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

PUBLIC NOTICE OF PROPOSED PERMIT ACTIONS UNDER THE RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM (RIPDES) PROGRAM WHICH REGULATES DISCHARGES INTO THE WATERS OF THE STATE UNDER CHAPTER 46-12 OF THE RHODE ISLAND GENERAL LAWS OF 1956, AS AMENDED.

DATE OF NOTICE: **July 27, 2020**

PUBLIC NOTICE NUMBER: **PN 20-03**

Draft RIPDES General Permit for Stormwater Discharge Associated with Construction Activity ("CGP")

In accordance with Chapter 46-12 of the Rhode Island General Laws, the discharge of pollutants to Waters of the State via a point source discharge is prohibited unless the discharge is in compliance with the Rhode Island Pollutant Discharge Elimination System (RIPDES) Regulations (250-RICR-150-10-1; "Rules").

The Rhode Island Department of Environmental Management (DEM), Office of Water Resources, is required to issue general or individual RIPDES permits to cover discharges of stormwater associated with construction activities from construction sites disturbing one or more acres.

The DEM RIPDES Program developed and reissued a statewide permit to cover stormwater discharges from construction sites with a land disturbance of one or more acres (small and large construction activity) in 2018, with an expiration date of September 25, 2020. At this time, DEM is proposing to reissue the CGP to continue coverage for stormwater discharges from construction activity disturbing one or more acres. The draft permit includes minor changes in order to make updates and clarifications to permit language and to conform with the current version of the EPA's 2017 Construction General Permit (most recently amended in June 2019). This draft permit is proposed to be effective for a five-year period, expiring in September 2025.

FURTHER INFORMATION:

Copies of the draft general permit, a fact sheet (describing the significant factual, legal and policy questions considered by this permit action), and a detailed summary of changes may be obtained at no cost by emailing or calling DEM as noted below:

Eric A. Beck, P.E.
eric.beck@dem.ri.gov
(401) 222-4700, Ext. 7700
Rhode Island Department of Environmental Management
Office of Water Resources
235 Promenade Street
Providence, Rhode Island 02908-5767

This information is also available at the following website during the public comment period:

http://www.dem.ri.gov/programs/water/permits/ripdes/stormwater/construction.php

The administrative record containing all documents relating to these permit actions is on file and may be inspected, by appointment, at the DEM's Providence office mentioned above between 8:30 a.m. and 4:00 p.m., Monday through Friday, except holidays. An appointment can be scheduled by contacting the Permit Application Center (PAC) at 401-222-4700, Ext. 7265 or DEM.PAC@dem.ri.gov.

PUBLIC COMMENT AND REQUEST FOR PUBLIC HEARING:

Pursuant to Chapter 42-17.4 of the Rhode Island General Laws a public hearing has been scheduled to consider these permits if requested. Requests for a Public Hearing must be submitted in writing to the attention of Eric A. Beck, P.E. at the contact information indicated above. Notice should be taken that if DEM receives a request from twenty-five (25) people, a governmental agency or subdivision, or an association having no less than twenty-five (25) members on or before 4:00 p.m., August 28, 2020, a public hearing will be held at the following time and place:

September 2, 2020 at 5:00 p.m.
235 Promenade Street, Room 280
Providence, Rhode Island 02908

Interested persons should visit the website listed above to confirm if a hearing will be held at the time and date noted above and for information regarding virtual access to the meeting.

235 Promenade Street is accessible to the handicapped. Individuals requesting communication assistance (assistive listening devices/readers/interpreters/captions) must notify DEM at the telephone number listed above or RI Relay 711, 72 hours in advance of the hearing date.

Interested parties may submit comments on the permit actions and the administrative record to the contact above no later than 4:00 p.m. on September 11, 2020.

If, during the public comment period, significant new questions are raised concerning the permit, DEM may require a new draft permit or statement of basis or may reopen the public comment period. A public notice will be issued for any of these actions.

Any person who believes these permit actions are inappropriate, must raise all reasonably ascertainable issues and submit all reasonably available arguments and factual grounds supporting their position, including all supporting material, by the close of the public comment period under Rule 42. The public comment period is from July 27, 2020 to September 11, 2020. Comments should be directed to DEM as noted above.

FINAL DECISION AND APPEALS:

Following the close of the comment period, and after a public hearing, if such hearing is held, the Director will issue a final decision and forward a copy of the final decision to the permittee and each person who has submitted written comments or requested notice. Within 30 days following the notice of the final decision, any interested person may submit a request for a formal hearing in accordance with the requirements of Rule 50.

July 27, 2020
Date

Charles A. Horbert, Deputy Administrator
Groundwater and Freshwater Wetlands Protection
Office of Water Resources
Department of Environmental Management