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NEWEA Annual Conference
Regulators Roundtable

Rhode Island Update

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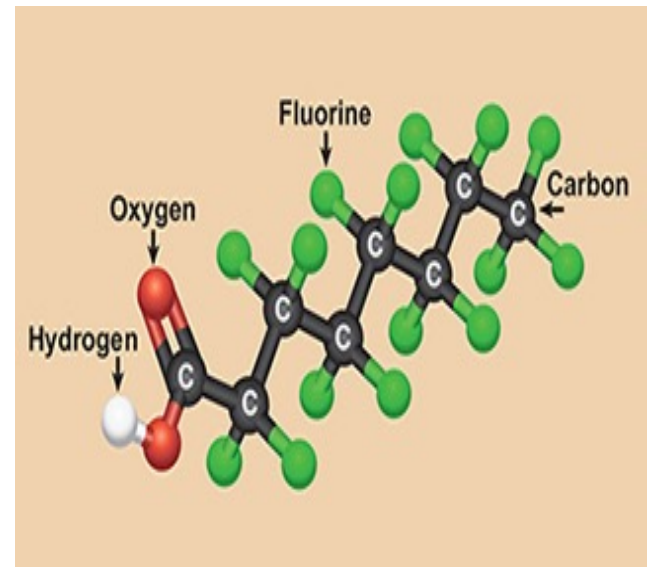
Rhode Island's Hot Topics

- PFAS
- Permitting Updates
- Staffing



PFAS

- 2022 legislation passed (PFAS in Drinking Water, Groundwater, and Surface Waters Act)
- Establishes/Requires:
 - Interim Drinking Water Standards – 20 ppt and monitoring of all public water systems for PFAS by 7/1/23
 - Final drinking water standards by 6/1/24
 - Groundwater standards and Surface Water Action Levels by 12/31/23
 - Landfill monitoring by 12/31/22
 - Source Investigation Report by 11/1/23 (<https://dem.ri.gov/press-releases/dem-posts-draft-report-forever-chemicals-pfas-public-comment>)



Actions being taken by OWR to address PFAS



Surface Water

- Action Levels
 - PFOA
 - PFOS
 - PFHxS
 - *PFNA*
 - *PFHpA*
 - *PFDA*
 - *PFHxA*
 - *PFPeA*

Groundwater

- Groundwater Standards for the same 6 compounds
- GAA and GA Waters

Permits

- RIPDES permits
- POTWs
- Quarterly monitoring starting 2024
- Influent and Effluent
- SIU monitoring also to begin in 2024

Actions being taken by OWR to address PFAS



Surface Water

- Defines “Action Levels”
- Creates a new section, section 1.30, that contains the Action Levels and Notification Requirements
 - Sum of PFOA, PFOS, PFHxS, PFNA, PFHpA, PFDA, PFHxA, and PFPeA ≥ 70 ng/L
 - Regulated entities shall notify DEM in writing within 15 calendar days receipt of an analytical results that exceed the action level or receipt of information indicating a discharge or release that cause an exceedance of the action level
 - Does NOT require duplicate reporting
 - Where Action Level is exceeded, DEM may require notification of relevant state agency, impacted communities (e.g., abutters), resampling, or further site investigation
- Creates a new sections, section 1.31 and 1.32, to deal with enforcement and penalties for failure to notify

Groundwater

- Updates the PFAS groundwater quality standard to
 - Sum of PFOA, PFOS, PFHxS, PFNA, PFHpA, and PFDA ≤ 20 ng/L
 - Only applies to GA and GAA groundwaters

Actions being taken by OWR to address PFAS



Permits

- RIPDES permits
- Same 40 PFAS Analytes as EPA
- POTWs
- Quarterly monitoring starting 2024
- Influent and Effluent
- Annual SIU monitoring also to begin in 2024

Permitting Updates

- **MSGP**
 - Reissue 2nd Qtr 2024
 - Updates BM Parameters from TSS/O&G to TSS/COD
 - Resiliency Planning Requirements to be Added to SWMP
 - Updates to BM Parameters for Certain Sectors
- **MS4**
 - PN late 2024
- **SSO/Bypass**
 - Electronic Reporting via NeT
 - 2/1/24 (POTWs)
 - 3/1/24 (non-POTs)



Staffing

- Created new Industrial/Municipal Stormwater Program
- Continued Staff Turnover
 - ~15% currently vacant
 - ~50% “new” (<5 years in position)
 - Certain Programs Impacted More – OWTS, IPP, RIPDES
- New Phone Numbers (<https://dem.ri.gov/contact-us/dem-staff-list>)





Thank you!

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