

CITY OF NEWPORT
43 BROADWAY
NEWPORT, R.I. 02840

PUBLIC NOTICE OF DRAFT PHASE II STORMWATER ANNUAL REPORT PREPARED IN ACCORDANCE WITH THE RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM (RIPDES) PROGRAM GENERAL PERMIT FOR STORM WATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4) AND FROM INDUSTRIAL ACTIVITY AT ELIGIBLE FACILITIES OPERATED BY REGULATED SMALL MS4'S.

DATE OF NOTICE: February 20, 2009

RIPDES PERMIT NUMBER: RIR 040000

NAME AND MAILING ADDRESS OF SMALL MS4 OPERATOR:

**United Water
250 Connell Highway
Newport, RI 02840**

Pursuant to the requirements established in the Rhode Island Pollutant Discharge Elimination System (RIPDES) General Permit for Storm Water Discharge from Small MS4s and from Industrial Activity at Eligible Facilities Operated by Regulated Small MS4s (General Permit), the City of Newport submitted an application package, including a Notice of Intent and Storm Water Management Program Plan (SWMPP) to the Rhode Island Department of Environmental Management (RIDEM) for authorization of the storm water discharges from the City of Newport MS4. In accordance with Part IV.E of the General Permit the operator must annually evaluate the compliance of the SWMPP with the conditions of the permit, as well as the appropriateness of the selected Best Management Practices and efforts towards achieving the Measurable Goals. An annual report prepared in accordance with Part IV.G of the general permit must be submitted to RIDEM by March 10th for each year after the permit is issued. Notice is hereby given of the intent to receive public comment and to hold a public hearing, if requested, on the City of Newport Phase II Storm Water Annual Report.

FURTHER INFORMATION ABOUT THE DRAFT ANNUAL REPORT:

Copies of the Phase II Storm Water Annual Report may be obtained at no cost by visiting the City's website at www.ci.newport.ri.us or writing or calling the Newport Department of Utilities as noted below:

Julia A. Forgue, PE
Director of Utilities
70 Halsey Street
Newport, RI 02840
845-5600

The administrative record containing all documents is on file and may be inspected, by appointment, at the Department of Utilities office mentioned above between 8:30 a.m. and 4:00 p.m., Monday through Friday, except holidays.

PUBLIC COMMENT AND REQUEST FOR PUBLIC HEARING:

Pursuant to the requirements of the Phase II Small MS4 General Permit, a public hearing has been tentatively scheduled to consider the City of Newport’s Phase II Storm Water Annual Report, if requested. Requests for a Public Hearing must be submitted in writing to the attention of Julia A. Forgue, Director of Utilities at the address indicated above. Notice should be taken that if the City of Newport 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 PM, February 25, 2009, if requested the public hearing will be held at the following time and place:

March 2, 2009 at 10:00am
City Hall
Council Chambers
43 Broadway
Newport, RI

Interested persons should contact the City of Newport in advance to confirm if a hearing will be held at the time and location noted above.

Interested parties may submit comments on the draft Annual Report and amendments to the SWMPP and the administrative record to the address above by the close of the public comment period which ends 4:00 PM March 6, 2009. Commenters may request a longer comment period if necessary to provide a reasonable opportunity to comply with these requirements.

If, during the public comment period, significant comments are received concerning the draft Annual Report or amendments to the SWMPP, the CITY of Newport will provide a written response to comments to all persons that submitted comments and all members of the public that request a copy of the response. The response will include a final Annual Report and identify what changes to the SWMPP have been made, if any.

FINAL ANNUAL REPORT AND AMENDMENTS TO THE SWMPP:

Pursuant to the Phase II small MS4 General Permit, the City of Newport will submit the final Annual Report and a copy of amendments to the SWMPP to the RIDEM. All records relating to this permit are available for review by the public. The public may view the records during normal business hours at the address indicated above. Changes adding (but not subtracting or replacing) components of the SMWPP may be implemented immediately upon written notification to RIDEM. Unless denied, changes replacing ineffective or infeasible six minimum measure best management practices specifically identified in the SWMPP shall be deemed approved and may be implemented within sixty (60) days from submittal of the request. Changes replacing ineffective or infeasible storm water control specifically identified in the SWMPP or in an approved scope of work intended to meet the requirements of a Total Maximum Daily Load (TMDL) or other Water Quality Determination may be implemented only upon receipt of written approval from RIDEM.

February 20, 2009

Julia A. Forgue, PE
Director of Utilities
Newport, RI 02840