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

June 18, 2009

CERTIFIED MAIL

Mr. Robert Deady
Senior Manager; Environmental Affairs
Rhodes Technologies
498 Washington Street
Coventry, RI 02816

RE: Rhodes Technologies, 498 Washington Street, Coventry, RI 02816
RIPDES No. RI0023868

Dear Mr. Deady:

Enclosed is your final Rhode Island Pollutant Discharge Elimination System (RIPDES) Permit issued pursuant to the referenced application. 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.

We appreciate your cooperation throughout the development of this permit. Should you have any questions concerning this permit, feel free to contact Brian Lafaille, P.E. of the State Permits Staff at (401) 222-4700, extension 7731.

Sincerely,

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

EAB:bl

Enclosures

cc: David Turin, EPA Region 1 (Electronic Copy)
Traci Pena, RIDEM-OWR (Electronic Copy)
Annie McFarland, RIDEM-OWR (Electronic Copy)

RESPONSE TO COMMENTS

NO SIGNIFICANT COMMENTS WERE RECEIVED ON THE DRAFT PERMIT FOR THIS FACILITY; THEREFORE, NO RESPONSE WAS PREPARED.

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, this permit will not be effective pending final Departmental action, unless an order authorizing operation is obtained from the Administrative Hearing Officer, in accordance with the provisions of Rule 50.

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,

Rhodes Technologies
498 Washington Street
Coventry, RI 02816

is authorized to discharge from a facility located at

Rhodes Technologies
498 Washington Street
Coventry, RI 02816

to receiving waters named

South Branch of the Pawtuxet River

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

This permit shall become effective on date of signature.

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

This permit consists of 17 pages in Part I including effluent limitations, monitoring requirements, etc. and 10 pages in Part II including General Conditions.

Signed this 17th day of June, 2009.

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

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 001. (Discharge of storm water from catch basin "CB-5"). 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
Lead, Total					--- mg/l[2]	1/ Quarter	Grab[1]
Zinc, Total					--- mg/l[2]	1/ Quarter	Grab[1]
pH			(--- s.u.)[2]		(--- s.u.)[2]	1/ Quarter	Grab[1]

[1]Samples must be obtained from a discharge which is the result of a representative storm event that occurs at least seventy-two (72) hours after the previously measurable storm event. A representative storm event should be within 50% of the average Rhode Island storm event, 0.7 inches in depth and 12 hours in duration, and shall be a minimum of 0.1 inches per twenty-four (24) hours in magnitude. The "Grab" value shall be obtained using a grab sample, consisting of an individual sample of at least 100 mL, collected during the first thirty (30) minutes of a discharge.

[2]Sample results shall be compared to the Benchmark Concentrations in accordance with Part I.D.

--- 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/Maximum rather than Average Monthly/Maximum Daily.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: Outfall 001 (Discharge of Storm Water from catch basin "CB-5")

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

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

3. 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 ug/l);

      2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/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 C.F.R. s122.21(g)(7); or

      4) Any other notification level established by the Director in accordance with 40 C.F.R. 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 ug/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 C.F.R. s122.21(g)(7); or

      4) Any other notification level established by the Director in accordance with 40 C.F.R. 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.

4. The permittee is only authorized to discharge storm water and allowable non-storm water discharges. Allowable non-storm water discharges under this permit are limited to the following: discharges from fire fighting activities; fire hydrant flushings; fire protection system testing (which entails the testing of flow switches within the system); deluge testing of the facility hydrogen storage pad system; external building wash down that does not use detergents; lawn watering; uncontaminated ground water; springs; air conditioning condensate; potable waterline flushings; irrigation drainage; foundation or footing drains where flows are not contaminated with process materials, such as solvents, or contaminated by contact with soils, where spills or leaks of toxic or hazardous materials have occurred; and incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but NOT intentional discharges from the cooling tower (e.g., “piped” cooling tower blow down or drains); uncontaminated utility vault dewatering;

dechlorinated water line testing water; hydrostatic test water that does not contain any treatment chemicals and is not contaminated with process chemicals. If any of these allowable non-storm water discharges may reasonably be expected to be present and to be mixed with storm water discharges, they must be specifically identified and addressed in the facility's Storm Water Pollution Prevention Plan. Any other discharges are not authorized under this permit.

5. Any storm water collected in secondary containment areas, prior to discharge, must first be evaluated for contamination based on whether or not odors are present and based on visual observations. In addition, pH testing of storm water collected in secondary containment areas must also be conducted to further evaluate whether or not the storm water has been contaminated. (Note: pH testing may be conducted using pH paper for secondary containment monitoring purposes only. Permit compliance monitoring for pH required by Part I.A.1 of the permit at outfall 014 must be conducted in accordance with 40 CFR 136.) The permittee must document each storm water discharge event that occurs from secondary containment areas. Documentation must include the results of visual, odor, and pH monitoring as well as the date and time of the discharge. If contamination is discovered, discharges of contaminated storm water to surface waters is strictly prohibited. Any storm water that shows evidence of being contaminated must be collected and taken to a properly permitted off-site disposal facility. Documentation of collection and offsite disposal activities associated with any contaminated storm water must also be kept onsite and made available as part of the SWPPP for a period of at least five (5) years.

6. All secondary containment areas must have their drainage valves set to the normally closed position at all times. The only exception to this rule would be during times when the secondary containment areas are being drained after following the procedures specified in Part I.A.5 of this permit.

7. This permit serves as the State's Water Quality Certificate for the discharges described herein.

B. STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS

1. A Storm Water Pollution Prevention Plan (SWPPP) shall be developed and submitted to the DEM within thirty (30) days of the effective date of this permit for the facility covered by this permit. 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 associated with industrial activity 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 associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.

2. The Plan shall be signed by the owner and operator in accordance with Rule 12 of the RIPDES Regulations and retained on-site. These plans shall be made available upon request to the Director.

3. 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.

4. The permittee shall immediately amend the Plan 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. Changes must be noted and submitted to this department within thirty (30) days of the date of the amendments. Amendments to the Plan are subject to DEM review and approval.

5. The SWPPP must:

    a. identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the facility;

    b. describe and ensure implementation of practices which the permittee will use to reduce the pollutants in storm water discharges from the facility; and

    c. assure compliance with the terms and conditions of this permit

    d. specifically address compliance with the zinc benchmark which was exceeded based on the data provided in the permit application. The SWPPP must include technologically available and practicable BMPs, based on industry best practices, to bring the facility into compliance with the zinc benchmark.

6. *Pollution Prevention Team* - The SWPPP must identify the staff individual(s) (by name or title) that comprise the facility's storm water Pollution Prevention Team. The Pollution Prevention Team is responsible for assisting the facility/plant manager in developing, implementing, maintaining and revising the facility's SWPPP. Responsibilities of each staff individual on the team must be listed.

7. *Site Description*. The SWPPP must include the following:

    a. Activities at Facility. Description of the nature of the industrial activity(ies) at the facility;

    b. General Location Map. A topographic map showing the general location of the facility with enough detail to identify the location of the facility and the receiving waters within one mile of the facility;

    c. A legible site map identifying the following:

        1) directions of storm water flow (e.g., use arrows to show which ways storm water will flow);

        2) delineation of impervious surfaces;

        3) locations of all existing structural BMPs to reduce pollutants in storm water runoff;

        4) locations of all surface water bodies;

        5) locations of all municipal separate storm sewers;

        6) locations of potential pollutant sources and where significant materials are exposed to precipitation;

        7) locations where major spills or leaks have occurred;

        8) locations of the following activities where such activities are exposed to

precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, and liquid storage tanks.

9) locations of storm water outfalls and an approximate outline of the area draining to each outfall;

10) location and description of non-storm water discharges;

11) locations of the following activities where such activities are exposed to precipitation: processing and storage areas; access roads, rail cars and tracks; the location of transfers of substances in bulk; and machinery;

12) location and source of runoff from adjacent property containing significant quantities of pollutants of concern to the facility (an evaluation of how the quality of the storm water running onto the facility impacts the storm water discharges may be included).

d. An estimate of the overall runoff coefficient.

8. *Receiving Waters and Wetlands* - The name of the nearest receiving water(s), including intermittent streams and the areal extent and description of wetland that may receive discharges from the facility.

9. *Summary of Potential Pollutant Sources* - The permittee must identify each separate area at the facility where industrial materials or activities are exposed to storm water. Industrial materials or activities include, but are not limited to, material handling equipment or activities; industrial machinery; storage, cleaning, fueling and maintenance of vehicles and equipment storage; and raw materials, intermediate products, by –products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. For each separate area identified, the description must include:

a. Activities in Area. A list of the activities (e.g., material storage, loading, access areas equipment fueling and cleaning, cutting steel beams);

b. Pollutants. A list of the associated pollutant(s) or pollutant parameter(s) (e.g., crankcase oil, iron, biochemical oxygen demand, pH, etc.) for each activity. The pollutant list must include all significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of five (5) years before being covered under this permit and the present;

c. Method of on-site storage or disposal;

d. For each area of the facility that generates storm water discharges associated with industrial activity 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 discharge.

10. *Spills and Leaks* - The permittee must clearly identify areas where potential spills and leaks,

which can contribute pollutants to storm water discharges, can occur, and their accompanying drainage points. For areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility to be covered under this permit, the permittee must provide a list of significant spills and leaks of toxic or hazardous pollutants that occurred during the five (5) year period prior to the date of submittal of the permit application. The list must be updated if significant spills or leaks occur in exposed areas of the facility once the permit is issued. Significant spills and leaks include, but are not limited to releases of oil or hazardous substances in excess of quantities that are reportable under CWA 311 (see 40 CFR 110.10 and 40 CFR 117.21) or section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements.

11. *Sampling Data* - The permittee must provide a summary of existing storm water discharge sampling data collected at the facility.

12. *Storm Water Controls*

    a. Description of Existing and Planned BMPs. Describe the type and location of existing non-structural and structural best management practices (BMPs) selected for each of the areas where industrial materials or activities are exposed to storm water. All the areas identified in Part I.B.9 should have a BMP(s) identified for the area's discharges. For areas where BMPs are not currently in place, describe appropriate BMPs that the permittee will use to control pollutants in storm water discharges, the SWPPP must include a schedule for the implementation of all proposed BMPs. Selection of BMPs should take into consideration:

        1) the quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;

        2) opportunities to combine the dual purposes of water quality protection and local flood control benefits (including physical impacts of high flows on streams – e.g., bank erosion, impairment of aquatic habitat, etc.);

        3) opportunities to offset the impact of impervious areas of the facility on ground water recharge and base flows in local streams.

    b. BMP Types to be Considered. The following types of structural, non-structural and other BMPs must be considered for implementation at the facility. Describe how each is, or will be, implemented. This requirement may have been fulfilled with the area-specific BMPs identified under Part I.B.12.a, in which case the previous description is sufficient. However, many of the following BMPs may be more generalized or non site-specific and therefore not previously considered. If the permittee determines that any of these BMPs are not appropriate for the facility, an explanation of why they are not appropriate must be included. The BMP examples listed below are not intended to be an exclusive list of BMPs that the permittee may use. The permittee is encouraged to keep abreast of new BMPs or new applications of existing BMPs to find the most cost effective means of permit compliance for the facility. If BMPs are being used or planned at the facility which are not listed here (e.g., replacing a chemical with a less toxic alternative, adopting a new or innovative BMP, etc.), include descriptions of them in this section of the SWPPP.

1) Non-Structural BMPs

Good Housekeeping: The permittee must keep all exposed areas of the facility in a clean, orderly manner where such discharges. Common problem areas include: around trash containers, storage areas and loading docks. Measures must also include: a schedule for regular pickup and disposal of garbage and waste materials; routine inspections for leaks and conditions of drums, tanks and containers.

Minimizing Exposure: Where practicable, industrial materials and activities should be protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff.

Preventative Maintenance: The permittee must have a preventative maintenance program which includes timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, catch basins) as well as inspecting, testing, maintaining and repairing facility equipment and systems to avoid breakdowns or failures that may result in discharges of pollutants to surface waters.

Spill Prevention and Response Procedures: The permittee must describe the procedures which will be followed for cleaning up spills or leaks. Those procedures, and necessary spill response equipment, must be made available to those employees that may cause or detect a spill or leak. Where appropriate, the permittee must explain existing or planned material handling procedures, storage requirements, secondary containment, and equipment (e.g., diversion valves), which are intended to minimize spills or leaks at the facility. Measures for cleaning up hazardous material spills or leaks must be consistent with applicable RCRA Regulations at 40 CFR Part 264 and 40 CFR Part 265.

Routine Facility Inspections: As part of the Comprehensive Site Compliance Evaluation required under Part I.C of this permit, the permittee must have qualified facility personnel inspect all areas of the facility where industrial materials or activities are exposed to storm water. The inspections must include an evaluation of existing storm water BMPs. The SWPPP must identify how often these inspections will be conducted. The permittee must correct any deficiencies in implementation of the SWPPP the permittee finds as soon as practicable, but not later than within 14 days of the inspection. The permittee must document in the SWPPP the results of the inspections and the corrective actions the permittee took in response to any deficiencies or opportunities for improvement that the permittee identifies.

Employee Training: The permittee must describe the storm water employee training program for the facility. The description should include the topics to be covered, such as spill response, good housekeeping and material management practices, and must identify periodic dates (e.g., every 6 months during the months of

July and January) for such training. The permittee must provide employee training for all employees that work in areas where industrial materials or activities are exposed to storm water, and for employees that are responsible for implementing activities identified in the SWPPP (e.g., inspectors, maintenance people). The employee training should inform them of the components and goals of the SWPPP.

2) Structural BMPs

Sediment and Erosion Control: The permittee must identify the areas at the facility which, due to topography, land disturbance (e.g., construction), or other factors, have a potential for significant soil erosion. The permittee must describe the structural, vegetative, and/or stabilization BMPs that the permittee will be implementing to limit erosion.

Management of Runoff: The permittee must describe the traditional storm water management practices (permanent structural BMPs other than those which control the generation or source(s) of pollutants) that currently exist or that are planned for the facility. These types of BMPs typically are used to divert, infiltrate, reuse, or otherwise reduce pollutants in storm water discharges from the site. All BMPs that the permittee determines are reasonable and appropriate, or are required by a State or local authority; must be implemented and maintained. Factors to consider when the permittee is selecting appropriate BMPs should include: 1) the industrial materials and activities that are exposed to storm water, and the associated pollutant potential of those materials and activities; and 2) the beneficial and potential detrimental effects on surface water quality, ground water quality, receiving water base flow (dry weather stream flow), and physical integrity of receiving waters. Structural measures should be placed on upland soils, avoiding wetlands and floodplains, if possible. Structural BMPs may require a separate permit under section 404 of the CWA before installation begins.

Example BMPs: BMPs the permittee could use include but are not limited to: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices).

3) Other Controls

No solid materials, including floatable debris, may be discharged to waters of the State, except as authorized by a permit issued under section 404 of the CWA. Off-site tracking of raw, final, or waste materials or sediments, and the generation of dust must be minimized. Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas must be minimized. Velocity dissipation devices must be placed at discharge locations and along the length of any outfall channel if they are necessary to provide a non-erosive flow velocity from

the structure to a watercourse.

13. *Maintenance* - All BMPs the permittee identifies in the SWPPP must be maintained in effective operating condition. If site inspections required by Part I.C identify BMPs that are not operating effectively, maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of storm water controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished within fourteen (14) calendar days. In the case of non-structural BMPs, the effectiveness of the BMP must be maintained by appropriate means (e.g., spill response supplies available and personnel trained, etc.).

14. *Non-Storm Water Discharges*

    a. The SWPPP must include a certification that all discharges (i.e. outfalls) have been tested or evaluated for the presence of non-storm water. The certification must be signed in accordance with Part II.(k) of this permit, and include:

        1) the date of any testing and/or evaluation

        2) identification of potential significant sources of non-storm water at the site;

        3) a description of the results of any test and/or evaluation for the presence of non-storm water discharges;

        4) a description of the evaluation criteria or testing method used; and

        5) a list of the outfalls or onsite drainage points that were directly observed during the test.

    b. If the permittee is unable to provide the certification required (testing for non-storm water discharges), the permittee must notify the Director at the time the SWPPP is submitted for review. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification must describe:

        1) reason(s) why certification was not possible;

        2) the procedure of any test attempted;

        3) the results of such test or other relevant observations; and

        4) potential sources of non-storm water discharges to the storm sewer.

    c. A copy of the notification must be included in the SWPPP at the facility. Non-storm water discharges to waters of the State which are not authorized under Part I.A.4 are unlawful, and must be terminated.

15. *Allowable Non-Storm Water Discharges*

    a. Certain sources of non-storm water are allowable under this permit (see Part I.A.4). In order for these discharges to be allowed, the SWPPP must include:

1) identification of each allowable non-storm water source;

2) the location where it is likely to be discharged; and

3) descriptions of appropriate BMPs for each source.

b. Except for flows from fire fighting activities, the permittee must identify in the SWPPP all sources of allowable non-storm water that are discharged under the authority of this permit.

c. If the permittee includes mist blown from cooling towers amongst the allowable non-storm water discharges, the permittee must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower and determine that the levels of such chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard after implementation of the BMPs the permittee has selected to control such discharges.

16. *Copy of Permit Requirements* - The permittee must include a copy of this permit in the SWPPP.

17. *Applicable State or Local Plans* - The SWPPP must be consistent (and updated as necessary to remain consistent) with applicable State and/or local storm water, waste disposal, sanitary sewer or septic system regulations to the extent these apply to the facility and are more stringent than the requirements of this permit.

C. COMPREHENSIVE SITE COMPLIANCE EVALUATION

1. *Frequency of Inspections* - The permittee must conduct facility inspections at least once a year. The inspections must be done by qualified personnel provided by the permittee. The qualified personnel the permittee uses may be either the facility's employees or outside consultants that the permittee has hired, provided they are knowledgeable and possess the skills to assess conditions at the facility that could impact storm water quality and assess the effectiveness of the BMPs the permittee has chosen to use to control the quality of the storm water discharges. If the permittee decides to conduct more frequent inspections, the SWPPP must specify the frequency of inspections.

2. *Scope of the Compliance Evaluation* - The inspections must include all areas where industrial materials or activities are exposed to storm water, as identified in Part I.B.9, and areas where spills and leaks have occurred within the past 5 years. Inspectors should look for: a) industrial materials, residue or trash on the ground that could contaminate or be washed away in storm water; b) leaks or spills from industrial equipment, drums, barrels, tanks or similar containers: c) offsite tracking of industrial materials or sediment where vehicles enter or exit the site; d) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas and e) for evidence of, or the potential for, pollutants entering the drainage system. Results of both visual and any analytical monitoring done during the year must be taken into consideration during the evaluation. Storm water BMPs identified in the SWPPP must be observed to ensure that they are operating correctly. Where discharge locations are accessible, they must be inspected to see whether BMPs are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations must be inspected if possible.

3. *Follow-up Actions* - Based on the results of the inspection, the permittee must modify the SWPPP as necessary (e.g., show additional controls on map required by Part I.B.7.c; revise description of controls required by Part I.B.12 to include additional or modified BMPs designed to correct

problems identified. The permittee must complete revisions to the SWPPP within 14 calendar days following the inspection. If existing BMPs need to be modified or if additional BMPs are necessary, implementation must be completed before the next anticipated storm event, if practicable, but not more than twelve (12) weeks after completion of the comprehensive site evaluation.

4. *Compliance Evaluation Report* - The permittee must insure a report summarizing the scope of the inspection, name(s) of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP is completed no more than twelve (12) weeks after the date of the inspection and retained as part of the SWPPP for at least five (5) years from the date of the report. Major observations should include: the location(s) of discharges of pollutants from the site; location(s) of BMPs that need to be maintained; location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location; and location(s) where additional BMPs are needed that did not exist at the time of inspection. The permittee must retain a record of actions taken in accordance with Part I.C.3 of this permit as part of the Storm Water Pollution Prevention Plan for at least five (5) years from the date of the inspection report. The inspection reports must identify any incidents of non-compliance. Where an inspection report does not identify any incidents of non-compliance, the report must contain a certification that the facility is in compliance with the Storm Water Pollution Prevention Plan and this permit. Both the inspection report and any reports of follow-up actions must be signed in accordance with Part II.(k) of this permit. The annual comprehensive site evaluation report must be submitted to the DEM at the following address by January 15th of the following year:

RIPDES Program
Rhode Island Department of Environmental Management
235 Promenade Street
Providence, Rhode Island 02908

5. *Credit As a Routine Facility Inspection* - Where compliance evaluation schedules overlap with inspections required under Part I.B.12.b.1), the annual compliance evaluation may also be used as one of the routine inspections.

D. BENCHMARK MONITORING

During each quarter, the permittee shall compare all sampling results to the benchmark monitoring concentrations listed below. The following benchmark concentrations are not effluent limits. The benchmark concentrations are intended to be generic pollutant levels that, under nearly all scenarios, are protective of water quality standards and are only to be used to evaluate the overall effectiveness of the SWPPP. Benchmark Monitoring concentrations may be subject to change by permit modification to be consistent with future revisions to EPA and/or State benchmarks:

Parameter	Benchmark Concentration (mg/l)
pH	6.0 – 9.0 S.U.
Total Lead	0.0816
Total Zinc	0.117

Any quarterly exceedances of the benchmark concentrations shall trigger a reevaluation of the implementation of the existing SWPPP and facility operations to determine if there are possible problems with non-structural BMPs or maintenance that can be corrected. The SWPPP shall be promptly revised in response to these reevaluations and in no case later than thirty (30) calendar days following the receipt of monitoring results that exceed the benchmark concentrations. A report of the permittee's comparison of monitoring results with the benchmark concentrations

shall be submitted with each DMR. If the permittee exceeds any of the benchmark concentrations during the monitoring period the report shall include a detailed description of the possible causes of the exceedances or of any significant increases in parameter concentrations, the dates and scopes of inspections, a summary of monitoring results and visual inspections, and any modifications made to the SWPPP to reduce the pollutant levels.

Along with the results of the monitoring, the permittee must provide the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimate (in inches) of the storm event that generated the sampled runoff; the duration between the storm event samples and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge samples.

On a yearly basis, the permittee shall calculate the annual average of all sampling data for each pollutant for the previous calendar year (January 1 – December 31). When calculating the annual average concentrations, pollutant concentrations that were reported as less than the minimum detection limit from Part I.F shall be replaced with zeros. If the annual average exceeds the applicable benchmark concentration, then the permittee shall perform a detailed review of all storm water controls, BMPs, and maintenance schedules contained in the SWPPP and shall make reasonable amendments to reduce the pollutant levels in the discharge. These amendments shall be submitted to the Department of Environmental Management – Office of Water Resources with the annual Comprehensive Site Evaluation Report required under Part I.C. If the amendments will include changes to structural controls, the report must include a schedule for the implementation of the proposed structural modifications. Proposed changes to structural storm water controls must be approved by the DEM prior to implementation. Upon DEM approval of the structural changes, the permittee shall implement them in accordance with the approved schedule.

E. SAMPLING WAIVER

If the permittee is unable to collect samples, due to adverse climactic conditions which create dangerous conditions for personnel or otherwise makes the collection of a sample impractical, the permittee may submit in lieu of sampling data a description of why samples could not be collected. Permittees are prohibited from exercising this waiver more than once during a two (2) year period.

F. DETECTION LIMITS

The permittee shall assure that all testing required by this permit, is performed in conformance with the method detection limits listed below (the EPA method is noted for reference, other EPA approved methods found in 40 CFR Part 136 may be utilized). 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.

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 replaced with zeros;

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 - EPA Method 624		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 - EPA Method 625		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 - EPA Method 608		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 - EPA Method 608		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 - EPA Method 625		MDL ug/l (ppb)
1B	acenaphthene *	1.0
2B	acenaphthylene *	1.0
3B	anthracene *	1.0
4B	benzidine	4.0
5B	benzo (a) anthracene *	2.0
6B	benzo (a) pyrene *	2.0
7B	3,4-benzofluoranthene *	1.0
8B	benzo (ghi) perylene *	2.0
9B	benzo (k) fluoranthene *	2.0
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 *	1.0
19B	dibenzo (a,h)anthracene *	2.0
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 *	2.0
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

Pollutant	MDL ug/l (ppb)
Antimony, Total	3.0
Arsenic, Total	1.0
Beryllium, Total	0.
Cadmium, Total	0.1
Chromium, Total	1.0
Chromium, Hexavalent***	20.0
Copper, Total	1.0
Lead, Total	1.0
Mercury, Total	0.2
Nickel, Total	1.0
Selenium, Total	2.0
Silver, Total	0.5
Thallium, Total	1.0
Zinc, Total	5.0
Asbestos	**
Cyanide, Total	10.0
Phenols, Total***	50.0
TCDD	**
MTBE (Methyl Tert Butyl Ether)	1.0

* 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:

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.

Method detection limits for these metals analyses 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 or method 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).

G. 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).

2. *Reporting*

Monitoring results obtained during the previous quarter shall be summarized and reported on a Discharge Monitoring Report (DMR) Form postmarked no later than the 15th day of the month following the completed reporting period. Quarterly reporting shall be as follows:

Quarter Testing to be Performed	Report Due No Later Than
January 1 – March 31	April 15
April 1 - June 30	July 15
July 1 – September 30	October 15
October 1 - December 31	January 15

A copy of the analytical laboratory reports (i.e.: Certificate of Analysis), specifying analytical methods used, shall be included with each report submission.

Signed copies of these, and all other reports required herein, shall be submitted to:

RIPDES Program
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

STATEMENT OF BASIS

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

RIPDES PERMIT NO. **RI0023868**

NAME AND ADDRESS OF APPLICANT:

Rhodes Technologies
498 Washington Street
Coventry, RI 02816

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Rhodes Technologies
498 Washington Street
Coventry, RI 02816

RECEIVING WATER: **South Branch of the Pawtuxet River**

CLASSIFICATION: **B1**

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

The above named applicant has applied to the Rhode Island Department of Environmental Management (DEM) for issuance of a RIPDES Permit to discharge into the designated receiving water.

II. Limitations and Conditions

The effluent limitations, monitoring requirements, and implementation schedule may be found in the draft permit.

III. Permit Basis and Explanation of Effluent Limitation Derivation

Facility Description

Rhodes Technologies manufactures active pharmaceutical ingredients (API) for use in finished dosage pharmaceutical formulations. To create these APIs, a proprietary formulation (containing organic solvents, inorganic and organic acids and bases, and other chemicals) is centrifuged, distilled, purified, and dried prior to shipping as finished product.

Prior to seeking coverage under this permit and prior to the closure of the Clariant wastewater treatment plant, storm water discharges from Rhodes' site (such as roof drains and clean outside storage area secondary containment discharges) would be directed through the Clariant

Corporation wastewater treatment plant. However, Clariant Corporation is in the process of closing down its wastewater treatment plant. Therefore, under the draft permit structure all storm water runoff from the Rhodes Technologies' facility will be discharged directly to the South Branch of the Pawtuxet River.

Industrial activities potentially exposed to storm water include loading/unloading of raw material and finished products and storage of raw materials in tanks and containers. All manufacturing takes place inside the facility buildings. Materials that are used in the process to manufacture the active pharmaceutical ingredient products that are not amenable to reuse and recovery are properly characterized as to their hazards under federal and state hazardous waste programs. These waste materials are properly containerized, labeled, and stored under the roofed hazardous waste storage area pending off site disposal at a properly permitted waste disposal facility.

Rhodes Technologies operates two tank farms for the use of storing a variety of materials. The tank farms have epoxy-lined secondary containment with capacity for 110% of the tank volume stored in the tank farm. The tank farm is inspected on a daily basis by Rhodes facilities and maintenance personnel and any accumulated storm water is evaluated for possible contamination. If rainwater requires discharge, the permit requires a visual, odor, and pH analysis to verify that there is no contamination prior to discharge. The permit requires Rhodes to document each storm water discharge event that occurs from secondary containment areas. Documentation must include the results of visual, odor, and pH monitoring as well as the date and time of the discharge. If contamination is discovered, the rainwater will not be discharged, but will be collected and disposed at a properly permitted off-site disposal facility. Documentation of collection and offsite disposal activities associated with any contaminated storm water must also be kept and made available as part of the SWPPP.

Rhodes also stores Therminol D12 (heat transfer fluid) and No. 2 diesel fuel in bulk. Therminol D12 is in a 1,500 gallon heat transfer fluid expansion tank located on the roof of the Rhodes manufacturing Building 7. This tank has adequate secondary containment and is inspected on a daily basis. No. 2 diesel fuel is used in the site emergency generator, which has a storage capacity of approximately 1,700 gallons. The generator has adequate secondary containment, a high level alarm, interstitial monitoring, and is inspected on a daily basis.

Raw materials used at the site include solids and solvents. Raw materials and waste are stored in 55-gallon drums or equivalent containers under roofed storage areas and are provided with secondary containment. Similar to the tank farm, rainwater is collected and evaluated visually, evaluated for odors, and pH testing is conducted prior to discharge (or disposal if contamination is present).

To mitigate the effects of potential pollutants onsite Rhodes has in a place a number of institutional controls. Rhodes emergency response team members are trained to respond to spills and protect surface water bodies. Each product produced in the facility is accompanied by a batch record that provides specific guidance to plant personnel regarding the proper spill response for each chemical used in the process. In the event of a spill during processing the batch record denotes specific actions that will be taken in order to protect process drains and stop materials from exiting the facility. Rhodes also has standard operating procedures in place for the loading and unloading of raw materials and products that serve to protect the storm water and the adjacent surface water body. Landscaping activities are maintained by Rhodes during spring, summer, and fall months with the minimal use of fertilizers, herbicides, and pesticides necessary.

General Requirements

The discharge of storm water from this facility was previously authorized under Clariant Corporation's individual RIPDES permit. As indicated above, Clariant Corporation is in the process of shutting down its wastewater treatment facility. Therefore, the stormwater from this facility can no longer be discharged to Clariant Corporation's treatment facility and will instead be discharged directly to the South Branch of the Pawtuxet River. Although this facility meets the general eligibility requirements of the RIPDES Multi-Sector General Permit, Part I.B.3 of the Multi-Sector General Permit prohibits coverage for storm water discharges associated with industrial activity from a facility with an existing individual permit. Therefore, since this facility's storm water discharges are currently authorized under Clariant Corporation's individual permit, Part I.B.3.c of the Multi-Sector General Permit prohibits Rhodes from obtaining coverage under the general permit. As a result, Rhodes is required to get coverage under an individual permit. DEM's primary authority over this permit comes from the Environmental Protection Agency's (EPA's) delegation of the RIPDES program, in September 1984, under the Federal Clean Water Act. The requirements set fourth in this draft permit are from the State's Water Quality Regulations and the State's Regulations for the Rhode Island Pollutant Discharge Elimination System, both filed pursuant to Chapter 46-12, of the Rhode Island General Laws, as amended.

This permit authorizes the discharge of storm water and certain non-storm water discharges (limited to: discharges from fire fighting activities; fire hydrant flushings; external building wash down that does not use detergents; lawn watering; uncontaminated ground water; springs; air conditioning condensate; potable waterline flushings; irrigation drainage; foundation or footing drains where flows are not contaminated with process materials, such as solvents, or contaminated by contact with soils, where spills or leaks of toxic or hazardous materials has occurred; and incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blow down or drains); uncontaminated utility vault dewatering; dechlorinated water line testing water; hydrostatic test water that does not contain any treatment chemicals and is not contaminated with process chemicals) from this facility and also establishes requirements for the control of pollutants in storm water. Any other discharges are not authorized under this permit.

Compliance monitoring is required to take place at Catch Basin # 5, the final monitoring point prior to discharge from the facility as depicted on the Rhodes Technologies Site Plan dated June 30, 2000. Additionally, this permit also requires Rhodes Technologies to develop and comply with a Storm Water Pollution Prevention Plan (SWPPP) developed for the facility. The SWPPP includes, but is not limited to, a description of the pollution controls as well as maintenance activities necessary to properly control storm water runoff.

Effluent monitoring requirements for Lead, Zinc, and pH are applied in order to gather additional information as to whether or not these pollutants have the potential to significantly impact the receiving water body. Monitoring is required for each of these pollutants on the basis that these pollutants were found to be present in storm water sampled during the application process or the receiving water was identified as having impairments due to the presence of certain pollutants. Detailed information regarding why monitoring is required for each pollutant is summarized below. Any applicable benchmark concentrations applied are consistent with the monitoring requirements in the RIPDES Multi-Sector Industrial Storm Water General Permit. Any exceedances of the benchmark values shall trigger a review of the facility's SWPPP by the permittee and modification as necessary to reduce the pollutant concentrations in the discharge to levels below the benchmark concentrations.

Monitoring Requirements

According to the *State of Rhode Island 2008 303(d) List of Impaired Waters* dated April 1, 2008 the South Branch of the Pawtuxet River from the Quidnick Dye Mill dam to its confluence with the North Branch of the Pawtuxet River is impaired for Lead. Therefore, monitoring for Total Lead is required on a Quarterly Basis in order to determine if the discharge is a significant contributor of this pollutant. Monitoring for Zinc is required since these pollutants were reported as being present in the discharge on the permit application. Grab samples indicated zinc concentrations of 3.35 mg/l, 3.36 mg/l, and 3.40 mg/l. As a result monitoring for Zinc will be required on a quarterly basis to monitor the effectiveness of the facility's SWPPP. Given the fact that zinc concentrations detected during the permit application process indicate that zinc levels are above the storm water benchmark standard of 0.117 mg/l, Part I. B.5.d of the permit includes specific SWPPP requirements to address these elevated levels through the application of BMPs at the site. Monitoring for pH is required since the facility has bulk storage of several chemicals that have the potential to change pH (i.e., sodium hydroxide and formic acid). The pH monitoring will allow the DEM to evaluate the facility's storm water controls. pH monitoring conducted during the application process resulted in an observed pH of 6.3 s.u. at Outfall 014.

The remaining general and specific conditions of the permit are based on the RIPDES regulations as well as 40 CFR Parts 122 through 125 and consist primarily of requirements common to all storm water permits.

Since the permit requires that the facility develop and implement an effective SWPPP that will prevent the contamination of storm water from industrial activity, the permit will not result in any increased quantities of pollutants discharged, when compared to historic levels. Therefore, the DEM has determined that the permit is consistent with the State's antidegradation and antibacksliding requirements.

IV. Comment Period

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 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 the response to this notice indicated 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, if such hearing is held, 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.

V. **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:

Brian D. Lafaille, P.E.
Rhode Island Department of Environmental Management
RIPDES Program
235 Promenade Street
Providence, Rhode Island 02908
Telephone: (401) 222-4700, ext: 7731

5/5/09
Date

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