

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES

**Final Changes to Proposed Amendments to the
Water Quality Regulations
December 2, 2010**

This document contains excerpts of the proposed Amendments to the Water Quality Regulations highlighting the changes made to the August 2010 Public Notice Draft. Inserted text is double underlined (inserted text), deletions are marked with a strikethrough (~~deleted text~~). Notes of explanation are in *italics*.

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- Changed date on title page.*
 - Changed Table of Contents to reflect final pagination.*
 - Changed date in Page Footers.*
 - Changed dates for Public Notice, Public Hearing and filing in Rule 16.*
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- Added “the effective date of the adoption of these rules” to paragraph 1 of Rule 14 D. (1) as follows.*
- Added the word “with” to paragraph 2 of Rule 14 D. (2) as follows.*
- Added section in Rule 14 pertaining to RIDOT projects. See Rule 14 D. (3) as follows.*
- Added the word “the” to paragraph 4 of Rule 14 D. (4) as follows.*

Rule 14. - APPLICATION FOR APPROVALS

D. Requirement pertaining to stormwater and the RISDIS Manual

(1). The 1993 RISDIS Manual will be superseded by the 2010 RISDIS Manual upon ~~(effective date)~~ the effective date of the adoption of these rules. Unless otherwise provided in this section, the requirements of the 2010 RISDIS Manual as amended shall apply to all applications proposing the generation of stormwater discharges on any applicable project listed in Rule 13 submitted on or after January 1, 2011. The 2010 RISDIS Manual as amended may be used in lieu of the 1993 RISDIS Manual beginning on or after ~~(effective date)~~ the effective date of the adoption of these rules.

(2). Applicants for projects which have obtained Master Plan approval from the local planning board or commission on or before March 31, 2011 and are currently vested may elect to comply with the 1993 RISDIS Manual instead of the 2010 RISDIS Manual provided that a complete application for the project is submitted to the Director on or before June 30, 2011. Any application received after June 30, 2011 shall be required to comply with the 2010 RISDIS Manual, including any future phases of a phased project having received local Master Plan approval as of March 31, 2011. Applicants shall submit, at the time of application, a copy of the Master Plan approval documents demonstrating eligibility under this subsection. This subsection applies only to projects which require Master Plan approval.

(3) In the case of any RIDOT project or a local government road or bridge project, where the design has advanced to at least the 30% completion stage on or before March 31, 2011, the Applicant may elect to comply with the 1993 RISDIS Manual instead of the 2010 RISDIS Manual provided that a complete application for the project is submitted to the Director on or before June 30, 2011. Any application submitted after June 30, 2011 for such qualified project shall comply with the 2010 RISDIS Manual.

(4). Projects that propose a subsurface discharge of stormwater subject to the requirements of the 2010 RISDIS Manual as amended and the RIDEM Underground Injection Control (UIC) Rules and Regulations or the RIDEM Groundwater Discharge Rules and Regulations will be considered approved and registered under said regulation(s) upon issuance of a project approval under these Rules.

-Replaced section in Rule 17 pertaining to permit expiration dates per tolling legislation. See Rule 17 E. as follows:

Rule 17. - MODIFICATION, EXPIRATION, SUSPENSION OR REVOCATION OF APPROVAL

~~E. Pursuant to R.I. Gen. Laws §42.17.1-2.5, where a Water Quality Certification permit has been issued relating to development of property and which contains a permit expiration date, the permit shall expire on the expiration date contained in the permit or June 30, 2011 which ever date is later, provided that the subject permit was in effect on November 9, 2009 at the time of passage of Rhode Island Public Laws Chapters 09-198 and 09-199.~~

E. Pursuant to RIGL 42.17.1- 2.5, Water Quality Certifications related to the development of property that were valid on November 9, 2009 shall expire 598 days after the original expiration date. Water Quality Certifications relating to development of property issued between November 9, 2009 and June 30, 2011 shall expire July 1, 2014.
