

## Rule 9. - EFFECT OF ACTIVITIES ON WATER QUALITY STANDARDS

A. Activities Shall Not Violate Water Quality Standards - No person shall discharge pollutants into any waters of the State or perform any activities alone or in combination which the Director determines will likely result in the violation of any State water quality criterion or interfere with one or more of the existing or designated uses assigned to the receiving waters or to downstream waters in accordance with rules 8.B., 8.C., 8.D., and 18 of these regulations. In addition, Best Management Practices, as determined by the Director, shall be used to control erosion, sedimentation and runoff in accordance with rule 15.

B. Activities Shall Not Further Degrade Low Quality Waters - No person shall discharge pollutants into any waters of the State, or perform any activities alone or in combination which the Director determines will likely result in the additional degradation of water quality of the receiving waters or downstream waters which are already below the water quality standard assigned to such waters.

C. Activities Shall Not Violate Antidegradation - No person shall discharge pollutants into any waters of the State, or perform any activities alone or in combination which the Director determines will likely result in a violation of the Antidegradation provisions of these regulations (rule 18).

D. Mixing zone - Due to discharges to surface waters, the Director may recognize, where appropriate, a limited mixing zone on a case-by-case basis. In no case may a mixing zone cause a loss of, or impair, any existing or designated use.

E. Restrictions to New Discharges - New discharges into Class AA, A or SA waters (refer to Appendix A) or into waters designated Class B, C, SB or SC which have attained the Class A or SA standard shall be allowed, provided the discharge will not impair existing uses nor attainment of designated uses and all other provisions of these regulations are complied with including all required approvals, and it complies with the following restrictions:

(1). New discharges into the terminal reservoir of a public drinking water supply shall be prohibited with the exception of discharges of stormwater drainage. New discharges into all other waters of the public drinking water supply shall be prohibited with the exception of the types listed in rule 9.E.(2).(a) through (f). Notification will be made to the affected public drinking water supplier and the Department of Health of a proposed new discharge to a public drinking water supply which is under review by this Department in accordance with these regulations.

(2). New discharges into waters that are not public drinking water supplies may include:

(a). discharges of stormwater drainage;

(b). discharges from industrial non-contact cooling water;

(c). discharges from construction site dewatering provided that the applicant has demonstrated to the satisfaction of the Director that no reasonable alternatives exist;

(d). discharges from groundwater remediation projects provided that the applicant has demonstrated to the satisfaction of the Director that no reasonable alternatives exist;

- (e). discharges from aquaculture facilities as appropriately authorized by all required state agencies;
- (f). discharges from water main maintenance such as main flushing and cleaning operations;
- (g). discharges of dredged material;
- (h). discharges from farming activities into surface waters which are hydrographically disconnected from all other surface waters;
- (i). placement of suitable solid materials in appropriate amounts for the purpose of the formation of an artificial reef as approved by the Director;
- (j). discharges from aquatic research related activities provided that the applicant has demonstrated to the satisfaction of the Director that no reasonable alternatives exist;
- (k) discharges from desalination facilities into seawaters; and
- (l). other new discharges provided the applicant demonstrates to the satisfaction of the Director that:
  - i. the discharge serves a compelling public purpose which provides benefits to the public as a whole as opposed to individual or private interests;
  - ii. there is no reasonable alternative means of, or location for, serving the compelling public purpose cited; and
  - iii. the discharge will not impair existing uses nor attainment of designated uses.

**Rule 10. - PROCEDURES FOR DETERMINING ADDITIONAL REQUIREMENTS FOR EFFLUENT LIMITATIONS, TREATMENT AND PRETREATMENT**

A. Effluent Limited and Water Quality Limited Waters - No person shall discharge pollutants into any surface waters of the State or discharge to a treatment works unless the discharge complies with any additional effluent limitations and receives any additional treatment/pretreatment which the Director determines is necessary to comply with rule 9 of these regulations, or to prevent overloading or damaging effect upon a treatment works. In order to determine which waters require additional effluent limitations, treatment or pretreatment to comply with rule 9 of these regulations, or to prevent overloading or damaging effects upon a treatment works, the Director will categorize the surface waters of the State into effluent limited and water quality limited waters. Such classifications will be recorded in the 305(b) biennial state of the State's waters reports, and will be revised as necessary.

B. Total Maximum Daily Loads in Water Quality Limited Waters - For water quality limited waters, the Director shall identify those pollutants within discharges to the water quality limited waters which do or have the reasonable potential to cause or contribute to a violation of rule 9 of these regulations. The Director shall develop a total maximum daily load (TMDL) for each of these pollutants. The TMDL shall determine the maximum amount of the pollutant that can be discharged into the water quality limited waters and be in compliance with rule 9 of these

regulations. The TMDL shall be based on best available scientific information and allocation of the TMDL may be based on, but not limited to, technical feasibility of pollutant removal, the relative costs of treatment to the contributing discharges, and the relative contribution from each source. The Director shall not be required to allocate the full amount of the pollutant specified in rule 9, but may designate a portion of the allocation as a reserve or margin of safety as deemed necessary.

## **Rule 11. - PROHIBITED DISCHARGES**

- A. General - The prohibitions enumerated in this rule apply to all pollutants, regardless of the effect on water quality standards or the treatment which the pollutants receive.
- B. Pollutants - No person shall discharge pollutants into the waters of the State except as in compliance with the provisions of Chapter 46-12, or other applicable chapters, of the Rhode Island General Laws or these regulations, and pursuant to the terms and conditions of an approval issued by DEM thereunder.
- C. Urban Runoff - No person shall discharge storm water, gutter runoff, sump discharges, or street runoff to a treatment works designed to receive only wastewater.
- D. Hazardous Waste and Hazardous Substances - No person shall discharge hazardous waste or hazardous substances into any waters of the State or discharge hazardous waste or hazardous substances into a wastewater treatment works, except as in compliance with the provisions of Chapter 46-12, or other applicable chapters of the Rhode Island General Laws or these regulations, and in accordance with the terms and conditions of an approval issued by the Director or municipality as may be required under the Rhode Island Pretreatment Regulations.
- E. Oil, Petroleum Products, Solvents - No person shall discharge oil, petroleum products or industrial solvents into treatment works designed to treat or control only wastewater or stormwater unless it conforms with Federal, State and local pretreatment requirements. No person shall discharge oil or petroleum products into the waters of the State except as in compliance with the provisions of Rhode Island General Laws Chapter 46-12, or other applicable chapters of the Rhode Island General Laws or these regulations, and in accordance with the terms and conditions of an approval issued by DEM thereunder.
- F. Discharges of Sewage from Vessels
- (1). No person shall discharge any sewage from a vessel into the waters of the State.
  - (2). No person shall operate or moor in the waters of the State a vessel equipped with a marine toilet that is: (a) not a type approved pursuant to the CWA; (b) an approved type that is not in proper working condition. or (c) that does not have the vessel's marine toilets properly sealed to prevent overboard discharges by one of the following means: the through-hull fitting is plugged; or the Y-valve is secured to the holding tank position by means of a padlock, wire tie, or by removing the seacock handle. All sewage must be discharged to an approved marina pump-out facility.

## **Rule 12. - STRATEGIC PLAN CONSISTENCY**

In addition to the other requirements of these regulations, no person shall discharge any pollutants into any waters of the State so as to violate any legally applicable requirements of a plan approved by the Governor of Rhode Island and the administrator pursuant to sections 208(6), 319 and 320 of the Clean Water Act.

## Rule 13. - APPROVALS

A. No person shall: discharge any pollutant into, or conduct any activity which will likely cause or contribute pollution to, the waters of the State; or construct, install, or modify any treatment works including the extension of sewers to an existing sewer system, without having obtained all required approvals from the Director. The types of approval for the purposes of these regulations may include the following:

- (1). Rhode Island Pollutant Discharge Elimination System (RIPDES) permit by DEM, Water Resources in accordance with the RIPDES Regulations.
- (2). Order of Approval from DEM, Water Resources for any treatment works in accordance with Rules 14 through 17 below.
- (3). Water Quality Certificate (WQC) - the activity(ies) listed below require approval in the form of a certification by DEM, Water Resources that the proposed activity(ies) does not violate these regulations. A WQC shall have the full force and effect of a permit issued by the Director.
  - (a). In accordance with Section 401 of the CWA, applicants for any project which may result in a discharge to waters of the State and which requires a federal permit must directly apply for and receive a Water Quality Certification from DEM, Water Resources, except as described in footnotes \* and \*\*\* below.
  - (b). Those projects involving one or more of the activities listed below which are within the jurisdiction of the Rhode Island Coastal Resources Management Council in accordance with R.I.G.L. Section 46-23, and which do not require an approval in accordance with the Rhode Island Freshwater Wetlands Act (R.I.G.L. Section 2-1-18 et. seq.) or any rules and regulations promulgated thereto, must directly apply for and receive Water Quality Certification from DEM, Water Resources except as described in the footnotes below.

- i. Dredging and Dredged Material Disposal\*
- ii. Filling of Waters of the State
- iii. Residential development of six (6) or more units
- iv. Any commercial, industrial, state or municipal land development that results in the creation of 40,000 square feet or more of additional impervious area
- v. Five (5) or more acres of land disturbance\*\*\*
- vi. Marinas - construction of new facilities or expansion of existing facilities
- vii. Flow Alterations\*\*
- viii. Harbor Management Plans for those elements which will likely affect water quality
- ix. A Point Source Discharge of Pollutants\*\*\*

\* With regard to marine dredging, discharge of dredge material and placement of dredge material in tidal waters, the application process and decision for the water quality review will be conducted in accordance with the Rules and Regulations for Dredging and the Management of Dredged Material.

\*\* Flow Alterations for agricultural irrigation will be managed through coordination with DEM/Agriculture.

\*\*\* The permit required under the Rhode Island Pollutant Discharge Elimination System Regulations may act as the Water Quality Certification for the discharge.

(c). Where a project or activity listed in Rule 13(A)(3) also requires a permit by any one of the following DEM permit programs, the WQC decision may be incorporated into the decision issued under said program:

Wetlands permit or determination in accordance with the Rules and Regulation Governing the Administration and Enforcement of the Freshwater Wetlands Act

ISDS permit or determination in accordance with regulations Establishing Minimum Standards Relating to the Location, Design, Construction and Maintenance of Individual Sewage Disposal Systems

RIPDES permit in accordance with the Regulations for the Rhode Island Pollutant Discharge Elimination System

Marine dredging and dredged material disposal permit in accordance with the Rules and Regulations for Dredging and the Management of Dredged Material

UIC permit in accordance with the Underground Injection Control Program Rules and Regulations.

Where the Director determines that a WQC decision will be incorporated with one of the above permit decisions, the corresponding public notice requirements and appeal procedures contained in the regulations of the associated permit program will apply in lieu of those contained in Rule 15 and Rule 21 herein, respectively. However, when the activity is subject to Rule 13.A.(3).(a), and the listed permit decision does not require public notification, the requirements of Rule 15 will be applied. All other provisions contained in these regulations shall apply.

#### **Rule 14. - APPLICATION FOR APPROVALS**

A. Application - More than one of the approvals noted in Rule 13 may be required. Applications for RIPDES permits shall be submitted and processed in accordance with the RIPDES Regulations. Applications for Orders of Approval and Water Quality Certifications will be on forms provided by or in the manner prescribed by, DEM, to be submitted to the Director and shall contain such documentation and/or information as the Director may require, including but not limited to:

(1). When applicable, documentation that the proposed project is consistent with the currently approved wastewater facility plan or information necessary to modify an approved wastewater facility plan, including but not limited to the project needs, conformance with State Guide Plan policies, goals, and objectives, the basis of design, including design assumptions, data, and calculations;

(2). Comprehensive engineering report and detailed engineering plans and specifications for the proposed project;

- (3). Timetable for and duration of the proposed construction or other activity;
- (4). Any additional information as may be deemed necessary by the Director to fully assess the impact of the proposed activity upon the waters of the State or to support any changes in the scope of the project, actual or anticipated;
- (5). Any additional information including proprietary data, where, in the opinion of the Director, such information is necessary to fully disclose all relevant facts concerning the application for an approval. The applicant may assert a claim of confidentiality for proprietary data as defined in R.I. Gen. Law 38-2-2 provided said information is clearly marked and segregated within the total information requested by the Department; and
- (6). A preponderance of clear and scientifically valid evidence having a probative value demonstrating, to the satisfaction of the Director, that the activity will not violate the surface water quality standards established by these Water Quality Regulations, and amendments thereto.

B. Professional Certification for Plans and Specifications - All engineering plans and specifications required under rule 14.A. shall be certified by a professional engineer registered in the State pursuant to Chapter 5-8 of the General Laws of Rhode Island of 1956, as amended.

C. Failure of the applicant to submit information deemed necessary by the Department in order to fully assess the impact of the proposed project on waters of the State or to support any changes in the scope of the proposed project, actual or anticipated, shall constitute valid cause for denial of the application.

#### **Rule 15. - PROCEDURES FOR REVIEW OF APPLICATIONS FOR ORDERS OF APPROVAL AND WATER QUALITY CERTIFICATIONS**

A. In consideration of the application, the Department may use, but is not limited to, the following documents: Guides for the Design of Wastewater Treatment Works (TR-16), published by the New England Interstate Water Pollution Control Commission; Design of Municipal Wastewater Treatment Plants (WEF Manual of Practice #8 & ASCE Manual and Report on Engineering Practice #76), jointly published by the Water Environment Federation and the American Society of Civil Engineers; the most recent version of the Rhode Island Soil Erosion and Sediment Control Handbook, developed jointly by R.I. DEM and U.S. Department of Agriculture Natural Resources Conservation Service; State of Rhode Island Stormwater Design and Installation Standards Manual (1993), developed jointly by R.I. DEM and Coastal Resources Management Council; Storm Water Management for Construction Activities (EPA 832-R-92-005), by U.S. Environmental Protection Agency; the Technical Support Document for Water Quality-based Toxics Control, March 1991, EPA/505/2-90-001; Evaluation of Dredged Material Proposed for Ocean Disposal Testing Manual, February 1991, EPA-503/8-91/001; Interim Regional Policy for New England Stream Flow Recommendations, U. S. Department of Interior, Fish and Wildlife Service; Water Quality Standards Handbook, 2nd. Ed., August 1994, EPA-823-B-94-005a; and standards or policies accepted by the Department.

B. Application Completeness

(1). Upon receipt of an application, the Department will review the application for completeness and shall notify the applicant in writing whether the application is complete. Where the Department has deemed an application to be deficient, the processing of the application will be suspended and the applicant shall correct said deficiencies to the satisfaction of the Department.

C. At any time during review, the Director may:

(1). Require that the applicant provide such information as the Director deems necessary for the review of the application;

(2). Issue an approval requiring such terms, conditions, management practices and operation and maintenance requirements as deemed necessary to comply with the requirements of applicable state or federal laws; or

(3). Deny the application for failure to satisfy the requirements of applicable State or Federal Laws and advise the applicant of the right to appeal under rule 21 of these regulations. A denial may be based on, but is not limited to any or all of the following:

(a). A treatment works which is overloaded or inadequate to accept and treat any additional load of pollutants in which case the Director, shall, where appropriate, also deny applications for new sewer connection or additional discharges to the system;

(b). An activity or a treatment works or any part thereof, which is likely to substantially contribute to an increase in non-point source pollution which will likely result in a violation of state or federal laws or these regulations or any other regulations of the Department;

(c). A treatment works or any part thereof, or a project which is not consistent with the approved Wastewater Facilities Plan;

(d). Failure to submit any information required by the Department; or

(e). Failure to provide a preponderance of clear and scientifically valid evidence having a probative value demonstrating, to the satisfaction of the Director, that the activity will not violate the surface water quality standards established by these Water Quality Regulations, and amendments thereto.

D. Public Notice and Consideration of Public Comment for Applications for Water Quality Certification

(1). Certification Public Notice - Upon determination that an application for water quality certification is complete, the Director shall provide or have the applicant provide in a form approved in writing by the Department, written notice of the proposed project to all abutters of any property upon which the activity will occur, and to any other such persons, agencies or organizations deemed appropriate by the Director. At a minimum the chief elected officer of the city or town within which the activity will be conducted, shall be notified.

(a). For projects that the Director determines have the potential to result in impacts beyond the abutting property(ies) or that notification of abutters is

impracticable, the notice shall be published in a daily or weekly newspaper with circulation in the involved area. The Department may also require the applicant to publish notice, in a form approved in writing by the Department, in an additional daily or weekly newspaper with circulation that includes the community nearest the proposed location, or statewide.

(2). Comment Period - The notice will provide for a thirty-day comment period during which time any person may provide written comments which may include a request for a hearing on the project or activity proposed by the application.

(3). Public Hearing - The Director shall provide an opportunity for oral comments if a hearing is requested by twenty-five (25) persons, or by a governmental subdivision or agency, or by an association having not less than twenty-five (25) members. The applicant, all persons receiving notice under Rule 15.D.(1), and all persons submitting comments or requesting a hearing under Rule 15.D.(2) shall be notified consistent with the requirements of Rule 15.D.(1), at least fourteen (14) days in advance, of the time and place of the hearing.

(4). Consideration of Comments - The Director shall consider all written and oral comments and may approve modifications to the application package made in response to comments received, without requiring another notice and comment period, provided the modifications are minor in nature and will have little or no adverse environmental impact..

(5). Notice of Decision - All persons who submit comments, either orally at the hearing or in writing, shall receive written notice of the final agency decision on the application.

(6). Modifications - The Director may approve modifications to an approved project or activity without further notice, provided that the project had been noticed in accordance with Rule 15.D., and such modifications are minor in nature and will have little or no adverse environmental impact.

## **Rule 16. - EFFECT OF APPROVAL**

A. The issuance of an approval mandates compliance with all terms, conditions, management practices and operation and maintenance requirements set forth in the approval. Any violation of these may result in the finding of a prohibited discharge as set forth in rule 11 of these regulations.

B. The issuance of an approval does not relieve any person of the continuing responsibility to comply with any applicable rule of these regulations or applicable sections of the Clean Water Act.

C. The issuance of an approval by the Department does not relieve any person of the responsibility for obtaining any other necessary permits or approvals from any federal, state, regional, or local agency.

D. The issuance of an approval does not authorize any injury to persons or property or invasion of other private rights, or any infringement of Federal, State or local law or regulations.

## **Rule 17. - MODIFICATION, SUSPENSION OR REVOCATION OF APPROVAL**

A. The Director may modify, suspend, or revoke, in whole or in part, an approval for cause, including, but not limited to:

- (1). Information indicating that the project will likely result in probable harm to the environment or pose a threat to the health, safety and/or welfare of the public;
- (2). The existence of a factor or factors which, if properly and timely brought to the attention of the Director, would have justified the application of more or less stringent conditions than required by these regulations, but only if such factor(s) arose after the approval was issued;
- (3). Changes in effluent limitations in accordance with rule 10 of these regulations, or changes in the definition(s) of such limitations in the Clean Water Act or applicable Environmental Protection Agency regulations;
- (4). Where circumstances on which the approval was based have materially and substantially changed since the approval was issued, including, but not limited to, a change in category of waters from effluent limited to water quality limited, or amendment of these regulations;
- (5). The information or data submitted by the applicant or permittee either on the form(s) required or in any other material in support of the application is found to be false, misleading or erroneous; or
- (6). The project is not undertaken in strict compliance with the conditions or provisions of any approval issued by the Department.

B. A Notice of Revocation/Suspension of an approval will be in the form of a letter notifying the permittee or subsequent transferee of the revocation or suspension and the reasons why the approval is being revoked or suspended.

C. The party served with a Notice of Revocation/Suspension of an approval may request an adjudicatory hearing to contest the revocation as set forth in the provisions of rule 21. A Notice of Revocation/Suspension of an approval automatically becomes a final order of the Director enforceable in Superior Court upon failure to request said adjudicatory hearing.

D. Request for modification of approval shall be in accordance with rules 14 and 15.

## **Rule 18. - ANTIDegradation OF WATER QUALITY STANDARDS**

A. Purpose - The State Antidegradation Regulations are based on the federal Antidegradation Policy requirements (40 CFR 131.12) and have as their objective the maintenance and protection of various levels of surface water quality and uses. Antidegradation applies to all projects or activities subject to these regulations which will likely lower water quality or affect existing or designated water uses, including but not limited to all Water Quality Certification reviews and any new or modified RIPDES permits. For the disposal of dredged or fill material into the waters of the state, 40 CFR Part 230 Section 404(b)(1) guidelines shall be followed in the evaluation of 40 CFR 131.12(a)(1) and the Antidegradation Policy. The Antidegradation regulations consist of four (4) tiers of water quality protection.

B. Tier 1 - Protection of Existing Uses - Any existing in-stream water uses and level of surface water quality necessary to protect the existing uses, shall be maintained and protected.

C. Tier 2 - Protection of Water Quality in High Quality Waters - With the exception of Outstanding National Resource Waters, in surface waters where the existing water quality exceeds levels necessary to support propagation of fish and wildlife and recreation in and on the water, that quality shall be maintained and protected, except for insignificant changes in water quality as determined by the Director and in accordance with the Antidegradation Implementation Policy, as amended. An exception to this level of protection may only be allowed if it can be proven to the Director by a preponderance of clear and scientifically valid evidence having a probative value, and the Director finds, after full satisfaction of the intergovernmental coordination and public participation provisions of the RI Continuing Planning Process, that allowing significant water quality degradation is necessary to accommodate important economic and social benefit in the area in which the receiving waters are located. In allowing such significant degradation or lower water quality, the Director shall assure water quality adequate to fully protect existing and designated uses. In allowing a change in water quality, significant or insignificant, all reasonable measures to minimize the change shall be implemented. Adequate scientifically valid documentation shall be provided to the Director demonstrating that designated and existing uses, water quality to protect those uses, and all applicable water quality standards, will be fully protected. Further, the highest statutory and regulating requirements for all new and existing point sources and all cost-effective and reasonable best management practices for nonpoint source control shall apply.

D. Tier 2½ - Protection of Water Quality for SRPWs - Where high quality waters constitute a SRPW, there shall be no measurable degradation of the existing water quality necessary to protect the characteristic(s) which cause the waterbody to be designated as an SRPW. Notwithstanding that all public drinking water supplies are SRPWs, public drinking water suppliers may undertake temporary and short term activities within the boundary perimeter of a public drinking water supply impoundment for essential maintenance or to address emergency conditions in order to prevent adverse effects on public health or safety, provided that these activities comply with the requirements set forth in rule 18.B. (Tier 1 Protection of Existing Uses) and rule 18.C. (Tier 2 Protection of Water Quality in High Quality Waters).

E. Tier 3 - Protection of Water Quality for ONRWs - Where high quality waters constitute an Outstanding National Resource, as defined in rule 7, that water quality shall be maintained and protected. The State may allow some limited activities that result in temporary and short-term changes in the water quality of an ONRW. Such activities must not permanently degrade water quality or result in water quality lower than that necessary to protect the existing uses in the ONRW.

F. Implementation - The Antidegradation provisions shall be implemented in accordance with the Antidegradation Implementation Policy (Appendix C), as amended.

## **Rule 19. - MODIFICATION OF WATER QUALITY STANDARDS**

A. Authority - The Director has the power and duty in accordance with rule 2 of these regulations and section 46-12-3 (g) of the General Laws of Rhode Island of 1956, as amended, to promulgate water quality standards.

B. Request for Modification - Any person may request that the Director modify a water quality standard. The request must include a preponderance of clear and scientifically valid evidence having a probative value to demonstrate that such modification is consistent with these regulations. In addition, a Use Attainability Analyses (UAA) must be conducted:

- (1). for a request to remove a designated use specified in Section 101(a)(2) of the Act; or
- (2) to propose a subcategory of uses specified in Section 101(a)(2) of the Clean Water Act which require less stringent criteria.

C. Promulgation of Modifications - If the Director determines that modification is appropriate the Director shall initiate promulgation of such modification in accordance with Chapter 42-35 of the R.I. Gen. Laws.

D. General Standards for Conducting the Review - Water quality standards shall protect the public health, safety and welfare, enhance the quality of water and serve the purpose of the Clean Water Act. The Director will take into consideration the conservation, protection, use and value of the waters for public water supplies, propagation of fish and wildlife, recreational purposes, agricultural, industrial, and other purposes, and for navigation.

The Director shall attempt to establish water quality standards which will result in the achievement of the national water quality goal specified in paragraph 101(a)(2) of the Clean Water Act, wherever attainable. In determining whether such standards are attainable for any particular segment, the Director shall take into consideration environmental, technological, social and economic factors. Designation of uses which do not support the protection and propagation of fish and wildlife, and recreation in and on the water (Section 101(a)(2) of the Act), may be granted if supported by a Use Attainability Analyses to the satisfaction of the Director.

The Director shall take into consideration the water quality standards of downstream waters and shall assure that water quality standards provide for the attainment of the water quality standards of downstream waters.

The Director shall adhere to the antidegradation principles of the Antidegradation Policy.

E. Modifications of Designated Uses - Modifying a designated use may result in modifying the applicable criteria of the affected/identified water segment, to criteria necessary to protect the new designated use of that affected/identified water segment. In no case may a criteria be modified if it would adversely affect existing uses or other designated uses.

(1). Downgrading Designated Uses

(a). In waters in which the designated use(s) is not the existing use(s), any person may request that the Director, or the Director may propose, that the designated use be downgraded, or may designate a partial use (rule 8.B.(3)), only where it is demonstrated through the UAA process (except as noted in (b) below) by a preponderance of clear and scientifically valid evidence having a probative value to the satisfaction of the Director that attaining the designated use is not feasible because:

- i. Naturally occurring background pollutant concentrations or natural background conditions prevent the attainment of the use;
- ii. Naturally occurring ephemeral, intermittent or low flow conditions or water levels not human-made or human-induced prevent the attainment of the use, unless these conditions may be compensated for by the discharge of sufficient volume of effluent discharges without violating State water conservation requirements to enable uses to be met;

- iii. Human-made or human-induced conditions prevent the attainment of the use and cannot be remedied per item (vi), or would cause more environmental damage to correct than to leave in place;
- iv. Existing dams, diversions or other types of permitted hydrologic modifications which meet all applicable permit and/or water quality certificate requirements preclude the attainment of the use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use;
- v. Physical conditions related to the naturally occurring features of the water body, such as the lack of a proper substrate, cover, flow, depth, pools, riffles, and the like, unrelated to water quality and not human-made or human-induced, preclude attainment of aquatic life protection uses; or
- vi. Controls more stringent than those required by sections 301(b)(1)(A) and (B) and 306 of the Clean Water Act for point source dischargers, and reasonable best management practices for nonpoint source dischargers, would result in substantial and widespread economic and social impact.

It must also be demonstrated to the Director's satisfaction that downgrading or altering the water quality use will not affect the quality of waters beyond the area in which i, ii, iii, iv, v or vi applies nor violate rule 18 (Antidegradation of Water Quality Standards) of these regulations. The Director shall hold a public hearing on such downgrading requests that are determined to have merit.

(b). For the following waters, a partial use designation of SA{b} may be proposed and will not be considered a downgrade and will not require a use attainability analysis, unless the Director determines it is necessary to comply with Rule 18 (Antidegradation of Water Quality Standards):

- i. SA waters along the western shore of Aquidneck Island located between a straight line extending northerly from the boundary of Lots 8 and 9, Portsmouth Town Map 17 to the end of Coddington Cove Breakwater in Middletown, that extend 500 feet seaward from the mean high water mark.
- ii. SA waters along the western shore of Warwick Neck from the southern most point of the Harbor Light Marina parking lot to the northern side of the end of Randall Street, that extend 500 feet seaward from the mean high water mark.
- iii. SA waters along the eastern shore of Horse Neck from the eastern most extension of Burr Avenue, to the eastern most groin at Oakland Beach, that extend 500 feet seaward from the mean high water mark.

iv. SA waters from the northernmost point along the east bulkhead wall in the small embayment on the south side on the Allens Harbor entrance channel to the extension of a line from nun buoy 10 through FG Buoy 11 to the shore at Quonset Point, that extend 500 feet seaward from the mean high water mark.

(c). A designated use may not be downgraded if such uses will be attained by implementing effluent limits required under sections 301(b) and 306 of the Clean Water Act for point sources and by implementing cost-effective and reasonable best management practices for nonpoint source control.

(2). Upgrading Designated Uses - Any person may request that the Director or the Director may propose to upgrade the classification of a water quality segment, including a request to designate a waterbody or waterbody segment as a Special Resource Protection Water (SRPW) or an Outstanding National Resource Water (ONRW). Where current water use classifications specify water uses less sensitive than those which are presently being achieved, the Director shall propose to upgrade the classification of the waters in question to reflect the uses actually being attained. The Director shall hold a public hearing on such requests that are determined to have merit. At the hearing, the applicant must prove by a preponderance of clear and scientifically valid evidence having probative value to the satisfaction of the Director that such a reclassification satisfies the standards of rule 19.D. or that rule 18 applies.

F. Modification of Criteria - Any person may request that the Director, or the Director may propose to modify an aquatic life water quality criteria. The request and development of site specific criteria shall be in accordance with the most recent RIDEM Site Specific Aquatic Life Water Quality Criteria Development Policy. If the Director determines the criteria modification is appropriate, the Director shall promulgate such modification in accordance with Chapter 42-35 of the R.I. Gen. Laws.

Modification of criteria of a water segment shall not result in a modification of the designated use of the water segment. Newly developed criteria must still protect the existing and designated uses of the water segment.

## **Rule 20 - VARIANCES FROM WATER QUALITY STANDARDS**

A. Conditions for Granting Variances - A variance from the water quality standards may be granted by the Director when the Director has a reasonable belief that the standard can ultimately be attained. A variance from meeting the standard is granted to the discharger for the particular constituent that is causing non-attainment of the standard. All other applicable criteria and standards must be met by the discharger. The criteria protective of the standard must be maintained for all other dischargers on the waterbody. A variance can be granted only under the following conditions:

(1). Non-attainment of the standard is attributed to one of the following:

(a). Naturally occurring background pollutant concentrations or natural background conditions prevent the attainment of the use;

(b). Naturally occurring ephemeral, intermittent or low flow conditions or water levels not human-made or human-induced prevent the attainment of the use, unless these conditions may be compensated for by the discharge of sufficient

volume of effluent discharges without violating State water conservation requirements to enable uses to be met;

(c). Human-made or human-induced conditions prevent the attainment of the use and cannot be remedied per item (f), or would cause more environmental damage to correct than to leave in place;

(d). Existing dams, diversions or other types of permitted hydrologic modifications which meet all applicable permit and/or water quality certificate requirements preclude the attainment of the use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use;

(e). Physical conditions related to the naturally occurring features of the waterbody, such as the lack of a proper substrate, cover, flow, depth, pools, riffles, and the like, unrelated to water quality and not human-made or human-induced, preclude attainment of aquatic life protection uses; or

(f). Controls more stringent than those required by sections 301(b)(1)(A) and (B) and 306 of the Clean Water Act for point source dischargers, and reasonable best management practices for nonpoint source dischargers, would result in substantial and widespread economic and social impact.

(2). Treatment more advanced than that required by section 301(b)(1)(A) and (B) has been carefully considered, and that alternative effluent control strategies have been evaluated.

B. Time Limit for Variances - Variances from the water quality standards shall be for a specific period of time not to exceed three (3) years. A variance may be reinstated only upon demonstration that the conditions for granting the variance still apply and reasonable progress toward meeting the standard has been made.

C. Public Notice - The Director may grant a variance, in accordance with this rule, only after public notice, opportunity for comment and a public hearing, in accordance with Rhode Island General Laws Chapter 42-35.

D. Variances for RIPDES Permitted Discharges - Those persons holding a RIPDES permit, or applying for a RIPDES permit, must request a variance in accordance with rules 56-59 of the RIPDES Regulations.

E. Compliance With Other Water Quality Regulations - Issuance of a variance pursuant to this rule does not relieve the holder of the variance from complying with requirements of these regulations which have not been the subject of a variance.

## **Rule 21. - APPEALS**

A. General - The procedures for appeal of Departmental decisions pursuant to the provisions of Section 42-35 of the R.I. General Laws are contained in the "Administrative Rules of Practice and Procedure for the Department of Environmental Management Administrative Adjudication Division for Environmental Matters".

B. Appeal Procedures for Applications for Orders of Approval and Water Quality Certifications - The applicant may appeal to the Director for review of the decision on an application for approval

by filing an appeal with DEM/Administrative Adjudication.

- (1). Filing of Appeal - All appeals shall be in writing and shall be filed with and received by DEM/Administrative Adjudication within thirty (30) days after the effective date of the denial of the subject application.
- (2). Contents of Appeal - Every appeal shall comply in all respects with the “Administrative Rules of Practice and Procedure for the Department of Environmental Management Administrative Adjudication Division for Environmental Matters” and at a minimum contain the following:
  - (a). A detailed basis upon which the appeal is taken;
  - (b). A plat plan of the area of the subject application; and
  - (c). A list of the names and addresses of the applicant, the municipality in which the property is located and all abutters.
- (3). Notice of Administrative Hearing - Upon the filing of an appeal with DEM/ Administrative Adjudication, and once the hearing schedule allows, DEM/Administrative Adjudication shall notify the following, by first class mail, of the date, time and place of the adjudicatory hearing, in conformance with R.I. General Laws Section 42-35-9, as amended: the applicant, the municipality in which the property is located, all abutters and all other persons who received notice pursuant to Rule 15.D.(1) herein.

C. Appeal Procedure for Notice of Violations, Suspensions or Revocations - Any person who has received a Notice of Violation (NOV) alleging violation of these regulations, or whose approval has been suspended or revoked, may appeal to the Director for review of the decision on which the NOV, suspension or revocation is based by filing an appeal with DEM/Administrative Adjudication.

- (1). Filing of Appeal - All appeals shall be in writing and shall be filed with and received by DEM/Administrative Adjudication within twenty (20) days after the date of the receipt of the subject NOV, revocation or suspension.
- (2). Contents of Appeal - Every appeal shall contain a detailed basis upon which the appeal is taken.

## **Rule 22. - SAMPLING**

- A. Water Quality Testing - Surface water samples shall be collected, preserved, and analyzed in accordance with 40 CFR, Part 136, Guidelines establishing Test Procedures for the Analysis of Pollutants. Other methods recommended by the EPA may be used, if legally acceptable.
- B. Bioassays - Bioassays shall be performed in accordance with the latest editions of EPA documents entitled *Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms*, *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, and *Methods for Measuring the Toxicity and Bioaccumulation of Sediment-associated Contaminants with Freshwater Invertebrates* or other methods if approved by the Director and legally acceptable. A more detailed explanation of state requirements pertaining to bioassays is given in the most recent RIDEM bioassay protocol.

**Rule 23. - EFFECTIVE DATE**

The foregoing Water Quality Regulations, after due notice and hearing, are hereby adopted and filed with the Secretary of State this \_\_\_\_\_ day of \_\_\_\_\_, 2006 to become effective twenty (20) days thereafter, in accordance with the provisions of Chapters 46-12, 42-17.1 42-17.6 and 42-35 of the General Laws of Rhode Island, 1956, as amended.

\_\_\_\_\_  
W. Michael Sullivan, PhD, Director  
Department of Environmental Management

Notice Given on: November 19, 2004

Public Hearing held: January 12, 2005

Filing Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
WATER RESOURCES**

**APPENDIX A**

**WATER QUALITY**

**CLASSIFICATION DESCRIPTIONS**

**July 2006**

**The chart used to delineate the seawater conditions and designated use classification segments is the National Oceanic and Atmospheric Administration - U.S. Department of Commerce, United States, East Coast, Rhode Island - Massachusetts, Narragansett Bay. National Chart Catalog No. 1, Panel G, 48th Ed., May 30, 1992, 13221. True bearings are used in the narrative description of the water bodies.**

**The reference for the freshwaters for designated use classification segments described here is the United States Geographic Survey 7.5 Minute Series Topographic Quadrangle Maps at a scale of 1:24,000.**

## WATER QUALITY REGULATIONS APPENDIX A

### General

This waterbody classification listing is consistent with the geographical/numerical waterbody listing in the *State of the State's Waters Report*, also known as the 305(b) Report. To find the Classification for a specific waterbody, determine the associated Basin ID number (eg., RI0001) in which the waterbody is located, from Figure 1 (knowledge of the approximate location of the waterbody in the state is needed.). Using Table 1 identify the Subbasin in which the waterbody lies. The waterbody descriptions and classifications are listed in numerical order of the Basin waterbody ID numbers.

All major rivers and most secondary and tertiary streams and tributaries, as well as most medium to large ponds (generally 20 acres and larger) and estuarine waters are included in this listing. To determine the classification for waterbodies which are not listed in this Appendix, follow the General Water Quality Classification Rules listed below and in rule 8.C. of the Water Quality Regulations.

### Water Use Classification

All surface waters of the state have been categorized according to the water use classifications of rule 8.B of these regulations based on considerations of public health, recreation, propagation and protection of fish and wildlife, and economic and social benefit. Each class is identified by the most sensitive, and therefore governing, water uses to be protected. Surface waters may be suitable for other beneficial uses, but are regulated to protect and enhance the designated uses.

These water quality classifications (i.e. AA, A, B, B1, SA, SB, or SB1) denote the water quality **goals** for the waterbody as listed below and in rule 8.B of the regulations, not the present conditions. Assessments of present water quality condition are made on a case-by-case basis through information from the most recent State of the State's Waters 305(b) Report and/or any other applicable data as approved by the Director. The 305(b) Report is developed biennially (in even-numbered years) by the RIDEM, Water Resources and distributed to all major Rhode Island public libraries. Copies are also available for review on the DEM website at <http://www.dem.ri.gov/pubs/305b/index.htm>.

The water use classifications are as follows:

#### Freshwaters

Class AA<sup>@</sup> - These waters are designated as a source of public drinking water supply (PDWS) or as tributary waters within a public drinking water supply watershed (the terminal reservoir of the PDWS are identified in Appendix A), for primary and secondary contact recreational activities and for fish and wildlife habitat. These waters shall have excellent aesthetic value.

Class A - These waters are designated for primary and secondary contact recreational activities and for fish and wildlife habitat. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have excellent aesthetic value.

Class B<sup>\*</sup> - These waters are designated for fish and wildlife habitat and primary and secondary contact recreational activities. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have good aesthetic value.

Class B1<sup>\*</sup> - These waters are designated for primary and secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for compatible industrial processes and cooling, hydropower,

aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have good aesthetic value. Primary contact recreational activities may be impacted due to pathogens from approved wastewater discharges. However all Class B criteria must be met.

Class C - These waters are designated for secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These water shall have good aesthetic value.

@ Class AA waters used for public drinking water supply may be subject to restricted recreational use by State and local authorities.

\* Certain Class B and B1 waterbody segments may have partial use designations assigned to them as noted in rule 8.B.(3) and described below.

### Seawaters

Class SA<sup>@\*</sup> - These waters are designated for shellfish harvesting for direct human consumption, primary and secondary contact recreational activities, and fish and wildlife habitat. They shall be suitable for aquacultural uses, navigation, and industrial cooling. These waters shall have good aesthetic value.

Class SB<sup>\*</sup> - These waters are designated for primary and secondary contact recreational activities; shellfish harvesting for controlled relay and depuration; and fish and wildlife habitat. They shall be suitable for aquacultural uses, navigation, and industrial cooling. These waters shall have good aesthetic value.

Class SB1<sup>\*</sup> - These waters are designated for primary and secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for aquacultural uses, navigation, and industrial cooling. These waters shall have good aesthetic value. Primary contact recreational activities may be impacted due to pathogens from approved wastewater discharges. However all Class SB criteria must be met.

Class SC - These waters are designated for secondary contact recreational activities, and fish and wildlife habitat. They shall be suitable for aquacultural uses, navigation, and industrial cooling. These waters shall have good aesthetic value.

@ Some Class SA waters contain Closed Safety Zones which are waters in the vicinity of an approved sanitary discharge which may be impacted in the event of complete failure of treatment and are therefore, currently prohibited to shellfishing. Although shellfishing use is restricted, all SA criteria must be met.

\* Certain Class SA, SB and SB1 waterbody segments may have partial use designations assigned to them as noted in rule 8.B.(3) and described below.

### Partial Uses

In accordance with rule 8.B.(3). of these regulations, the Department may assign a partial use subcategory to a waterbody segment where waters are affected by combined sewer overflows or mooring fields. A partial use designation may affect the application of criteria.

- a. CSO - These waters will likely be impacted by combined sewer overflows in accordance with approved CSO Facilities Plans and in compliance with rule 19.E.1 of these regulations and the Rhode Island CSO Policy. Therefore, primary contact recreational activities; shellfishing uses; and fish and wildlife habitat will likely be restricted.

- b. Concentration of Vessels - these waters are in the vicinity of marinas and/or mooring fields and therefore seasonal shellfishing closures will likely be required as listed in the most recent (revised annually) RIDEM document entitled Shellfish Closure Areas , however, all Class SA criteria must be attained.

The following is a list of symbols used in the water quality classification listing:

- # - Located next to the Waterbody ID number, the # indicates a segment where the Water Effect Ratios (WERs) and Site Specific Criteria (See Appendix B) apply.
- @ - Located next to the Waterbody ID number identifies the terminal reservoir of the public drinking water supply.
- \* - Located next to the Waterbody ID number identifies a closed safety zone.
- {a} - Located next to the classification, {a} indicates a partial use designation due to impacts from CSOs.
- {b} - Located next to the classification, {b} indicates a partial use designation due to impacts from a concentration of vessels.

### **General Water Quality Classification Rules**

In accordance with rule 8.C. of these regulations:

1. All streams tributary to Class A waters shall be Class A.
2. All waters tributary to Class AA waters shall be Class AA.
3. All freshwaters hydrologically connected by surface waters and upstream of Class B, SB, C or SC waters shall be Class B unless otherwise identified in Appendix A of these regulations.
4. All other fresh waters, including, but not limited to, ponds, kettleholes and wetlands not listed in Appendix A shall be considered to be Class A.
5. All seawaters not listed in Appendix A shall be considered to be Class SA. All saltwater and brackish wetlands contiguous to seawaters not listed in Appendix A shall be considered to be Class SA.
6. All saltwater and brackish wetlands contiguous to seawaters listed in Appendix A shall be considered the same class as their associated seawaters.



TABLE 1

**Waterbody ID Numbers and Basin Locations**

<u>Waterbody ID Number</u>	<u>Basin Name/Subbasin Name</u>	<u>Page Number</u>
RI0001	Blackstone River Basin .....	7 - 10
RI0001001	Wallow Lake and Tribs. ....	7
RI0001002	Branch River and Tribs. ....	7 - 9
RI0001003	Blackstone River and Tribs. ....	9
RI0001004	Woonsocket Res. and Tribs. ....	9
RI0001005	Sneech Pond and Tribs. ....	10
RI0001006	Abbott Run Brook and Tribs. ....	10
RI0002	Woonasquatucket River .....	11 - 12
RI0002007	Woonasquatucket River and Tribs. ....	11 - 12
RI0003	Moshassuck River .....	13
RI0003008	Moshassuck River and Tribs .....	13
RI0004	Ten Mile River .....	14
RI0004009	Ten Mile River and Tribs .....	14
RI0005	Thames River .....	15 - 16
RI0005047	Tribs to the Five Mile River .....	15
RI0005011	Moosup River and Tribs. ....	15 - 16
RI0005010	Beach Pond and Tribs. ....	16
RI0006	Pawtuxet River .....	17 - 22
RI0006012	Big River and Tribs. ....	17
RI0006013	Flat River and Tribs. ....	17 - 18
RI0006014	Pawtuxet River South Branch and Tribs. ....	18
RI0006015	Scituate Reservoir and Tribs. ....	18 - 20
RI0006016	Pawtuxet River North Branch and Tribs. ....	20
RI0006017	Pawtuxet River Main Stem and Tribs. ....	20 - 21
RI0006018	Pocasset River and Tribs. ....	21-22
RI0007	Narragansett Bay .....	22 - 35
RI0007019	Seekonk River. ....	23
RI0007020	Providence River .....	23
RI0007024	Upper Narragansett Bay .....	24
RI0007021	Barrington & Runnins Rivers .....	24
RI0007022	Palmer River .....	24
RI0007023	Warren River .....	24
RI0007025	Greenwich Bay .....	25 - 26
RI0007028	Potowomut River .....	26 - 27
RI0007027	West Passage Narragansett Bay .....	27 - 29
RI0007026	Bristol Harbor .....	30
RI0007029	East Passage Narragansett Bay .....	30 - 32
RI0007030	Newport Harbor/Coddington Cove .....	32 - 33
RI0007036	Jamestown Water Supply .....	33
RI0007035	Aquidneck Water Supply & Tribs. ....	33
RI0007034	Warren Reservoir .....	33
RI0007033	Kickemuit River .....	34
RI0007032	Mt. Hope Bay .....	34 - 35
RI0007037	Stafford Pond .....	35

TABLE 1 **Waterbody ID Numbers and Basin Locations (continued)**

<u>Waterbody ID Number</u>	<u>Basin Name/Subbasin Name</u>	<u>Page Number</u>
RI0008	Pawcatuck River.....	36 - 41
RI0008039	Pawcatuck River and Tribs.....	36 - 387
RI0008040	Wood River and Tribs. ....	39 - 41
RI0008038	Tidal Pawcatuck River/Little Narragansett Bay	41
RI0009	Westport River .....	41
RI0009041	Adamsville Brook and Tribs.....	41
RI0010	Coastal (Block Island Sound/ Rhode Island Sound)	42 - 48
RI0010043	Southwest Coastal Ponds.....	42 - 44
RI0010045	Saugatucket River.....	44
RI0010042	Coastal Shoreline .....	45
RI0010044	Tribes to Pettaquamscutt River.....	45
RI0010047	Coastal Aquidneck.....	46
RI0010031	Sakonnet River .....	46 - 47
RI0010048	Southeast Coastal Ponds .....	47
RI0010046	Block Island Waters.....	47 - 48

## Waterbody Segment Classifications

<u>WATERBODY ID NUMBER</u>	<u>WATERBODY DESCRIPTION</u>	<u>CLASSIFICATION AND PARTIAL USE</u>
<b>Blackstone River Basin</b>		
<b>RI0001</b>		
<i>Wallum Lake &amp; Tributaries Subbasin</i>		
<i>RI0001001</i>		
RI0001001L-01@	Wallum Lake. Burrillville	AA
<i>Branch River &amp; Tributaries Subbasin</i>		
<i>RI0001002</i>		
RI0001002R-26	Hemlock Brook. Burrillville, RI/ Douglas, MA	A
RI0001002R-05A	Clear River from Wallum Lake to approximately 3/4 miles downstream. Burrillville	A
RI0001002R-05B	Clear River from a point approximately 3/4 mile downstream of Wallum Lake to a point 1/2 mile upstream of Wilson Reservoir. Burrillville	B1
RI0001002L-15	Round Pond. Burrillville	B
RI0001002R-06	Dry Arm Brook. Burrillville	B
RI0001002R-16	Iron Mine Brook. Burrillville	B
RI0001002R-05C	Clear River from 1/2 mile upstream of Wilson Reservoir to 1 mile upstream of confluence with the Chepachet River (upstream of the Burrillville WWTF discharge point). Gloucester, Burrillville	B
RI0001002L-01	Wilson Reservoir. Burrillville	B
RI0001002R-17	Leland Brook. Burrillville	B
RI0001002L-10	Burlingame Reservoir. Gloucester	B
RI0001002R-02	Brandy Brook. Gloucester	B
RI0001002L-03	Echo Lake (Pascoag Reservoir). Burrillville, Gloucester	B
RI0001002R-09	Pascoag River. Burrillville	B
RI0001002R-18	Mowry Brook. Burrillville	B
RI0001002R-11	Round Top Brook. Burrillville	A
RI0001002L-12	Round Top State Pond. Burrillville	A
RI0001002R-04	Chocalog River. Burrillville	A
RI0001002R-08	Nipmuc River. Burrillville	A
RI0001002L-04	Spring Lake (Herring Pond). Burrillville	B
RI0001002R-15	Herring Brook. Burrillville	B

<u>WATERBODY ID NUMBER</u>	<u>WATERBODY DESCRIPTION</u>	<u>CLASSIFICATION AND PARTIAL USE</u>
<b>Blackstone River Basin RI0001 (continued)</b>		
<i>Branch River &amp; Tributaries Subbasin RI0001002 (continued)</i>		
RI0001002R-25	Betty Brook. Burrillville	B
RI0001002R-05D	Clear River from the Burrillville WWTF discharge point to the confluence with the Chepachet River. Gloucester, Burrillville	B1
RI0001002L-14	Cherry Valley Pond. Gloucester	B
RI0001002R-19	Peckham Brook. Gloucester	B
RI0001002R-12	Saunders Brook. Gloucester	B
RI0001002L-11	Keech Pond. Gloucester	B
RI0001002L-07	Smith & Sayles Reservoir. Gloucester	B
RI0001002L-16	Shingle Mill Pond. Gloucester	B
RI0001002R-20	Stingo Brook. Gloucester	B
RI0001002L-06	Spring Grove Pond. Gloucester	B
RI0001002L-05	Sucker Pond. Burrillville	B
RI0001002R-22	Sucker Brook. Burrillville, Gloucester	B
RI0001002R-03	Chepachet River. Gloucester, Burrillville	B
RI0001002R-01A	Branch River from the confluence of the Clear River and Chepachet River at Oakland to the inlet of Slatersville Reservoir. Burrillville	B
RI0001002R-21	Tucker Brook. Burrillville	B
RI0001002L-09	Slatersville Reservoir. Burrillville, North Smithfield	B
RI0001002R-07	Mowry Paine Brook. Gloucester	B
RI0001002R-13A	Headwaters of Tarkiln Brook to Route 7 crossing, excluding the ponds. Burrillville, North Smithfield	B
RI0001002L-13	Nichols Pond. Burrillville	B
RI0001002L-08	Tarkiln Pond. North Smithfield	B
RI0001002R-13B	Tarkiln Brook from Route 7 crossing to Slatersville Reservoir. Burrillville, North Smithfield	B
RI0001002L-18	Lake Bel Air. North Smithfield	B
RI0001002R-24	Rankin Brook. North Smithfield	B
RI0001002R-14	Trout Brook. North Smithfield	B
RI0001002L-17	Trout Brook Pond. North Smithfield	B