

**Rhode Island Department of Environmental Management  
Regulatory Agenda– June 15, 2016**

**PART I - Rules Promulgated January 16, 2016 through June 15, 2016**

<b>ERLID</b>	<b>Type Filing</b>	<b>Title</b>	<b>Effective Date</b>
8275	Amendment	Publish FY 2016 Project Priority List	2/23/2016
8295	Amendment	RI Marine Fisheries Regulations Part 3 - Finfish	4/20/2016
8296	Amendment	RI Marine Fisheries Regulations Part XII – Striped Bass	4/20/2016
8297	Amendment	RI Marine Fisheries Regulations Part 7 – Dealer Regulations	4/20/2016
8277	Amendment	Recycling regulations, Composting and Solid Waste Management Facilities	5/4/2016
8292	Repeal	RI Marine Fisheries Regulations Part I – Legislative Findings	5/18/2016
8310	Repeal	RI Marine Fisheries Regulations Part X – Equipment Restrictions	5/18/2016
8311	Repeal	RI Marine Fisheries Regulations Part XI – Commercial Fisheries	5/18/2016
8312	Repeal	RI Marine Fisheries Regulations Part XIII – Gillnet Regulations	5/18/2016
8313	Repeal	RI Marine Fisheries Regulations Part XIV – Fish Traps	5/18/2016
8293	Adoption	RI Marine Fisheries Regulations Part 1 – Definitions	5/18/2016
8322	Amendment	RI Marine Fisheries Regulations Part 3 - Finfish	5/31/2016
8308	Amendment	RI Marine Fisheries Regulations Part 5 – Lobster, Crabs, and Other Crustaceans	5/31/2016
8309	Adoption	RI Marine Fisheries Regulations Part 6 – General Equipment Provisions	5/31/2016
8307	Amendment	RI Marine Fisheries Regulations Part XVI – Menhaden	5/31/2016
8271	Amendment	Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems (OWTS Rules)	6/27/2016

**Rhode Island Department of Environmental Management  
Regulatory Agenda– June 15, 2016**

**PART II - Expected Rulemaking Activity June 16, 2015 through January 16, 2017**

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Adoption	Freshwater & Anadromous Fishing Regulations for the 2017 – 2018 season	To establish season bag limits and methods of take.	R.I.G.L.§20-1-13	DEM expects to complete the rule making process during the 3 <sup>rd</sup> quarter of 2016	Ashley Schipritt Division of Fish & Wildlife 782-3720	Recreational anglers, bait & tackle shops
Adoption	Hunting Regulations for the 2016 – 2017 season	To establish season bag limits and methods of take for the State of Rhode Island Hunting Regulations.	R.I.G.L.§20-1-13	DEM expects to complete the rule making process during the 3 <sup>rd</sup> quarter of 2016	Ashley Schipritt Division of Fish & Wildlife 782-3720	Hunters & Sporting goods stores
Adoption	Park Management Rules and Regulations	To establish Rules and Regulations for the State of Rhode State owned parks and management areas.	R.I.G.L.§20-1-13	DEM expects to complete the rule making process during the 3 <sup>rd</sup> quarter of 2016	Ashley Schipritt Division of Fish & Wildlife 782-3720	General Public & Hunters
Adoption	Falconry Regulations for the 2016 – 2017 Season	To establish season bag limits and methods of take for the State of Rhode Island Falconry Regulations	R.I.G.L.§20-1-13	DEM expects to complete the rule making process during the 3 <sup>rd</sup> quarter of 2016	Ashley Schipritt Division of Fish & Wildlife 782-3720	Falconers & Suppliers of products

**Rhode Island Department of Environmental Management  
Regulatory Agenda– June 15, 2016**

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	Rules and Regulations for the Narragansett Bay and Watershed Restoration Bond Fund	Amend rules to administer funds related to flood prevention authorized by a 2014 bond issue.	R.I.G.L.§42-17.1-2(s), 46-12-24 and 46-12-24.1	DEM expects to complete rulemaking process during the 3 <sup>rd</sup> quarter of 2016.	Sue Kiernan, Office of Water Resources, 222-4700 x7600	Municipalities, non-governmental watershed organizations, Emergency Management Agencies (EMA, local).
Amendment	Rules and Regulations for the Narragansett Bay and Watershed Restoration Bond Fund	Amend rules to administer funds related to flood prevention authorized by a 2014 bond issue.	R.I.G.L.§42-17.1-2(s), 46-12-24 and R.I.G.L.§46-12-24.1	DEM expects to complete rulemaking process during the 3 <sup>rd</sup> quarter of 2016.	Sue Kiernan, Office of Water Resources, 222-4700 x7600	Municipalities, non-governmental watershed organizations, Emergency Management Agencies (EMA, local).
Amendment	Rhode Island Air Pollution Control General Definitions Regulation	Revise the definition of volatile organic compounds	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Doug McVay, Office of Air Resources, 222-4700 x-7011	Stationary sources using volatile organic compounds
Amendment	Air Pollution Control Regulation No. 8, “Sulfur Content of Fuels”	Revisions to requirements for alternative fuels	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Doug McVay, Office of Air Resources, 222-4700 x-7011	Fuel burning sources

**Rhode Island Department of Environmental Management  
Regulatory Agenda– June 15, 2016**

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	Air Pollution Control Regulation No. 19, “Control of Volatile Organic Compounds from Surface Coating Operations”	Revisions to the registration section to make the requirements consistent with APC Regulation No. 14.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Doug McVay, Office of Air Resources, 222-4700 x-7011	Not a substantive change
Amendment	Air Pollution Control Regulation No. 19, “Control of Volatile Organic Compounds from Surface Coating Operations”	Correct technical errors and change applicability and exemption specifications so there is no overlap in the operations regulated by this regulation and APC Regulation No. 44.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Doug McVay, Office of Air Resources, 222-4700 x-7011	Sources with operations that apply industrial adhesives and sealants.
Amendment	Air Pollution Control Regulation No. 27, “Control of Nitrogen Oxide Emissions.”	For stationary sources that are subject to the regulation and are required to conduct annual stack testing reduce the frequency of the required testing.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Karen Peltier, Office of Air Resources, 222-2808 x-7136	Stationary sources that emit greater than 50 tons of nitrogen oxides per year.

**Rhode Island Department of Environmental Management  
Regulatory Agenda– June 15, 2016**

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	Air Pollution Control Regulation No. 35, “Control of Volatile Organic Compounds and Volatile Hazardous Air Pollutants from Wood Products Manufacturing Operations”	Modify applicability specifications to exempt major sources of Hazardous Air Pollutants (HAP) that have minimal HAP emissions from wood products manufacturing operations.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Doug McVay, Office of Air Resources, 222-4700 x-7011	Boat builders and other major HAP sources with small wood products manufacturing operations.
Amendment	Air Pollution Control Regulation No. 36, “Control of Emissions from Organic Solvent Cleaning”	Modify the regulation to include potential alternative control technologies and add a de minimis solvent use exemption for degreasing equipment.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Ted Burns, Office of Air Resources, 222-4700, x-7013	Miscellaneous sources conducting cleaning using organic solvents
Amendment	Air Pollution Control Regulation No. 13, “Particulate Emissions From Fossil Fuel Fired Steam or Hot Water Generating Units ”	Technical corrections to eliminate a section of the rule that no longer applies.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Doug McVay, Office of Air Resources, 222-4700 x-7011	Not a substantive change.

**Rhode Island Department of Environmental Management  
Regulatory Agenda– June 15, 2016**

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	Air Pollution Control Regulation No. 16, “Operation of Air Pollution Control Systems”	Revisions to respond to a SIP call by EPA for startup, shutdown and malfunctions.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Doug McVay, Office of Air Resources, 222-4700 x-7011	Sources with air pollution control systems.
Amendment	Air Pollution Control Regulation No. 28, “Operating Permit Fees”	Revisions to dates for payments of fees to be consistent with DEM’s current practice.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Doug McVay, Office of Air Resources, 222-4700 x-7011	Not a substantive change. Sources subject to the operating permit program.
Amendment	Air Pollution Control Regulation No. 29, “Operating Permits”	Revisions to the eligibility requirements for emission caps to allow more sources to be eligible for an emissions cap	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Doug McVay, Office of Air Resources, 222-4700 x-7011	A stationary source with potential emissions in excess of major source thresholds, but with actual emissions less than those thresholds
Amendment	Air Pollution Control Regulation No. 34, “Rhode Island Motor Vehicle Inspection/Maintenance Program”	Eliminate dynamometer testing and add heavy duty diesel vehicle testing	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3 <sup>rd</sup> quarter of 2016.	Frank Stevenson, Office of Air Resources, 222-4700 x-7021	Diesel truck owners and inspection station owners.

**Rhode Island Department of Environmental Management  
Regulatory Agenda– June 15, 2016**

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	Air Pollution Control Regulations No. 9, “Air Pollution Control Permits”	Revise permitting thresholds so that it is clearer when permits are necessary. Update reference to modeling guidelines. Revise requirements for major sources to be consistent with federal requirements.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 4 <sup>th</sup> quarter of 2016	Doug McVay, Office of Air Resources, 222-4700 x-7011	USEPA, small businesses required to obtain air permits, environmental groups
Amendment	Air Pollution Control Regulations No. 9, “Air Pollution Control Permits” and No. 22, “Air Toxics”	Update Acceptable Ambient Levels & Minimum Quantity Thresholds consistent w/ current toxicological data.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 4 <sup>th</sup> quarter of 2016.	Doug McVay, Office of Air Resources, 222-4700 x-7011	Sources emitting toxic air pollutants & consultants conducting modeling for those sources
Amendment	Air Pollution Control Regulations No. 46, “CO2 Budget Trading Program”	Revisions to implement EPA’s Clean Power Plan.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 4 <sup>th</sup> quarter of 2016.	Frank Stevenson, Office of Air Resources, 222-4700 x-7021	Power plants, environmental groups, USEPA,

**Rhode Island Department of Environmental Management  
Regulatory Agenda– June 15, 2016**

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	Air Pollution Control Regulations No. 47, “CO2 Budget Trading Program Allowance Distribution”	Revisions to implement EPA’s Clean Power Plan.	R.I.G.L.§42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 4 <sup>th</sup> quarter of 2016.	Frank Stevenson, Office of Air Resources, 222-4700 x-7021	Power plants, environmental groups, USEPA,
Amendment	Groundwater Quality Rules	Update Groundwater Classification and Wellhead Protection Area maps. Minor language updates.	R.I.G.L.§46-12, 46-13.1, 23-18.9, 23-19.1	DEM expects to complete rulemaking process during the 4th quarter of 2016	Ernie Panciera, Office of Water Resources, 222-4700 x 7603	Developers, builders property owners, municipal officials, state agencies and environmental community
Amendment	Rules & Regulations for Drilling of Drinking Water Wells	The purpose is to repeal rules in coordination with the Department of Administration pursuant to revised State law.	R.I.G.L.§46-13.2	DEM expects to complete rulemaking process during the 4th quarter of 2016	Sue Kiernan, Office of Water Resources, 222-4700 x7600	Well Drilling Contractors, DOA, DOH, Municipalities (Building Officials)
Amendment	Priority Determination System for Federal and State Assistance to Local Governmental Units for Construction of Water Pollution Abatement Projects (PPL Regs)	Amend PPL regs to allow rating projects proposed by non-governmental entities. Also, revising and updating project rating criteria.	R.I.G.L.§42-17.1; 46-12;46-12.2	DEM expects to complete rulemaking process during the 4th quarter of 2016	Jay Manning, Office of Water Resources, 222-4700 x7254	Public, private and non-profit entities.



**Rhode Island Department of Environmental Management  
Regulatory Agenda– June 15, 2016**

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	Groundwater Quality Rules	Update Groundwater Classification and Wellhead Protection Area maps. Minor language updates.	R.I.G.L.§46-12, 46-13.1, 23-18.9, 23-19.1	DEM expects to complete rulemaking process during the 4th quarter of 2016	Ernie Panciera, Office of Water Resources, 222-4700 x 7603	Developers, builders property owners, municipal officials, state agencies and environmental community
Amendment	Rules & Regulations for Drilling of Drinking Water Wells	The purpose is to repeal rules in coordination with the Department of Administration pursuant to revised State law.	R.I.G.L.§46-13.2	DEM expects to complete rulemaking process during the 4th quarter of 2016	Sue Kiernan, Office of Water Resources, 222-4700 x7600	Well Drilling Contractors, DOA, DOH, Municipalities (Building Officials)
Adoption	Falconry Regulations for the 2016 – 2017 Season	To establish season bag limits and methods of take for the State of Rhode Island Falconry Regulations	R.I.G.L.§20-1-13	DEM expects to complete the rule making process during the 3rd quarter of 2016	Ashley Schipritt Division of Fish & Wildlife 782-3720	Falconers & Suppliers of products
Amendment	RI Marine Fisheries Part 4 - Shellfish	Annually revised commercial winter harvest schedules for Shellfish Management Areas; correct Shellfish Mgmt. Area boundary descriptions	R.I.G.L.§42-17.1, 42-17.6, and 42-17.7	DEM expects to complete the rule making process during the 4th quarter of 2016	Jason McNamee Marine Fisheries 423.1943	Commercial and recreational fishermen; fish dealers; general public

**Rhode Island Department of Environmental Management  
Regulatory Agenda– June 15, 2016**

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	RI Marine Fisheries Part 6 – General equipment Provisions	Correct locations of fish traps	R.I.G.L. §42-17.1, 42-17.6, and 42-17.7	DEM expects to complete the rule making process during the 4th quarter of 2016	Jason McNamee Marine Fisheries 423.1943	Commercial and recreational fishermen; fish dealers; general public

**Rhode Island Department of Environmental Management  
Regulatory Agenda– June 15, 2016**

**PART III - Expected Rule-making Activity January 16, 2017 through June 16, 2017**

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	RI Marine Fisheries Part 2 - Commercial and Recreational Saltwater Fishing Licensing	Revise commercial licensing regulations for 2017	R.I.G.L.§42-17.1, 42-17.6, and 42-17.7	DEM expects to complete the rule making process during the 1 <sup>st</sup> quarter of 2017	Jason McNamee Marine Fisheries 423.1943	Commercial and recreational fishermen; fish dealers; general public
Amendment	RI Marine Fisheries Part 3 – Finfish	Revise commercial regulations for regulated finfish species for 2017	R.I.G.L.§42-17.1, 42-17.6, and 42-17.7	DEM expects to complete the rule making process during the 1 <sup>st</sup> quarter of 2017	Jason McNamee Marine Fisheries 423.1943	Commercial and recreational fishermen; fish dealers; general public
Amendment	RI Marine Fisheries Part 5 – Lobsters, Crabs, and Other Crustaceans	Provided regulations for the management of Jonah Crab	R.I.G.L.§42-17.1, 42-17.6, and 42-17.7	DEM expects to complete the rule making process during the 1 <sup>st</sup> quarter of 2017	Jason McNamee Marine Fisheries 423.1943	Commercial and recreational fishermen; fish dealers; general public
Amendment	RI Marine Fisheries Part 1 – Definitions	Thorough review of terms and corrections as needed	R.I.G.L.§42-17.1, 42-17.6, and 42-17.7	DEM expects to complete the rule making process during the 1 <sup>st</sup> quarter of 2017	Jason McNamee Marine Fisheries 423.1943	Commercial and recreational fishermen; fish dealers; general public