



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF WATER RESOURCES

235 Promenade Street, Providence, Rhode Island 02908

May 21, 2025

CERTIFIED MAIL

Mr. David D. Dorocz, Environmental Division Director
Naval Station Newport
1 Simonpietri Drive
Newport, RI 02841

**RE: Former Defense Fuel Support Point (DFSP), Melville, Portsmouth, RI
RIPDES Permit Termination
RIPDES Permit No. RI0020150**

Dear Mr. Dorocz:

In accordance with the regulations as adopted pursuant to Chapter 46-12 of the General Laws of Rhode Island, as amended, the Rhode Island Department of Environmental Management (DEM) has terminated the above referenced Rhode Island Pollutant Discharge Elimination System (RIPDES) Permit as of the date noted in the attached termination. The attached termination and Statement of Basis includes the details of the permit termination.

The Former DFSP site was previously engaged in the operations of a fuel storage terminal for use by the Department of the Navy ("the Navy"). The facility was issued a permit to discharge on October 30, 1985 that expired on October 30, 1990. Since the permittee submitted a timely and complete application on May 17, 1990, this permit was administratively continued in accordance with 250-RICR-150-10-1.13 of the RIPDES Regulations. The discharges from this facility consisted of stormwater, groundwater, and fuel tank condensate water from Tanks Farms 1 – 3, which were treated by oil/water separators and conveyed to Narragansett Bay via Outfall 008A (Tank Farms 1 and 2) and Outfall 005A (Tank Farm 3). The discharge points are no longer active as they were secured/shut off as of October 31, 2016 for Outfall 008A and July 18, 2017 for Outfall 005A.

In accordance with 250-RICR-150-10-1.25.A.5 of the RIPDES Regulations, the permit is being terminated since there has been a change in conditions that resulted in the elimination of any discharges controlled by the permit. The basis for terminating the October 30, 1985 RIPDES permit are as follows: (1) the permitted discharges from Outfalls 008A and 005A have been secured/shut off since October 31, 2016 and July 18, 2017, respectively, and (2) the facility has plans to demolish Tank Farms 1 – 3 that will remove the infrastructure and any petroleum contamination due to past operations from these sites. Any subsequent point source discharges of pollutants from these sites will require a new permit.

In addition, the DEM initiated a public comment period pertaining to this permit termination from April 7, 2025 to May 16, 2025. No comments pertaining to the proposed draft

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termination/statement of basis were received from the permittee or any other interested parties during the timeframe specified above.

If you have any questions relative to this matter, please contact Aaron Mello at 401-537-4255 or at aaron.mello@dem.ri.gov.

Sincerely,

A handwritten signature in blue ink that reads "Heidi Travers".

Heidi Travers, P.E.
Environmental Engineer IV

Enclosure: RIPDES Permit Termination / Statement of Basis for RI0020150

ecc: Michelle Davis, Naval Station Newport
Joseph B. Haberek, DEM/OWR
Nicholas Noons, DEM/OLRSMM
Zac Chamberlin, DEM/OLRSMM
Crystal Charbonneau, DEM/OWR

TERMINATION

AUTHORIZATION TO DISCHARGE UNDER THE
RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of Chapter 46-12 of the Rhode Island General Laws, as amended,

Naval Station Newport
1 Simonpietri Drive
Newport, RI 02841

is no longer authorized to discharge from a facility located at

Defense Fuel Support Point
Melville Fuel Depot
Portsmouth, Rhode Island 02871

to receiving waters named

Narragansett Bay – East Passage

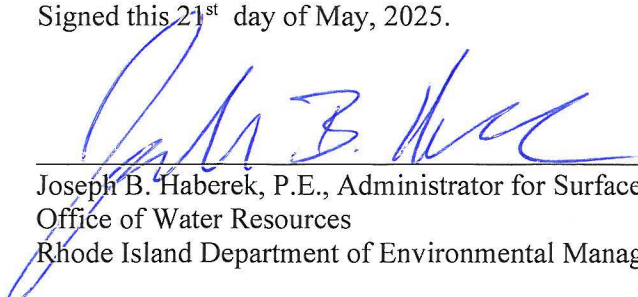
All effluent limitations, monitoring requirements and other conditions in the original permit are no longer in effect.

This termination shall become effective on the date of signature.

This terminates the permit issued on October 30, 1985.

This termination consists of 1 page.

Signed this 21st day of May, 2025.



Joseph B. Haberek, P.E., Administrator for Surface Water Protection
Office of Water Resources
Rhode Island Department of Environmental Management

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

STATEMENT OF BASIS

PROPOSED TERMINATION OF A RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION
SYSTEM (RIPDES) PERMIT TO DISCHARGE TO WATERS OF THE STATE

RIPDES PERMIT NO. **RI0020150**

NAME AND MAILING ADDRESS OF PERMITTEE:

Naval Station Newport
1 Simonpietri Drive
Newport, RI 02841

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Defense Fuel Support Point
Melville Fuel Depot
Portsmouth, Rhode Island 02871

RECEIVING WATER: **Narragansett Bay – East Passage**
Water Body ID: RI0007029E-01D

RECEIVING WATER CLASSIFICATION: **SB1**

TYPE OF FACILITY:

Defense Fuel Support Point (“DFSP”) was the source of the discharge and was issued a permit to discharge on October 30, 1985 that expired on October 30, 1990. However, since the permittee submitted a timely and complete application on May 17, 1990, this permit was administratively continued in accordance with 250-RICR-150-10-1.13 of the Regulations for the Rhode Island Pollutant Discharge Elimination System (RIPDES).

This facility was previously engaged in the operations of a fuel storage terminal for use by the Department of the Navy (“the Navy”). The discharges from this facility consisted of stormwater, groundwater, and fuel tank condensate water from Tanks Farms 1 – 3, which were treated by oil/water separators and conveyed to Narragansett Bay via Outfall 008A (Tank Farms 1 and 2) and Outfall 005A (Tank Farm 3). The discharge points are no longer active as they were secured/shut off as of October 31, 2016 for Outfall 008A and July 18, 2017 for Outfall 005A.

BASIS FOR DEM'S TENTATIVE DECISION TO TERMINATE:

The Defense Logistics Agency previously operated a fuel terminal to support the Navy’s activities for Naval Station Newport at the above-mentioned location under RIPDES permit RI0020150. This facility was authorized to discharge stormwater, groundwater, and tank condensate water treated by oil/water separators associated with fuel terminal operations at Tank Farms 1-3 through Outfalls 008A/005A.

The below summary of correspondence documents the efforts made between the Rhode Island Department of Environmental Management (“DEM”) and the Navy to address changes in industrial activities and legacy contamination in soils and groundwater at the sites due to the site’s past uses as Navy fuel depots. Also, the summary documents subsequent compliance issues at the sites, which led to the Navy securing the discharges at Outfalls 008A/005A, and ultimately requesting termination of the RIPDES permit:

Site History:

The DEM issued a letter to the Naval Station Newport on April 7, 2009 entitled “April 2008 Meeting and Sampling Regimen”. This letter documented past meetings between the Navy and DEM regarding the status of the above RIPDES permit and its Outfalls 005A and 008A. In this letter the following items were noted:

- a. There have been significant changes in activities at the site since the permit’s last issuance in 1985. The original permit authorized stormwater, groundwater, and fuel tank condensate water discharges associated with the operation of the fuel terminal distribution activities of Tank Farms 1-3.
- b. DEM requested the Navy to document that all stormwater discharges associated with industrial activity from the facility have been eliminated, that the facility has closed, operations have ceased, and that the stormwater drainage system was not discharging contaminated groundwater.
- c. In an April 2008 meeting the Navy informally agreed to: 1) sample discharge(s) within its stormwater collection system to evaluate the potential for contaminated groundwater to infiltrate into the stormwater collection system and document that groundwater from the Tank Farm ring drains not disconnected was free of contamination; and to 2) inspect all storm drains, catch basins, and pipe chases/conduits and tributary surface areas at the DFSP site to document that there was not any residual petroleum contamination within the stormwater system and/or that discharges of contaminated groundwater or stormwater that comes in contact with contamination from past industrial activities is not being discharged through the stormwater system.
- d. Based on the above, the DEM required the Navy to perform a sampling plan designed to capture both wet weather and dry weather discharges during both the high and low groundwater periods. The sampling plan required the Navy to conduct (3) wet weather sampling events and (3) dry weather sampling events during the high groundwater period (January – April) and the low groundwater period (July – October) at various locations identified in the sampling plan. Samples were to be analyzed for Volatile Organic Compounds (“VOCs”), Semi-Volatile Organic Compounds (“SVOCs”), Total Petroleum Hydrocarbons (“TPH”), and Total Lead. Following the completion of the sampling events, a summary report would be submitted to DEM for review .
- e. Also, the DEM required the Navy to provide: 1) updated mapping of the DFSP site’s stormwater system and location of major structures for the Tank Farm 1, 2 and 3 areas; and 2) documentation that all catch basin and manholes have been inspected for illicit discharges and connections and provide a summary of the inspection findings and the results of any subsequent follow-up investigations necessary to confirm suspect illicit connections.

On June 30, 2011 the Navy submitted the following documents to DEM in response to the abovementioned April 7th letter.

- Abbreviated Summary of Investigations – Tank Farms 1, 2, 3 and the Backyard Area (dated June 8, 2011);
- 2011 Illicit Discharge Survey Report (dated May 2, 2011);
- Defense Fuel Supply Point Drainage System Survey Report (dated June 23, 2011);
- Final Summary Report for the wet/dry weather sampling results (date May 25, 2011); and
- Updated Storm Drainage System Mapping.

The DEM reviewed the above documents and issued a comment letter to the Navy dated November 16, 2012 that was entitled “Review of Wet and Dry Weather Sampling – Tank Farms 1, 2, and 3”. Below is a summary of key highlights and requirements from the above letter:

- a. As noted in the April 7th letter, the Navy indicated that the ring drain groundwater underdrainage systems for Tank Farms 1 and 2 had been disconnected and should not discharge any groundwater to the oil/water separator system (that discharges via Outfall 008A); and Tank Farm 3's (Outfall 005A) ring drain system could not be closed as the system flows by gravity and could not be disabled.
- b. The 'DFSP Drainage System Survey Report' indicated that sub-surface drainage from Tank Farm 1 cannot reach Tanks 9/10 and be conveyed to the stormwater system that is treated by the oil/water separator. However, it was noted that groundwater from Tank Farm 2 could still flow by gravity towards the stormwater system contributing to Outfall 008A.
- c. The drainage survey report concluded that flows from Outfall 008A are a combination of direct groundwater inflow and secondary containment berm water, and that flows from Outfall 005A are from the ring drain groundwater collection system for Tank Farm 3 that remains active and flows by gravity.
- d. The Navy submitted the Final Summary Report for the wet/dry weather sampling results in the June 30th submittal. Upon review of the wet/dry weather sampling report DEM noted that numerous VOCs and SVOCs were detected at the Tank Farm 1 and 2 sampling locations, as well as at Outfalls 005A and 008A. From analysis of the data, it was determined that the following pollutants had concentrations that would violate effluent limits for the RIPDES Remediation General Permit ("RGP"):

Outfall 008A system: TPH, Total Lead, Benzo (a) Anthracene, Benzo (b) Fluoranthene, bis (2-ethylhexyl) Phthalate, Indeno (1,2,3-cd) Pyrene

Outfall 005A system: Total Lead, Benzo (a) Anthracene, Benzo (b) Fluoranthene, Dibenzo (a,h) Anthracene, Indeno (1,2,3-cd) Pyrene

- e. Since the above sampling results documented that pollutants were being detected at levels above allowable permit limits and the Drainage System Survey Report indicated groundwater inflow into the stormwater collection systems at both Outfalls 005A and 008A from subsurface drainage structures, the DEM determined the Navy must apply for coverage of these discharges from the above outfalls through the RIPDES RGP. DEM required the Navy to submit a Notice of Intent (NOI) application package for a RGP for Outfalls 005A and 008A within (60) days of receipt of the November 16th letter. To comply with the RGP effluent limits the Navy would need to treat the groundwater/stormwater with a treatment technology capable of removing VOCs, SVOCs, and metals. With issuance of the RGP to the Navy, DEM would terminate the individual RIPDES permit #RI0020150 and the RGP would supersede its conditions.

The DEM received a response from the Navy dated January 28, 2013. In this letter the Navy noted that to upgrade each oil/water separator with advanced treatment to achieve compliance with the RGP limitations, it would take several years to secure program funding as well as design and complete the construction projects. The Navy proposed instead to disconnect the tank ring drains and drainage systems to eliminate the inflow of groundwater. The Navy discussed with the Defense Logistics Agency ("DLA") and DLA agreed to perform the work. Upon DEM's approval, the Navy requested that DEM reissue the existing RIPDES permit with interim effluent limits equivalent to those in the existing RIPDES individual permit with a (3) year compliance schedule for meeting final effluent limits similar to those found in the RGP. DEM did not approve nor deny the Navy's request and did not initiate permit reissuance of the existing individual permit.

Following the above occurrences, the DFSP facilities experienced non-compliance with the TSS limits contained in Part I.A.1 of the 1985 permit for Outfalls 005 and 008 for the timeframe of November 2014 through August 2015. As a result of these violations the DEM issued a significant non-compliance letter ("SNC") to the Navy on June 8, 2015 and a subsequent Notice of Referral ("NOR") letter on January 11, 2016. Due to the continued exceedances of TSS at outfalls 005 and 008, the Navy noted in its October

2016 Discharge Monitoring Report ("DMR") cover letter dated November 7, 2016 that the discharge at Outfall 008A had been secured/shut off as of October 31, 2016 until further notice or corrective actions could be taken. Stormwater runoff and ring drain groundwater continued to be discharged from Outfall 005A into Narragansett Bay until July 2017. The Navy's July 2017 DMR cover letter dated August 14, 2017 noted that Outfall 005A was secured/shut off on July 18, 2017.

In a letter to DEM dated June 13, 2023, the Navy requested termination of the 1985 RIPDES permit as the flows discharged from Outfalls 008A and 005A had been secured/shut off since October 31, 2016 and July 18, 2017, respectively. In addition, a contract to demolish Tank Farm 1 was scheduled and would remove the infrastructure (tanks, piping, ring drains, etc.) and any petroleum contamination from the historic operations. Projects to demolish Tank Farms 2 and 3 are in the planning stages but will accomplish the above-noted goals. In response to the termination request, DEM inspectors visited the facility on June 27, 2023. The inspectors conducted an onsite meeting with the facility at the DFSP Tank Farm 1 and Tank Farm 3 locations. Given the above facts that the permitted outfalls have been secured/shut off, eliminating the point source discharges, and the Tank Farms are slated for demolition, the DEM has determined that it is appropriate to terminate the Navy's permit.

In accordance with 250-RICR-150-10-1.25.A.5 of the Regulations for the Rhode Island Pollutant Discharge Elimination System, the permit is being terminated since there has been a change in conditions that resulted in the elimination of any discharges controlled by the permit. The basis for terminating the October 30, 1985 RIPDES permit are as follows: (1) the permitted discharges from Outfalls 008A and 005A have been secured/shut off since October 31, 2016 and July 18, 2017, respectively, and (2) the facility has plans to demolish Tank Farms 1 – 3 that will remove the infrastructure and any petroleum contamination due to past operations from these sites. Any subsequent point source discharges of pollutants from these sites will require a new permit.

DEM CONTACT:

Additional information concerning the permit termination may be obtained, by appointment, between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, excluding holidays, from:

Aaron Mello
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Department of Environmental Management
Office of Water Resources
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Providence, Rhode Island 02908-5767
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aaron.mello@dem.ri.gov

26 Mar. 2025

Date

Heidi Traverso

Heidi Traverso, P.E.
Environmental Engineer IV
Office of Water Resources
Department of Environmental Management