaminated plume of non-aqueous phase product. Remedial activity consists of the installation of a series of extraction wells located around the perimeter of the Terminal property, termed the Perimeter Containment System (PCS). RIDEM issued Order of Approval SROA 95-024 for the PCS system. The goal of the PCS is to artificially alter the flow patterns of groundwater by pumping at high rates in order to prevent further off-site migration of pollutants. The contaminated groundwater is then pumped to an on-site groundwater treatment system and discharged to the Providence River via the existing storm water drainage system. The treatment system consists of the following: metals treatment, air-stripping, and granular activated carbon absorption. See Attachment A-5 for a detailed flow schematic of the system.

The permit authorizes the discharge from six (6) outfalls: Outfall 001A, Outfall 100A, Outfall 200A, Outfall 300A, Outfall 400A and Outfall 500A. The discharge from Outfall 001A consists of storm water, hydrostatic test water, groundwater infiltration/inflow, treated effluent from the PCS groundwater treatment system, treated effluent from Tank 58 treatment system, and treated effluent from the Vanity Fair Cliffs Area Recovery treatment system. Storm water and groundwater infiltration/inflow is treated by one (1) of two (2) oil/water separators (Vanity Fair Separator or Main Tank Farm Separator) and two (2) settling lagoons in series. Infiltration/Inflow of contaminated groundwater into the storm water collection and treatment system shall be addressed by the permittee pursuant to Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases. The effluent from the PCS groundwater treatment system, the Tank 58 treatment system, and treated effluent from the Vanity Fair Cliffs Area Recovery treatment system is discharged downstream of the Main Tank Farm Oil/Water Separator and subsequently treated by the two (2) settling lagoons. See Attachment A-6 for a flow schematic for the entire terminal. The discharge from Outfall 100A consists entirely of treated effluent from the PCS groundwater treatment system. Outfall 100A is an internal wastestream associated with Outfall 001A and is defined as the effluent of the PCS groundwater treatment system (see Attachment A-5 for a detailed flow schematic of the system). The discharge from Outfall 200A consists of treated effluent from the Tank 58 treatment system (see Attachment A-7 for detailed flow schematic of the system). Outfall 200A is also an internal wastestream associated with Outfall 001A and is defined as the effluent of the Tank 58 treatment system. The Tank 58 system has been designed to treat wastewater pumped from Tank 58, which is used to store the following wastewaters generated on-site: tank bottom water, vessel ballast water, tank truck washwater, and storm water and washwater from the spill tank at the truck loading rack. This system may be abandoned in the future, if it is determined that the PCS system is adequately sized to accept this additional wastewater. This system has not had a discharge in several years, however, the permit includes appropriate limits so that ExxonMobil Oil Corporation can reactivate at any time the Tank 58 system should it become necessitated. The discharge from Outfall 300A consists of treated effluent from Vanity Fair Cliffs Area Recovery System (see Attachment A-8 for a detailed flow schematic of the system). Outfall 300A is an internal wastestream associated with Outfall 001A and is defined as the effluent of the Vanity Fair Cliffs Area Recovery System. The Vanity Fair Cliffs Area Recovery System was designed to minimize pollutant loadings to the Vanity Fair Area Oil/Water separator, minimize groundwater infiltration to the existing storm sewer system, and prevent free product seeping from the Vanity Fair Area Cliffs from contacting storm water (Remedial Action Work Plan for the Vanity Fair Cliffs Area Recovery System, April 16, 1998). The 'Feasibility Study for Flow to the Vanity Fair Area Oil/Water Separator' (Roux Associates, 1997) identified free product and impacted groundwater seepage areas at the base of the Vanity Fair Area Cliffs and the adjacent area to the south. Outfall 400A consists of stormwater from the product storage area at the main tank farm, office/ parking areas and hydrostatic test water. These waters are treated by the main oil/water separator. Outfall 400A is an internal wastestream associated with Outfall 001A and is defined as the effluent from the main oil/water separator. Outfall 500A consists of stormwater from the Vanity Fair Oil/Water Separator. Outfall 500A is an internal wastestream associated with Outfall 001A and is defined as the effluent from the Vanity Fair Oil/Water Separator.

The requirements set forth in this permit are from the Rhode Island Water Quality Regulations for Water Pollution Control and the Regulations for the Rhode Island Pollutant Discharge Elimination

System (RIPDES), both filed pursuant to RIGL Chapter 46-12 of the Rhode Island General Laws. RIDEM's primary authority over the permit is from EPA's delegation of the program in September 1984 under the Federal Clean Water Act (CWA).

For this permit, development of Rhode Island Pollutant Discharge Elimination System (RIPDES) permit limitations is a multi-step process consisting of the following steps: determining allowable technology-based discharge levels based on Best Professional Judgement (BPJ); calculating allowable water quality-based discharge levels based on water quality criteria, background data, and available dilution; and comparing previous permit limitations, technology-based and water quality-based allowable discharge levels to each other and selecting the most stringent as the allowable discharge level. Antibacksliding provisions in Section (d)(4) of the Clean Water Act and RIDEM Policy restrict the level of relaxation of water quality based limits from the previous permit.

The instream dilution factor was determined based on the results of computer modeling of the outfall, using the CORMIX model. CORMIX is a hydrodynamic simulation model that predicts dilution based on the following: effluent buoyancy, ambient density stratification, discharge velocity, and ambient receiving water velocity. It, however, yielded a dilution factor of 11.5:1 which exceeded the maximum allowable dilution factor for groundwater remediation projects (per RIDEM policy) of 10:1. Therefore, a dilution factor of 10:1 was used to establish the permit limits, assuring a significant margin of safety.

Outfall 001A: Effluent limitations for Outfall 001A have been established for total suspended solids (TSS) and oil and grease. The effluent limitations for TSS are 33 mg/l and 21 mg/l for maximum daily and average monthly, respectively. TSS has been limited to account for the potential for petroleum hydrocarbons to adsorb or absorb to particulates and be transported with the suspended material. These limits are based on storm water runoff guidelines for petroleum refining facilities (50 Federal Register 28516, July 12, 1985). Although bulk petroleum storage terminals are not refineries, the guidelines do serve as guidance to available technology for the petroleum refining and handling industry. Based on Best Professional Judgement (BPJ), the permit establishes effluent limitations for TSS in accordance with these guidelines. The Draft Permit limit for oil and grease for Outfall 001A remains unchanged at 15 mg/l, for the maximum daily value. The effluent limitation for oil and grease is a technology-based limit based on American Petroleum Institute (API) oil/water separator guidelines. The ExxonMobil Oil Corporation has demonstrated its ability to meet the oil and grease permit condition in the current permit as shown in the summary of the discharge monitoring data submitted during the time period of September 2002 to August 2007. The effluent limitations for pH are based on the water quality criteria for saltwater established in the State's Water Quality Regulations. Evaluation of the effluent sampling data has consistently demonstrated acceptable C-NOEC values for Arbacia Punctulata. Therefore, based on past toxicity results permit limits have not been included in the permit.

Ethanol is a fuel additive increasingly blended with gasoline to replace MTBE as the gasoline oxygenate. Ethanol has replaced MTBE as an additive in Rhode Island at most gasoline distribution facilities. Ethanol is a clear, colorless liquid, miscible with water and many organic solvents. The use of ethanol as a fuel additive could lead to exposures from water that has been contaminated with ethanol from leaking storage facilities or accidental spills. The requirement to monitor MTBE at outfall 001 was added to the permit to determine if there is inflow into the drainage system of MTBE from contaminated groundwater. Outfall 001A must be monitored for the following: benzene, toluene, ethylbenzene, total xylenes, MTBE and ethanol. These pollutants were chosen because they are indicators used to characterize contamination from petroleum hydrocarbons and gasoline.

Outfalls 100A, 200A and 300A: Effluent limitations for Outfalls 100A, 200A and 300A were established for benzene, toluene, ethylbenzene, total xylenes, total BTEX, total iron, and sixteen polynuclear aromatic hydrocarbons (PAHs) to monitor the effectiveness of the PCS groundwater treatment system, the Tank 58 treatment system and the Vanity Fair Cliffs Area Recovery System.

The limits for benzene, toluene, ethylbenzene, total xylenes, acenaphthene, acenaphthylene, anthracene, benzo (ghi) perylene, fluoranthene, fluorene, naphthalene, phenanthrene, and pyrene are the same as the previous permit in accordance with antibacksliding provisions. The limits for the seven (7) Polycyclic Aromatic Hydrocarbons (PAHs), which include benzo (a) anthracene, benzo (a) pyrene, benzo (b) fluoranthene, benzo (k) fluoranthene, chrysene, dibenzo (a,h) anthracene, and indeno (1,2,3 – cd) pyrene, were calculated based on the human health non-class A criteria from the Rhode Island Water Quality Regulations using an allocation factor of 80% and a dilution factor of 10 in accordance with the following equation: Limit =(dilution factor)(80%)(water quality criteria). The allocation of 80% is consistent with the DEM policy for assigning water quality-based limits when background data is not available for a given pollutant.There are no water quality criteria or technology based limits for iron.

A potential contaminant of concern found in gasoline is methyl tertiary -butyl ether (MTBE). MTBE is a synthetic compound used as a blending component in gasoline. Since 1979 it has been used at low levels in gasoline to enhance octane levels and in some gasoline since 1992 to fulfill the oxygenate requirements established by the 1990 Clean Air Act Amendments. Due to its small molecular size and solubility in water, MTBE moves rapidly into the ground water, faster than do other constituents of gasoline. Since the terminal no longer stores or dispenses MTBE on site, DEM anticipates that storm water alone will not contain MTBE. However, historic groundwater samples from monitoring wells on the property indicate elevated levels of MTBE in the groundwater. Since the PCS (outfall 100A) and Vanity Fair Cliffs area (outfall 300A) systems operate as groundwater treatment systems, removing residual contamination from the site, these discharges may contain MTBE. Monitoring reports from gasoline remediation sites demonstrate that using best available technology (e.g. air stripping and/ or carbon absorption) a MTBE limit of 70ug/l can be consistently met by a properly designed and maintained treatment system. Therefore, the DEM has established a technology-based effluent limit for MTBE of 70 ug/l for Outfalls 100A and 300A in the Draft Permit. In addition, since the Tank 58 area (outfall 200A) has the potential to receive ethanol, ethanol monitoring has been included for this outfall.

Outfalls 400A and 500A: Outfalls 400A and 500A must be monitored for the following: TSS, oil and grease, benzene, toluene, ethylbenzene, (ethanol 400A) and total xylenes. These pollutants were chosen because they are indicators used to characterize contamination from petroleum hydrocarbons, which may be present in the stormwater from these areas. Ethanol monitoring for Outfall 400A has been included in the permit since ethanol is stored in the main tank farm area and therefore, stormwater that is discharged through Outfall 400A may contain ethanol.

Hydrostatic Test Water: To ensure safe working conditions during maintenance work periods; storage vessels (welding, new tank floors, e.g.) and/or pipe networks are rigorously cleaned (e.g. "poly brushed", "squeegee pigged") and certified as being "gas free". The vessels and/or pipe networks are then hydrostatically tested after the maintenance work is completed. Thus, hydrostatic test water discharge should contain only minimal amounts of foreign matter and/or trace amounts of hydrocarbons. As a precaution, however, the hydrostatic test water shall go through the oil/water separator (effluent) in a controlled manner to prevent exceedance of the maximum design flow rate of the separator thereby reducing any potential carryover of oil into the receiving waters.

The permittee shall notify the Office of Water Resources at least twenty-four (24) hours prior to the commencement of any proposed hydrostatic-test water discharges. Prior to testing, the interior of the tank(s) and/or piping being tested shall be cleaned and certified to be free of petroleum product. There shall be no discharge of tank and/or pipe cleaning residual/debris to either of the oil/water separators or holding ponds.

The hydrostatic test water released from the tank(s), after treatment through the oil/water separator and lagoons, must satisfy all the effluent limitations and conditions of the permit. The surface of the oil/water separator should be routinely observed to determine if there is any detectable increase in the separated oil layer to prevent inadvertent hydrocarbon release to the

receiving water(s). A logbook shall be kept to document the start and end of each hydrostatic test, the total flow discharged and all monitoring data.

Should any RIPDES permit discharge parameter be exceeded, the hydrostatic test water transfer shall be halted immediately followed by notification to the DEM of the exceedence.

On July 19, 1996 a Storm Water Pollution Prevention Plan (SWPPP) was completed for the Mobil Oil Corporation/East Providence Terminal by Roux Associates, Inc. The goal of the SWPPP revised on April 21, 2006 is to help identify the sources of pollutants in the discharge of storm water and to ensure practices are being implemented to minimize pollutants from entering the storm water. The Plan emphasizes the use of Best Management Practices (BMPs) to provide the necessary flexibility to address different sources of pollutants at the facility. The SWPPP shall be retained on-site for the duration of the authorization under this permit. This information must be made available to RIDEM upon request. The permit also outlines specific procedures to be followed for the proper operation and maintenance of the two (2) oil/water separators at the Main Tank Farm and Vanity Fair areas of the East Providence Terminal.

The remaining general and specific conditions of the permit are based on the RIPDES Regulations as well as 40 CFR 423. They consist primarily of management requirements common to all permits.

V. Comment Period, Hearing Requests, and Procedures for Final Decisions

All persons, including applicants, who believe any condition of the draft permit is inappropriate must raise all issues and submit all available arguments and all supporting material for their arguments in full by the close of the public comment period, to the Rhode Island Department of Environmental Management, Office of Water Resources, 235 Promenade Street, Providence, Rhode Island, 02908-5767. Any person, prior to such date, may submit a request in writing for a public hearing to consider the draft permit to the Rhode Island Department of Environmental Management. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public hearing may be held after at least thirty (30) days public notice whenever the Director finds that response to this notice indicates significant public interest. In reaching a final decision on the draft permit the Director will respond to all significant comments and make these responses available to the public at DEM's Providence Office.

Following the close of the comment period, and after a public hearing, the Director will issue a final permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice. Within thirty (30) days following the notice of the final permit decision any interested person may submit a request for a formal hearing to reconsider or contest the final decision. Requests for formal hearings must satisfy the requirements of Rule 49 of the Regulations for the Rhode Island Pollutant Discharge Elimination System (16 July 1984).

VI. **DEM Contact**

Additional information concerning the permit may be obtained between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, excluding holidays from:

Joseph Camara, Sanitary Engineer
Department of Environmental Management
Office of Water Resources
235 Promenade Street
Providence, Rhode Island 02908
Telephone: (401) 222-6820

6/17/08
Date

Eric A. Beck, P.E.
Supervising Sanitary Engineer
RIPDES Program
Office of Water Resources
Department of Environmental Management

ATTACHMENT A-1

DISCHARGE: 001A – Effluent from Treatment Lagoons

AVERAGE EFFLUENT CHARACTERISTICS AT POINT OF DISCHARGE:

PARAMETER	**AVERAGE[1]**	**MAXIMUM[2]**
FLOW (MGD)	1.19 MGD	1.19 MGD
TSS	4.95 mg/l	6.57 mg/l
Oil and Grease	5.29 mg/l	5.43 mg/l
pH	7.34 S.U. (Minimum)	7.73 S.U. (Maximum)
Benzene	1.0 µg/l	1.0 µg/l
Toluene	1.0 µg/l	1.0 µg/l
Ethylbenzene	1.0 µg/l	1.0 µg/l
Total Xylenes	2.19 µg/l	2.19 µg/l

[1]Data represents the mean of the monthly average data from September 2002 through August 2007.
[2]Data represents the mean of the daily maximum data from September 2002 through August 2007.

Biotoxicity Data C-NOEC Values (in percent effluent)

	2002 1st qtr.	**2002 2nd qtr.**	**2002 3rd qtr.**	**2002 4th qtr.**
Arbacia Punctulata	100	100	25	25

ATTACHMENT A-2

DISCHARGE: 100A– Effluent from PCS Groundwater Treatment System

AVERAGE EFFLUENT CHARACTERISTICS AT POINT OF DISCHARGE:

PARAMETER	AVERAGE[1]	MAXIMUM[2]
FLOW	143 GPM	217 GPM
Benzene	1.0 ug/l	1.0 ug/l
Toluene	1.0 ug/l	1.0 ug/l
Ethylbenzene	1.0 ug/l	1.0 ug/l
Total Xylenes	1.0 µg/l	1.0 µg/l
Total BTEX	5.12 µg/l	5.15 µg/l
MTBE	26.17 µg/l	30.17 µg/l
Total Iron	7026 µg/l	9613 µg/l
Acenaphthene	1.13 µg/l	1.15 µg/l
Acenaphtylene	1.68 µg/l	1.78 µg/l
Anthracene	0.70 µg/l	0.70 µg/l
Benzo (a) Anthracene	0.14 µg/l	0.15 µg/l
Benzo (a) Pyrene	0.10 µg/l	0.10 µg/l
Benzo (b) Fluoranthene	0.18 µg/l	0.22 µg/l
Benzo (ghi) Perylene	0.20 µg/l	0.20 µg/l
Benzo (k) Fluoranthene	0.14 µg/l	0.14 µg/l
Chrysene	0.10 µg/l	0.11 µg/l
Dibenzo (a,h) Anthracene	0.20 µg/l	0.20 µg/l
Fluoranthene	0.22 µg/l	0.24 µg/l
Fluorene	0.50 µg/l	0.51 µg/l
Indeno (1, 2, 3 – cd) Pyrene	0.20 µg/l	0.20 µg/l
Naphthalene	1.24 µg/l	1.48 µg/l
Phenanthrene	0.56 µg/l	0.62 µg/l
Pyrene	0.21 µg/l	0.23 µg/l

[1]Data represents the mean of the monthly average data from September 2002 through August 2007.
[2]Data represents the mean of the daily maximum data from September 2002 through August 2007.

ATTACHMENT A-3

DISCHARGE: 200A – Effluent from Tank 58 Treatment System

AVERAGE EFFLUENT CHARACTERISTICS AT POINT OF DISCHARGE:

PARAMETER	AVERAGE[1]	MAXIMUM[2]
FLOW	0.0 GPM	0.0 GPM
Benzene	0.0 ug/l	0.0 ug/l
Toluene	0.0 ug/l	0.0 ug/l
Ethylbenzene	0.0 ug/l	0.0 ug/l
Total Xylenes	0.0 µg/l	0.0 µg/l
Total BTEX	0.0 µg/l	0.0 µg/l
MTBE	0.0 µg/l	0.0 µg/l
Total Iron	0.0 µg/l	0.0 µg/l
Acenaphthene	0.0 µg/l	0.0 µg/l
Acenaphtylene	0.0 µg/l	0.0 µg/l
Anthracene	0.0 µg/l	0.0 µg/l
Benzo (a) Anthracene	0.0 µg/l	0.0 µg/l
Benzo (a) Pyrene	0.0 µg/l	0.0 µg/l
Benzo (b) Fluoranthene	0.0 µg/l	0.0 µg/l
Benzo (ghi) Perylene	0.0 µg/l	0.0 µg/l
Benzo (k) Fluoranthene	0.0 µg/l	0.0 µg/l
Chrysene	0.0 µg/l	0.0 µg/l
Dibenzo (a,h) Anthracene	0.0 µg/l	0.0 µg/l
Fluoranthene	0.0 µg/l	0.0 µg/l
Fluorene	0.0 µg/l	0.0 µg/l
Indeno (1, 2, 3 – cd) Pyrene	0.0 µg/l	0.0 µg/l
Naphthalene	0.0 µg/l	0.0 µg/l
Phenanthrene	0.0 µg/l	0.0 µg/l
Pyrene	0.0 µg/l	0.0 µg/l

[1]Data represents the mean of the monthly average data from September 2002 through August 2007.
[2]Data represents the mean of the daily maximum data from September 2002 through August 2007.

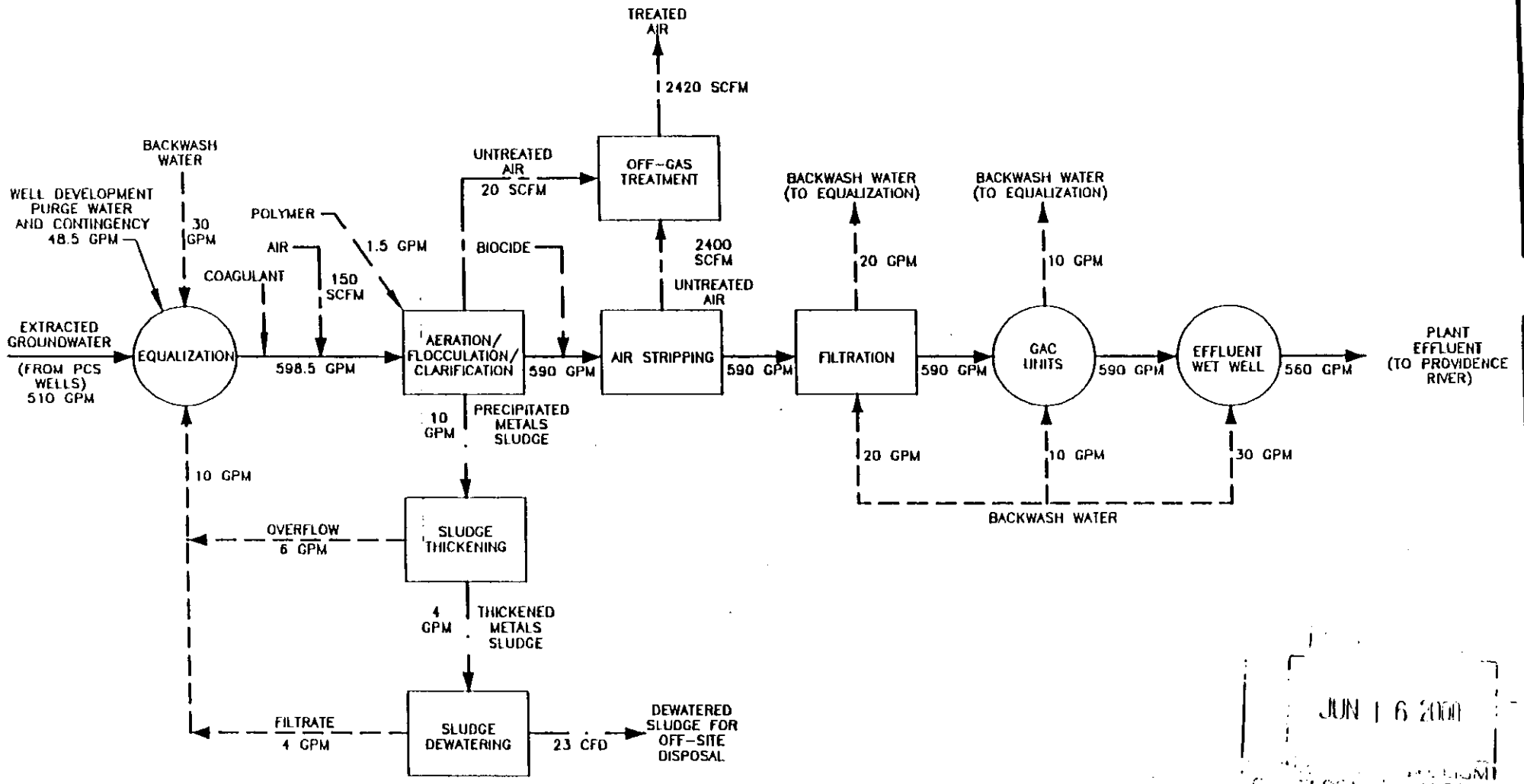
ATTACHMENT A-4

DISCHARGE: 300A – Effluent from Vanity Fair Cliffs Area Recovery/Treatment System

AVERAGE EFFLUENT CHARACTERISTICS AT POINT OF DISCHARGE:

PARAMETER	AVERAGE[1]	MAXIMUM[2]
FLOW	1.3 GPM	3.0 GPM
Benzene	1.0 ug/l	1.0 ug/l
Toluene	1.0 ug/l	1.0 ug/l
Ethylbenzene	1.0 ug/l	1.0 ug/l
Total Xylenes	2.29 µg/l	2.53 µg/l
Total BTEX	5.08 µg/l	5.18 µg/l
MTBE	1.79 µg/l	2.60 µg/l
Total Iron	1759 µg/l	2214 µg/l
Acenaphthene	1.0 µg/l	1.0 µg/l
Acenaphtylene	1.66 µg/l	1.75 µg/l
Anthracene	0.72 µg/l	0.76 µg/l
Benzo (a) Anthracene	0.14 µg/l	0.14 µg/l
Benzo (a) Pyrene	0.13 µg/l	0.13 µg/l
Benzo (b) Fluoranthene	0.16 µg/l	0.20 µg/l
Benzo (ghi) Perylene	0.20 µg/l	0.20 µg/l
Benzo (k) Fluoranthene	0.15 µg/l	0.15 µg/l
Chrysene	0.14 µg/l	0.15 µg/l
Dibenzo (a,h) Anthracene	0.20 µg/l	0.20 µg/l
Fluoranthene	0.22 µg/l	0.25 µg/l
Fluorene	0.50 µg/l	0.51 µg/l
Indeno (1, 2, 3 – cd) Pyrene	0.20 µg/l	0.20 µg/l
Naphthalene	1.06 µg/l	1.14 µg/l
Phenanthrene	0.56 µg/l	0.62 µg/l
Pyrene	0.24 µg/l	0.28 µg/l

[1]Data represents the mean of the monthly average data from September 2002 through August 2007.
[2]Data represents the mean of the daily maximum data from September 2002 through August 2007.



LEGEND

———	MAIN PROCESS FLOW	PCS	PERIMETER CONTAINMENT SYSTEM
——— · ———	SLUDGE FLOW	GAC	GRANULAR ACTIVATED CARBON
— — — — —	RECYCLE FLOW	GPM	GALLONS PER MINUTE
— — — — —	CHEMICAL FLOW	SCFM	STANDARD CUBIC FEET PER MINUTE
——— — ———	AIR FLOW	CFD	CUBIC FEET PER DAY

ATTACHMENT A-5

Title:

PROCESS FLOW SCHEMATIC METALS PRECIPITATION, AIR STRIPPING WITH OFF-GAS TREATMENT, FILTRATION AND GRANULAR ACTIVATED CARBON ADSORPTION

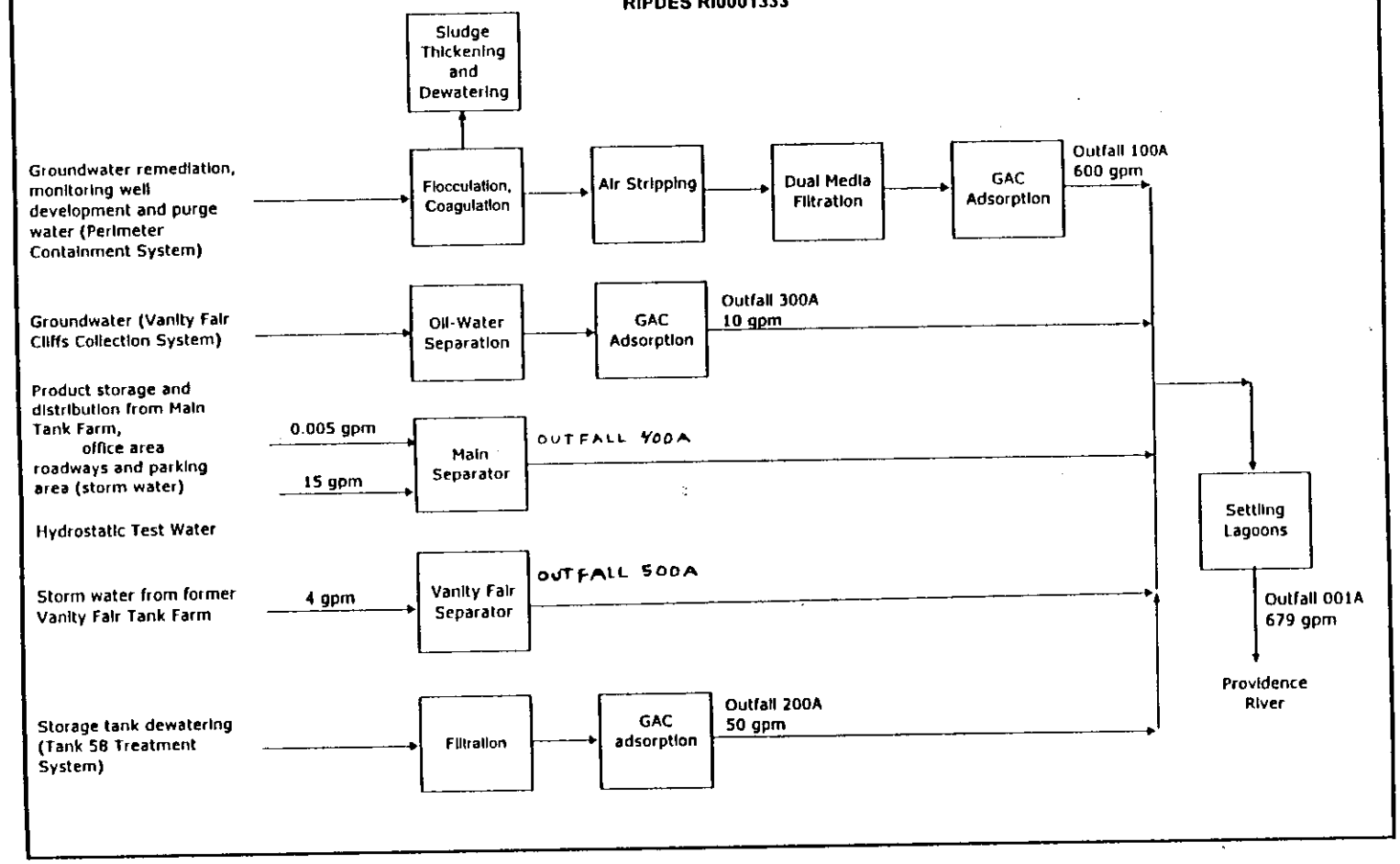
Prepared For: EXXON MOBIL CORPORATION

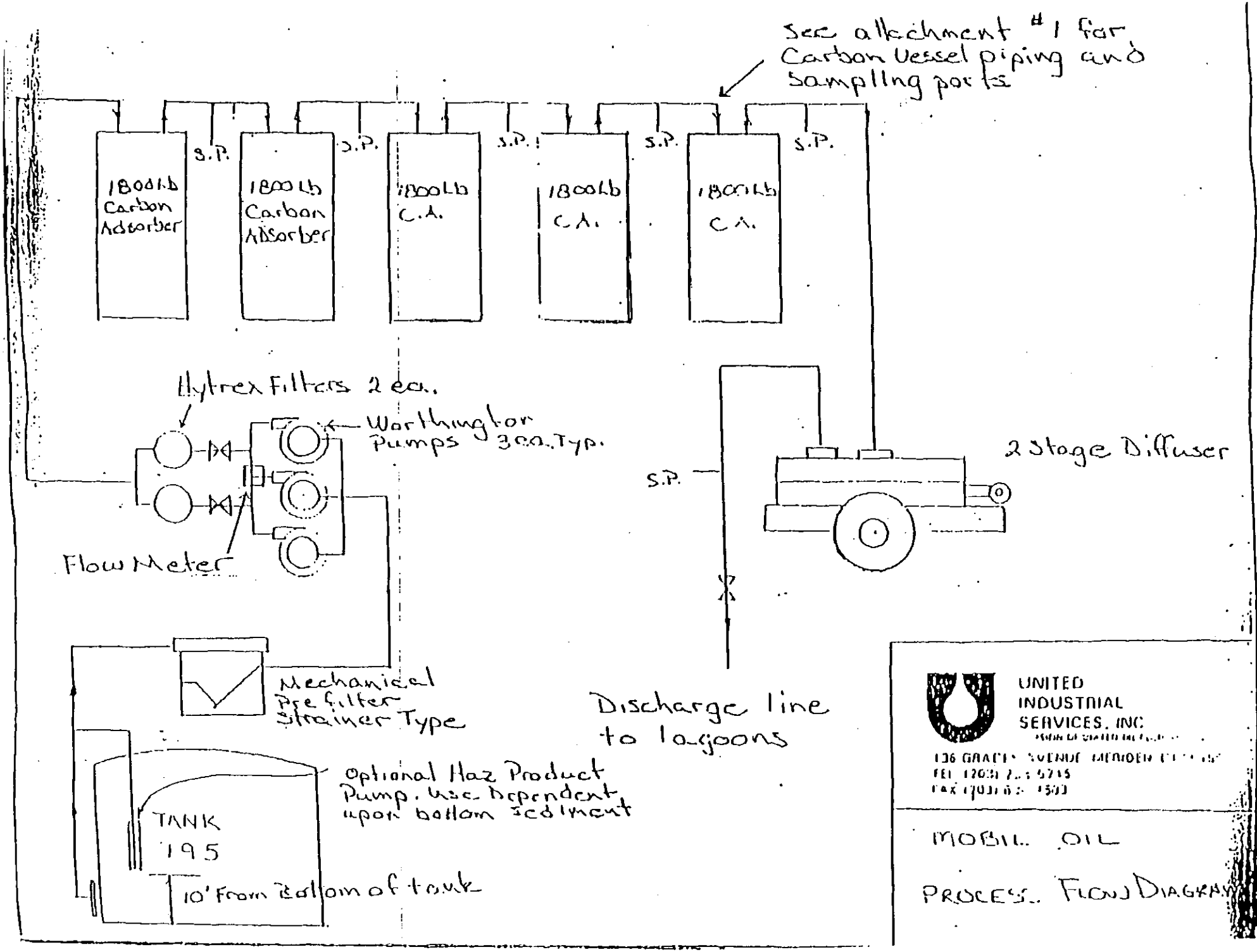
ROUX ASSOCIATES, INC. Environmental Consulting & Management

Compiled by: P.J.G.	Date: 12JUNE00	FIGURE
Prepared by: R.K.	Scale: NTS	
Project Mgr: P.J.G.	Office: NY	
File No: MC3613601	Project: 17236Y09	

ATTACHMENT A-6

ExxonMobil Oil Corporation - East Providence Terminal
Flow Diagram and Water Balance
RIPDES RI0001333

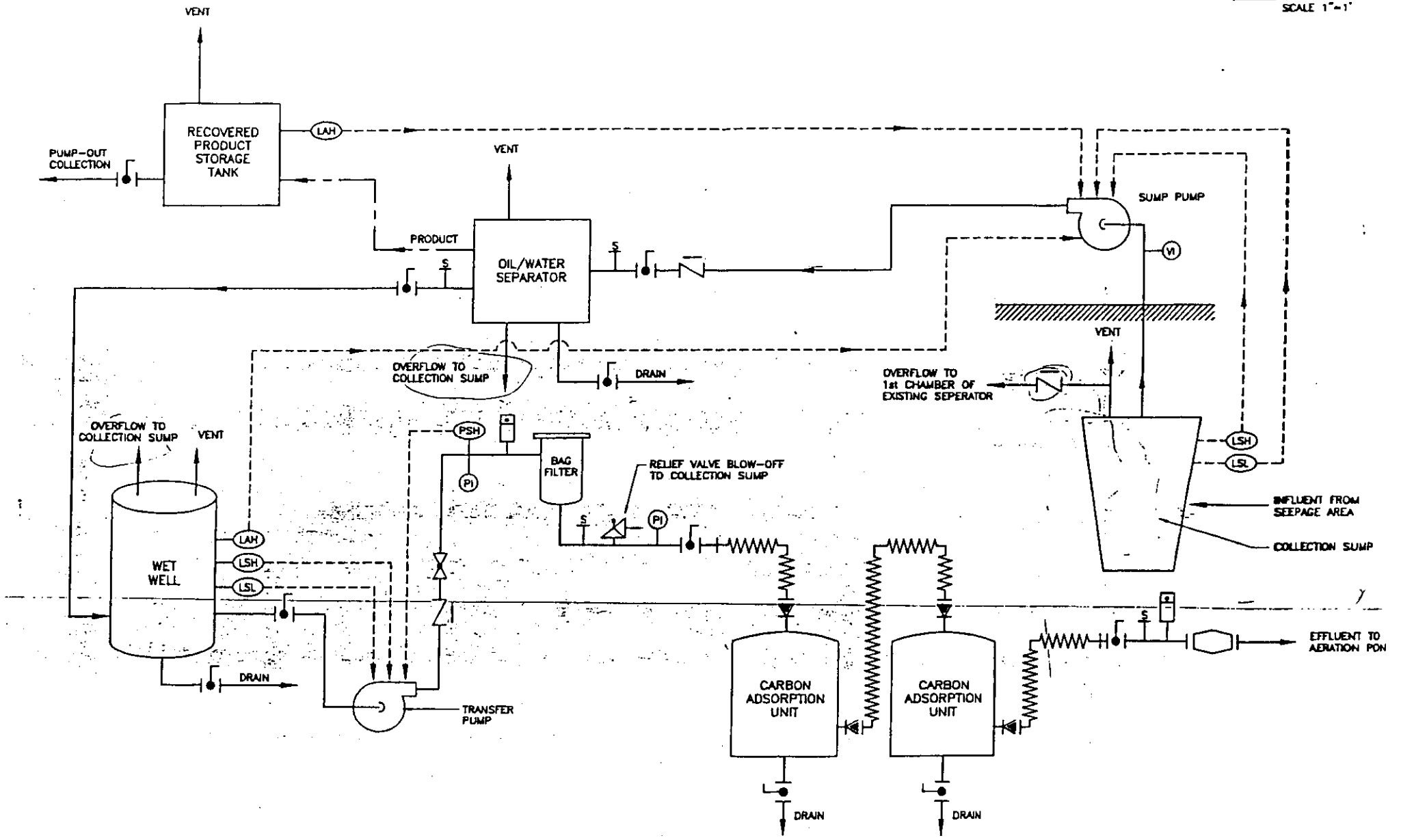




ATTACHMENT A-7

ATTACHMENT A-8

CLIFF RECOVERY TRENCH
CONNECTION PLAI
SCALE 1"=1'



PROCESS AND INSTRUMENTATION DIAGRAM

PART II
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GENERAL REQUIREMENTS

DEFINITIONS

GENERAL REQUIREMENTS

(a) Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of Chapter 46-12 of the Rhode Island General Laws and the Clean Water Act (CWA) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

(1) The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

(2) The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA is subject to a civil penalty not to exceed $10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307 or 308 of the Act is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment of not more than 1 year, or both.

(3) Chapter 46-12 of the Rhode Island General Laws provides that any person who violates a permit condition is subject to a civil penalty of not more than $5,000 per day of such violation. Any person who willfully or negligently violates a permit condition is subject to a criminal penalty of not more than $10,000 per day of such violation and imprisonment for not more than 30 days, or both. Any person who knowingly makes any false statement in connection with the permit is subject to a criminal penalty of not more than $5,000 for each instance of violation or by imprisonment for not more than 30 days, or both.

(b) Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The permittee shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Director. (The Director shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)

(c) Need to Halt or Reduce Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(d) Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

(e) Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures, and, where applicable, compliance with DEM "Rules and Regulations Pertaining to the Operation and Maintenance of Wastewater Treatment Facilities" and "Rules and Regulations Pertaining to the Disposal and Utilization of Wastewater Treatment Facility Sludge." This provision requires the operation of back-up or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of the permit.

(f) Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause, including but not limited to: (1) Violation of any terms or conditions of this permit; (2) Obtaining this permit by misrepresentation or failure to disclose all relevant facts; or (3) A change in any conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(g) Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege.

(h) Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

(i) Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

(1) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

(2) Have access to and copy, at reasonable times any records that must be kept under the conditions of this permit;

(3) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and

(4) Sample or monitor any substances or parameters at any location, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA or Rhode Island law.

(j) Monitoring and Records

(1) Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the discharge over the sampling and reporting period.

(2) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings from continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

(3) Records of monitoring information shall include:

(i) The date, exact place, and time of sampling or measurements;

(ii) The individual(s) who performed the sampling or measurements;

(iii) The date(s) analyses were performed;

(iv) The individual(s) who performed the analyses;

(v) The analytical techniques or methods used; and

(vi) The results of such analyses.

(4) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136 and applicable Rhode Island regulations, unless other test procedures have been specified in this permit.

(5) The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall upon conviction, be punished by a fine of not more than $10,000 per violation or by imprisonment for not more than 6 months per violation or by both. Chapter 46-12 of the Rhode Island General Laws also provides that such acts are subject to a fine of not more than $5,000 per violation, or by imprisonment for not more than 30 days per violation, or by both.

(6) Monitoring results must be reported on a Discharge Monitoring Report (DMR).

(7) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136, applicable State regulations, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

(k) Signatory Requirement

All applications, reports, or information submitted to the Director shall be signed and certified in accordance with Rule 12 of the Rhode Island Pollutant Discharge Elimination System (RIPDES) Regulations. Rhode Island General Laws, Chapter 46-12 provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $5,000 per violation, or by imprisonment for not more than 30 days per violation, or by both.

(l) Reporting Requirements

(1) Planned changes. The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility.

(2) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with the permit requirements.

(3) Transfers. This permit is not transferable to any person except after written notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under State and Federal law.

(4) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(5) Twenty-four hour reporting. The permittee shall immediately report any noncompliance which may endanger health or the environment by calling DEM at (401) 277-3961, (401) 277-6519 or (401) 277-2284 at night.

A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The following information must be reported immediately:

(i) Any unanticipated bypass which causes a violation of any effluent limitation in the permit; or

(ii) Any upset which causes a violation of any effluent limitation in the permit; or

(iii) Any violation of a maximum daily discharge limitation for any of the pollutants specifically listed by the Director in the permit.

The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

(6) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (1), (2), and (5), of this section, at the time monitoring reports are submitted. The reports shall contain the information required in paragraph (l)(5) of the section.

(7) Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, they shall promptly submit such facts or information.

(m) Bypass

"Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

(1) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (2) and (3) of this section.

(2) Notice.

(i) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass.

(ii) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Rule 14.18 of the RIPDES Regulations.

(3) Prohibition of bypass.

(i) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

(A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage, where "severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production;

(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(C) The permittee submitted notices as required under paragraph (2) of this section.

(ii) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph (3)(i) of this section.

(n) Upset

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(1) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph (2) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(2) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(a) An upset occurred and that the permittee can identify the cause(s) of the upset;

(b) The permitted facility was at the time being properly operated;

(c) The permittee submitted notice of the upset as required in Rule 14.18 of the RIPDES Regulations; and

(d) The permittee complied with any remedial measures required under Rule 14.05 of the RIPDES Regulations.

(3) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

(o) Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. Discharges which cause a violation of water quality standards are prohibited. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different or increased discharges of pollutants must be reported by submission of a new NPDES application at least 180 days prior to commencement of such discharges, or if such changes will not violate the effluent limitations specified in this permit, by notice, in writing, to the Director of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by the permit constitutes a violation.

(p) Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner consistent with applicable Federal and State laws and regulations including, but not limited to the CWA and the Federal Resource Conservation and Recovery Act, 42 U.S.C. §§6901 et seq., Rhode Island General Laws, Chapters 46-12, 23-19.1 and regulations promulgated thereunder.

(q) Power Failures

In order to maintain compliance with the effluent limitation and prohibitions of this permit, the permittee shall either:

> In accordance with the Schedule of Compliance contained in Part I, provide an alternative power source sufficient to operate the wastewater control facilities;

or if such alternative power source is not in existence, and no date for its implementation appears in Part I,

> Halt reduce or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

(r) Availability of Reports

Except for data determined to be confidential under paragraph (w) below, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the DEM, 291 Promenade Street, Providence, Rhode Island. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the CWA and under Section 46-12-14 of the Rhode Island General Laws.

(s) State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law.

(t) Other Laws

The issuance of a permit does not authorize any injury to persons or property or invasion of other private rights, nor does it relieve the permittee of its obligation to comply with any other applicable Federal, State, and local laws and regulations.

(u) Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

(v) Reopener Clause

The Director reserves the right to make appropriate revisions to this permit in order to incorporate any appropriate effluent limitations, schedules of compliance, or other provisions which may be authorized under the CWA or State law. In accordance with Rules 15 and 23 of the RIPDES Regulations, if any effluent standard or prohibition, or water quality standard is promulgated under the CWA or under State law which is more stringent than any limitation on the pollutant in the permit, or controls a pollutant not limited in the permit, then the Director may promptly reopen the permit and modify or revoke and reissue the permit to conform to the applicable standard.

(w) Confidentiality of Information

(1) Any information submitted to DEM pursuant to these regulations may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, DEM may make the information available to the pubic without further notice.

(2) Claims of confidentiality for the following information will be denied:

(i) The name and address of any permit applicant or permittee;

(ii) Permit applications, permits and any attachments thereto; and

(iii) NPDES effluent data.

(x) Best Management Practices

The permittee shall adopt Best Management Practices (BMP) to control or abate the discharge of toxic pollutants and hazardous substances associated with or ancillary to the industrial manufacturing or treatment process and the Director may request the submission of a BMP plan where the Director determines that a permittee's practices may contribute significant amounts of such pollutants to waters of the State.

(y) Right of Appeal

Within thirty (30) days of receipt of notice of a final permit decision, the permittee or any interested person may submit a request to the Director for an adjudicatory hearing to reconsider or contest that decision. The request for a hearing must conform to the requirements of Rule 49 of the RIPDES Regulations.

DEFINITIONS

1. For purposes of this permit, those definitions contained in the RIPDES Regulations and the Rhode Island Pretreatment Regulations shall apply.

2. The following abbreviations, when used, are defined below.

cu. M/day or M^3/day	cubic meters per day
mg/l	milligrams per liter
ug/l	micrograms per liter
lbs/day	pounds per day
kg/day	kilograms per day
Temp. °C	temperature in degrees Centigrade
Temp. °F	temperature in degrees Fahrenheit
Turb.	turbidity measured by the Nephelometric Method (NTU)
TNFR or TSS	total nonfilterable residue or total suspended solids
DO	dissolved oxygen
BOD	five-day biochemical oxygen demand unless otherwise specified
TKN	total Kjeldahl nitrogen as nitrogen
Total N	total nitrogen
NH_3-N	ammonia nitrogen as nitrogen
Total P	total phosphorus
COD	chemical oxygen demand
TOC	total organic carbon
Surfactant	surface-active agent
pH	a measure of the hydrogen ion concentration
PCB	polychlorinated biphenyl
CFS	cubic feet per second
MGD	million gallons per day
Oil & Grease	Freon extractable material
Total Coliform	total coliform bacteria
Fecal Coliform	total fecal coliform bacteria
ml/l	milliliter(s) per liter
NO_3-N	nitrate nitrogen as nitrogen
NO_2-N	nitrite nitrogen as nitrogen
NO_3-NO_2	combined nitrate and nitrite nitrogen as nitrogen
Cl	total residual chlorine