



Department of Environmental Management
Office of Compliance and Inspection

2008 Annual Report



Wanskuck Mill, Branch Avenue, Providence

Photo showing several of hundreds of deteriorated drums and containers holding hazardous waste discovered by hazardous waste inspectors from the Office of Compliance and Inspection. Drums and containers removed by EPA in 2008.

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Who We Are

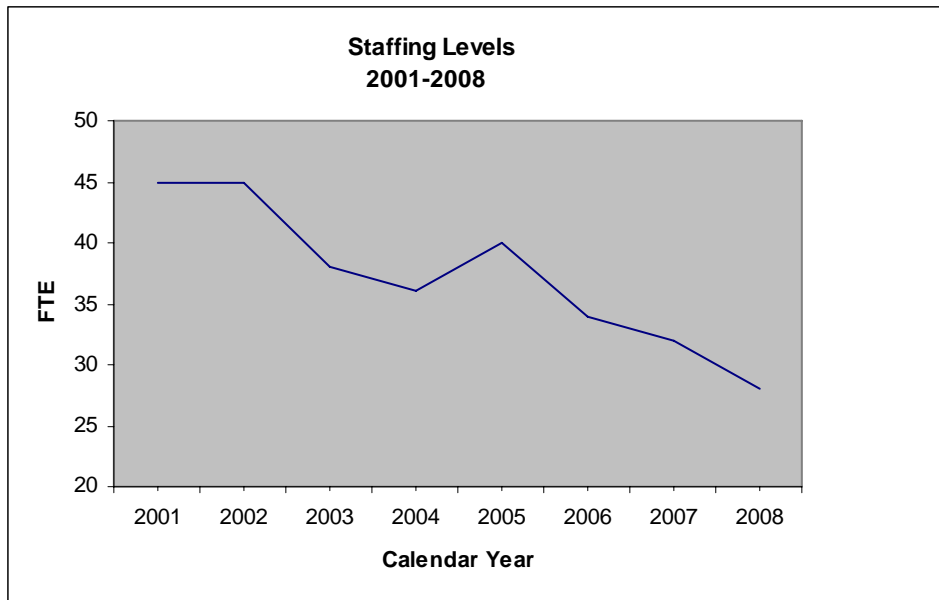
The Office of Compliance and Inspection (OC&I) is within the Rhode Island Department of Environmental Management (RIDEM) Bureau of Environmental Protection (BEP) and is responsible for regulatory compliance and enforcement for the following programs: air pollution, dam safety, freshwater wetlands, hazardous waste management, onsite wastewater treatment systems (i.e., septic systems), solid and medical waste, underground and leaking underground storage tanks, and water pollution.

What We Do

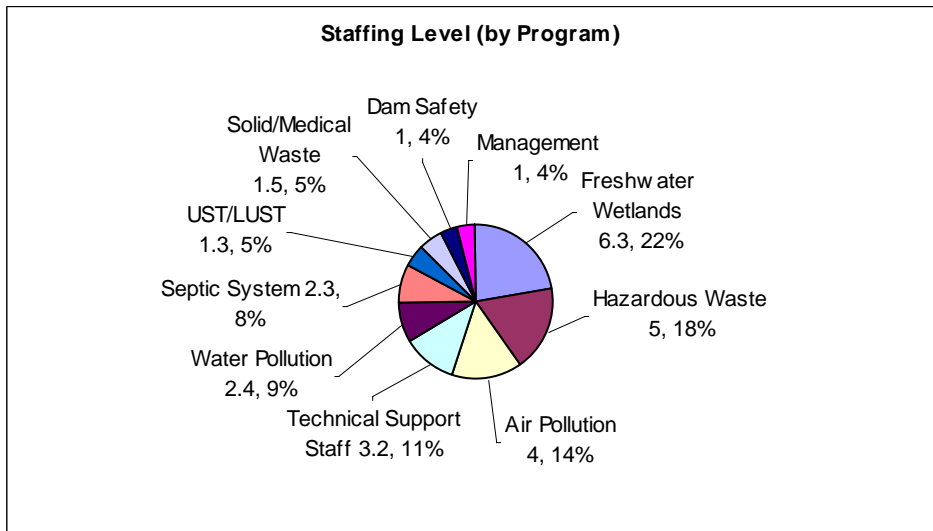
OC&I investigates citizen complaints regarding alleged environmental violations and performs compliance monitoring inspections to determine compliance with environmental statutes and RIDEM regulations. OC&I issues enforcement actions for violations that are identified, assesses administrative civil penalties and tracks compliance until environmental violations are corrected. Not all OC&I programs focus on compliance and enforcement activities in the same way. For example, one program may spend considerable time on citizen complaint response while another may spend most of its time on compliance monitoring. In fact, much of our compliance and enforcement effort is a team approach, either internally in the office or externally with other RIDEM divisions and offices. In many cases, our activities are coordinated with other offices at RIDEM including the Offices of Air Resources, Emergency Response, Water Resources, Waste Management and Legal Services. Under some circumstances, we support the Office of Criminal Investigation and assist them with sampling, regulatory interpretation, and expert witness testimony. In many cases, we are in close communication with the Environmental Protection Agency (EPA) since RIDEM has specific authority delegated under federal regulations regarding air, water, underground and leaking underground storage tanks and hazardous waste.

Staffing

At the beginning of 2008, the OC&I had a working staff of 32 full time equivalents (FTEs). OC&I lost 4 FTEs during the year and ended 2008 with a working staff of 28 FTEs. The loss of the 4 FTEs continues a downward trend that began in 2002, as illustrated by the chart below¹.



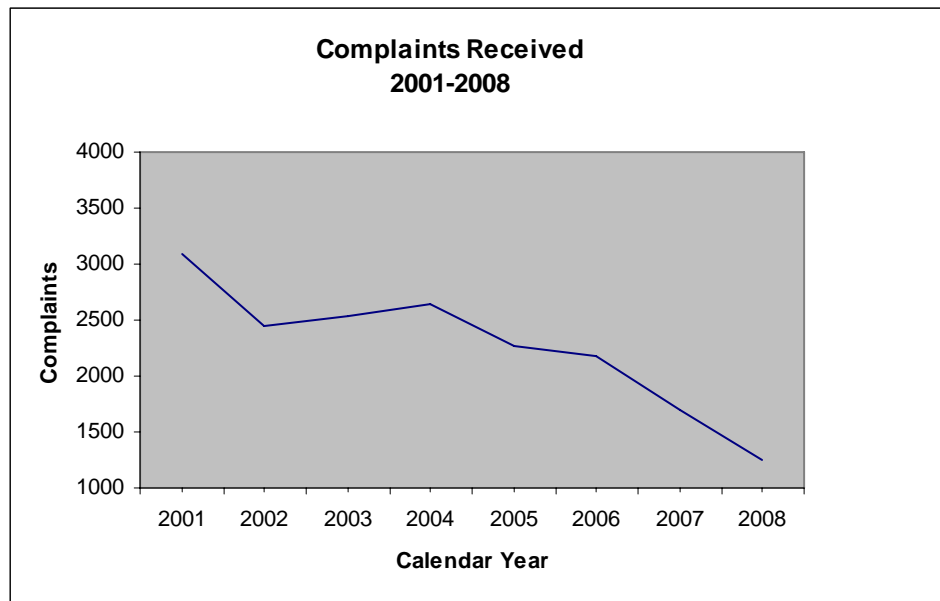
The FTEs assigned to each program (by number and percentage) at the end of 2008 is illustrated by the chart below.



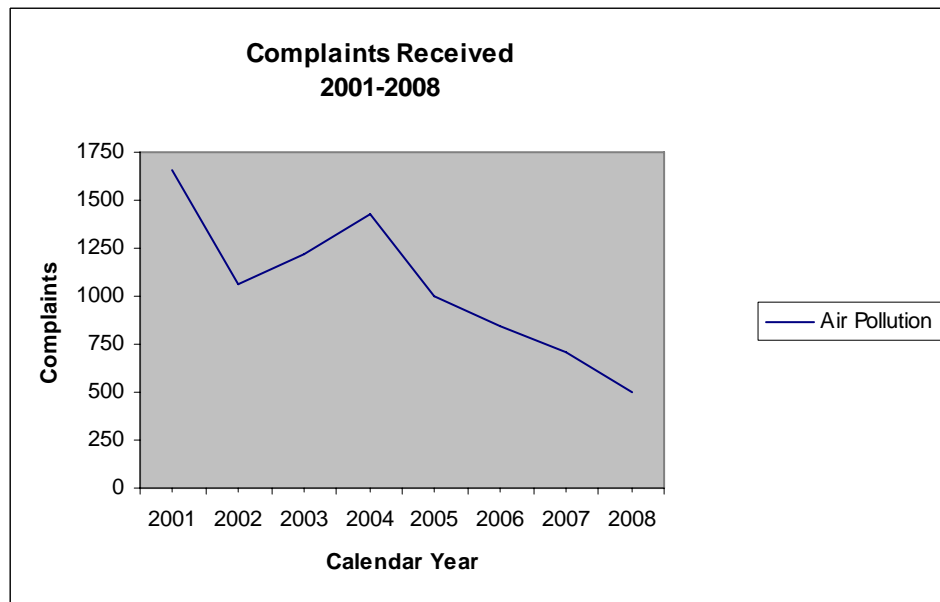
¹ In 2006 5 FTEs responsible for responding to releases of petroleum, hazardous materials and hazardous waste were formally transferred from OC&I to a newly created Office of Emergency Response.

Complaint Response

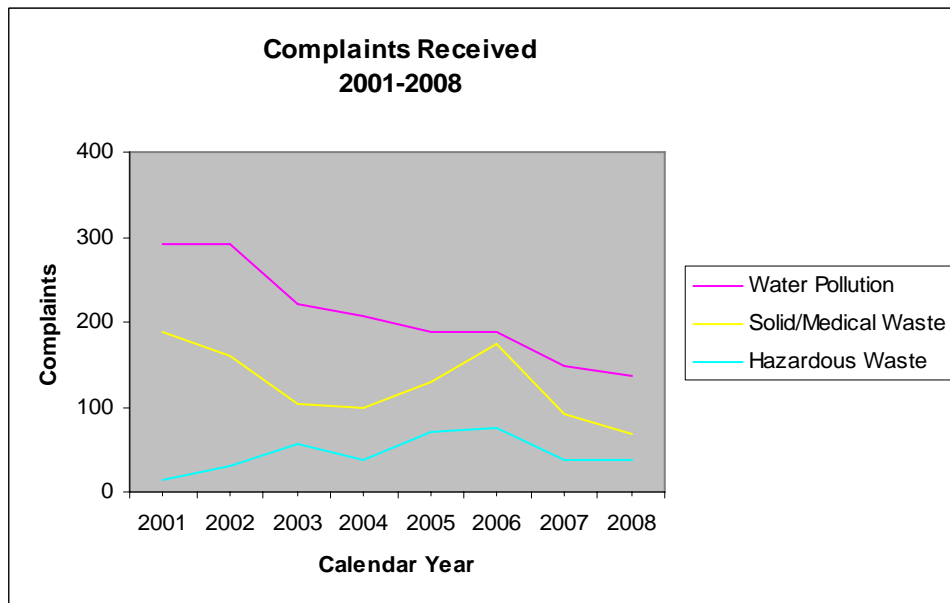
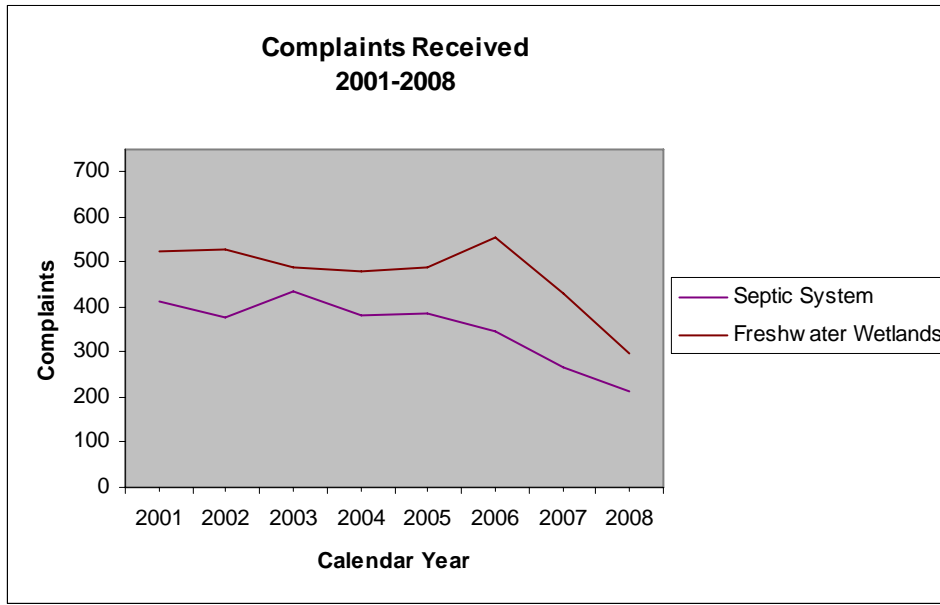
OC&I is involved in extensive citizen complaint related work. In 2008 OC&I received **1246** citizen complaints. This is a reduction from the **1696** citizen complaints received in 2007 and continues a downward trend that began in 2004, as illustrated by the chart below.



The air pollution program had the largest reduction in complaints received, as illustrated by the chart below.



The septic system, freshwater wetlands, water pollution, solid waste/medical waste, and hazardous waste programs also had substantial reductions beginning in 2005 or 2006, as illustrated by the charts below.



A summary of the complaints investigated by OC&I in 2008 (by program) is as follows:

Air Pollution – The program responds to complaints involving visible emissions, odors, fugitive dust, and exterior lead paint removal. The program received **496** complaints and conducted **373** inspections. Of the complaints investigated², **425** were unfounded (i.e. a violation could not be verified), **1** was closed as no action (i.e. a violation was identified but a decision was made to close the case with no enforcement action taken) and **12** were referred to another program, department or agency. Not all complaints could be investigated due to time delays from receipt of the complaint or other factors including lack of resources. The program was unable to investigate **25** complaints; however, this was an improvement over 2007 when **39** complaints were not investigated. The reduction in complaints received may account for the program's ability to respond to more complaints.

Freshwater Wetlands – The program responds to complaints involving unauthorized alterations to freshwater wetlands such as filling, excavating, grading, clearing, or construction. The program received **296** complaints and conducted **694** inspections. Of the complaints investigated², **102** were unfounded and **75** were closed as no action. The program was unable to initially investigate **12** complaints due to an inability to obtain permission from the property owner to conduct the inspection. Also, not all complaints could be investigated due to among other factors lack of resources. The program ended the year with **143** complaints uninspected. Complaint investigation in this program is time consuming and complex due to the varied nature of wetlands, land conditions, land ownership and regulatory requirements. To assist in complaint response, FTEs in the water and septic system programs were used to investigate complaints that did not involve identifying and delineating wetlands.

Hazardous Waste Management –The program responds to complaints involving illegal disposal or mismanagement of hazardous waste. The program received **37** complaints and conducted **37** inspections. Of the complaints investigated², **10** were unfounded.

On-Site Wastewater Treatment System (OWTS or Septic System) – The program responds to complaints involving septic system overflows or failures, septic odors, laundry discharges, illegal repairs, and renovations to dwellings without prior review by RIDEM to determine if the system is adequate for the proposed use. The program received **212** complaints and conducted **209** inspections. Of the complaints investigated², **72** were unfounded, **11** were closed as no action, and **1** was referred to another program, department or agency. The program was unable to initially investigate **33** complaints due to an inability to obtain permission from the property owner to conduct the inspection.

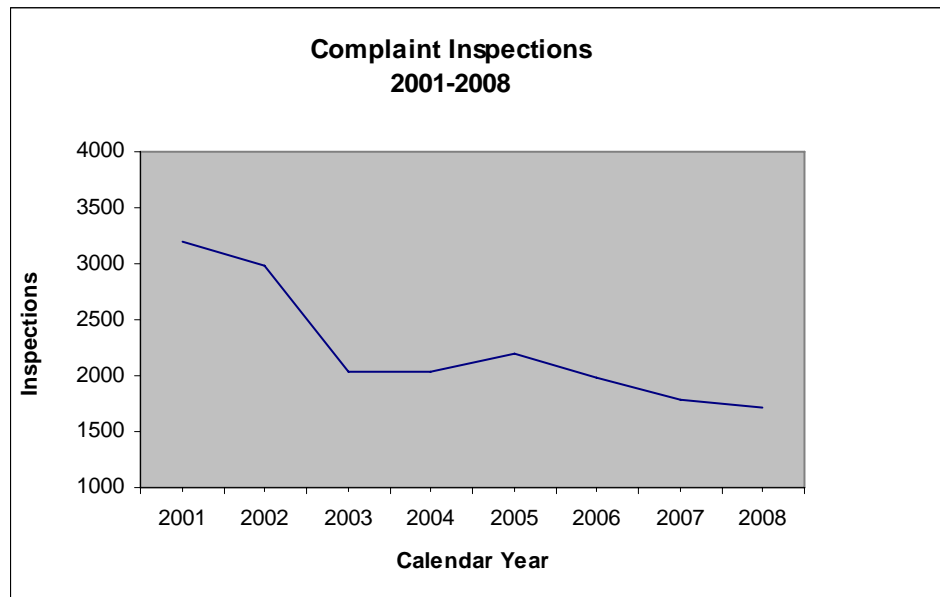
Underground Storage Tanks (UST)/Leaking Underground Storage Tanks (LUST) – The program responds to complaints involving underground storage tanks such as leaking or abandoned tanks. The program received **1** complaint and conducted **8** inspections. Of the complaints investigated², **4** were unfounded and **4** were closed as no action.

² Not all the complaints investigated in 2008 correspond to complaints received in that year. The statistics include complaints investigated and resolved that were received prior to 2008.

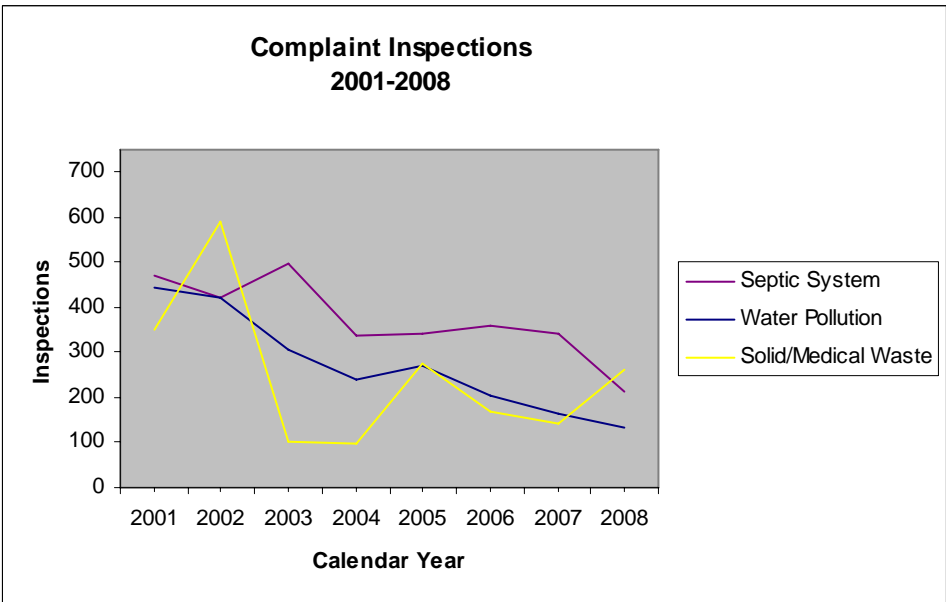
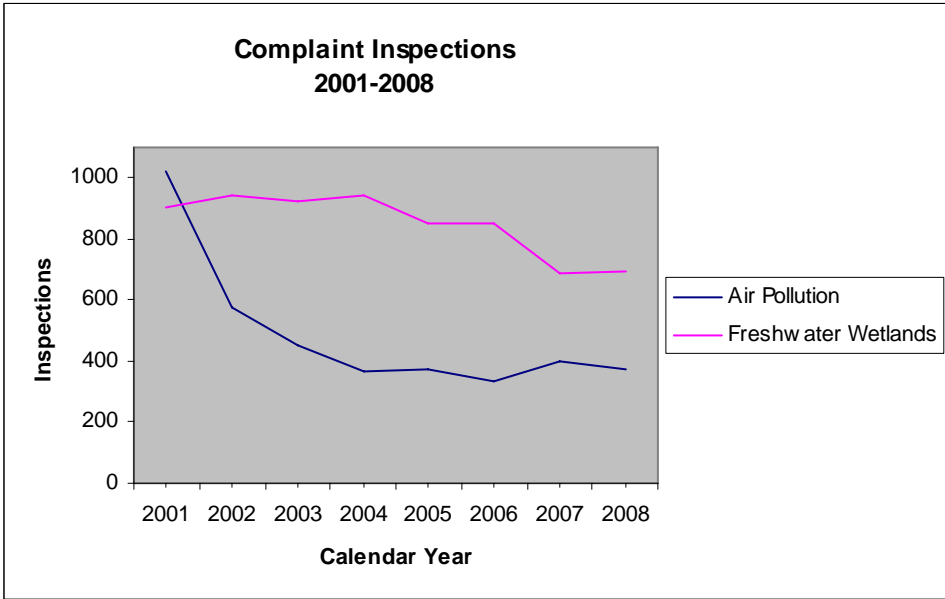
Solid Waste/Medical Waste – The program responds to complaints involving illegal disposal of solid waste and operation of unlicensed facilities handling solid waste, construction & demolition debris, compost or other forms of solid waste. The program received **68** complaints and conducted **260** inspections. Of the complaints investigated², **27** were unfounded, **6** were closed as no action, and **17** were referred to another program, department or agency. The program was unable to initially investigate **1** complaint due to an inability to obtain permission from the property owner to conduct the inspection. Also, not all complaints could be investigated due to among other factors lack of resources. The program lost **2** FTEs in September, which included **1** full time inspector. The program ended the year with **17** complaints uninspected.

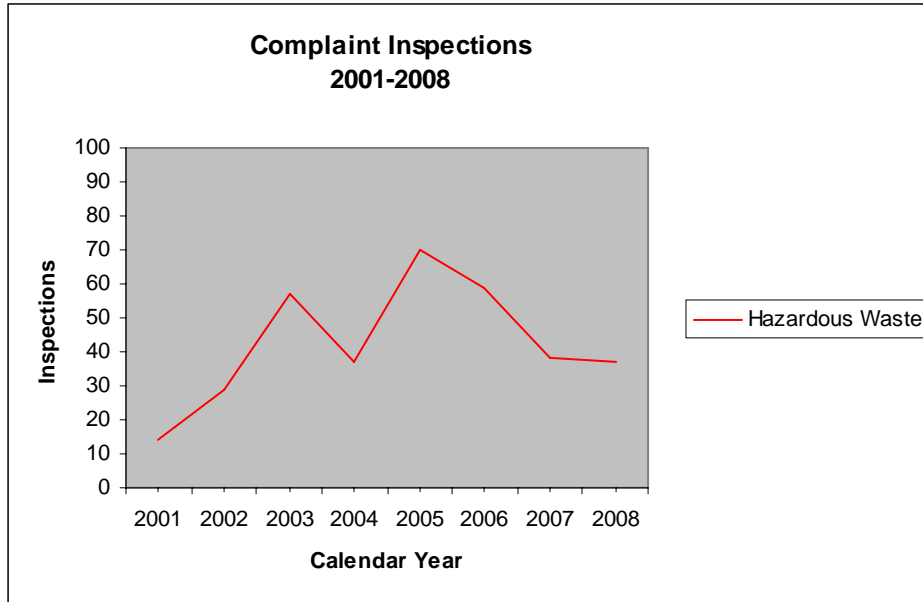
Water Pollution – The program responds to complaints involving discharges of pollutants to surface waters or ground waters or in a location likely to enter such waters. The program received **136** complaints and conducted **131** inspections. Of the complaints investigated², **74** were unfounded, **10** were closed as no action, and **5** were referred to another program, department or agency. The program was unable to initially investigate **1** complaint due to an inability to obtain permission from the property owner to conduct the inspection.

The following chart shows the numbers of complaint inspections completed from 2001 through 2008. The number of complaints received and staff levels have dropped substantially from 2003 to 2008; however, the number of inspections completed has remained relatively consistent.

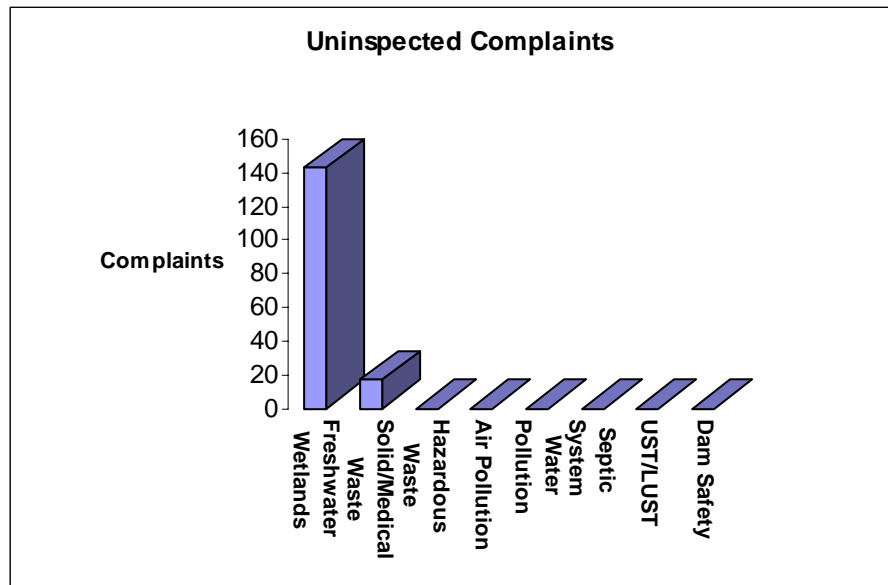


The number of complaint inspections completed from 2001 to 2008 for the air pollution, freshwater wetlands, septic system, water pollution, solid waste/medical waste, and hazardous waste programs is illustrated on the charts below.





The freshwater wetlands and solid waste programs ended 2008 with a backlog of uninspected complaints as shown by the chart below.



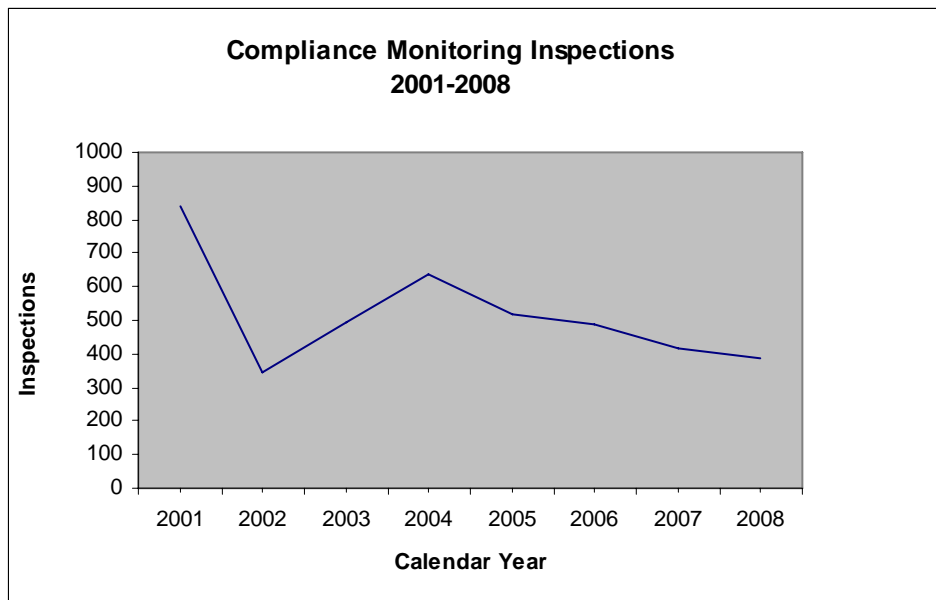
Compliance Monitoring

Compliance monitoring refers to efforts by RIDEM to oversee closely regulated businesses and facilities. In many cases, State laws require businesses and facilities to be licensed by RIDEM or to obtain specific detailed conditional approvals. Such businesses and facilities are not allowed to operate unless they obtain these licenses or approvals in advance. In other cases,

businesses and facilities may operate provided they are in compliance with specific regulations that set forth criteria that must be met. The businesses and facilities are not generally required to obtain a permit or license to operate. RIDEM's Offices of Air Resources, Water Resources and Waste Management perform most compliance monitoring. OC&I's compliance monitoring involves air pollution, dam safety, hazardous waste management, and UST/LUST facilities. OC&I generally targets a portion of the regulated community and conducts compliance evaluation inspections to determine whether compliance is being met. Since RIDEM is delegated regulatory authority and given grant money by EPA for air pollution, hazardous waste management and UST/LUST facilities, RIDEM and EPA coordinate their efforts regarding types and numbers of inspections to be conducted. In many cases, EPA provides federal guidance for such inspections and for appropriate and timely enforcement response if compliance is not being met.

Compliance monitoring may also refer to efforts by other OC&I programs that investigate compliance with RIDEM approvals; however, in most instances these investigations are complaint driven and are not subject to a prescribed target list for evaluation. Examples include OC&I's wetlands and septic system programs.

In 2008 OC&I conducted **388** compliance monitoring inspections. This is a reduction from the **414** compliance monitoring inspections conducted in 2007 and continues a downward trend that began in 2004, as illustrated by the graph below.



A summary of the compliance monitoring inspections conducted by OC&I in 2008 (by program) is as follows:

Air Pollution – The program is responsible for ensuring that the State's businesses and facilities with historic violations are being operated in a manner to prevent impacts to human health and the environment in compliance with RIDEM *Air Pollution Control Regulations*. The

program seeks to meet that responsibility by performing compliance inspections and issuing enforcement actions. The program conducted **138** inspections of such businesses or facilities to determine compliance. Of the inspections conducted, **7** businesses or facilities were found to be in violation. The violations observed in 2008 are listed below.

- improper lead paint removal
- fugitive dust
- emission of contaminants detrimental to human health or property
- objectionable odors
- open burning

A list of the businesses and facilities inspected is shown in Appendix A.

Dam Safety – The program is responsible for ensuring that the State’s two hundred high and significant hazard dams are maintained in a safe condition in compliance with the RIDEM *Rules and Regulations for Dam Safety*. The program seeks to meet that responsibility by performing compliance inspections, investigating complaints and issuing enforcement actions. The program conducted **9** inspections of such dams. A comprehensive report on the activities of the program can be found at <http://www.dem.ri.gov/programs/benviron/compinsp/pdf/damrpt08.pdf>.

Hazardous Waste Management – The program is responsible for ensuring that the State’s thousands of hazardous waste generators are managing hazardous waste in a manner to prevent impacts to human health and the environment in compliance with the RIDEM *Rules and Regulations for Hazardous Waste Management*. The program seeks to meet that responsibility by performing compliance inspections, investigating complaints and issuing enforcement actions

The program performed inspections of 20% of the Large Quantity Generators (LQG) operating in Rhode Island and inspections of Small Quantity Generators (SQG) of hazardous waste based on complaints received or those suspected of not notifying their hazardous waste activities to the state and federal regulatory program. Federal guidelines for grant commitments requires states to inspect at least 20% of their LQG universe during the federal fiscal year. This worked out to be **18** LQGs. OC&I committed to inspect **18** LQGs in the federal fiscal year commencing October 1, 2007 and ending on September 30, 2008. OC&I has followed EPA’s target for the last few years in an effort to monitor the management of hazardous waste at facilities generating large volumes of waste on a regular basis. This effort should result in such facilities being inspected at least once every three years or less given current numbers of LQGs in Rhode Island. In fact, this number is likely to go down based on the transition to the use of less toxic compounds for manufacturing of goods and the recent trends of reduction of manufacturing in Rhode Island. In addition to the target of 20% of known LQGs operating in Rhode Island, OC&I targeted any newly reporting LQGs and those that did not previously notify the RIDEM that they fall into this category.

The program inspected **18** LQGs (**16** in the 2008 federal fiscal year). Of those, **4** facilities were determined to be in significant noncompliance, **11** were found to have secondary violations, and **3** were determined to have no violations.

For SQGs, the program's inspection efforts in 2008 did not concentrate on one particular manufacturing sector. Inspection targets involved multiple business types or were derived from complaints. For 2008, OC&I inspected **50** known or suspected SQGs and **32** other facilities/locations that were the subject of citizen complaints alleging the mismanagement of hazardous waste. Of those, **2** facilities or businesses were determined to be in significant noncompliance, **45** were found to have secondary violations, and **35** were determined to have insignificant violations that were resolved immediately or were found to have no violations.

Overall, the program completed **100** inspections of known or suspected hazardous waste generators to ensure that compliance with the regulations was being met.

A list of the businesses and facilities inspected is shown in Appendix B.

The following are the 5 violations most frequently observed in 2008 (listed by frequency from highest to lowest).

- waste not properly characterized as hazardous waste (determined) by the generator
- labeling violations (lack of a required label on hazardous waste containers or containers not properly labeled)
- mismanagement of universal hazardous waste (containing mercury)
- no hazardous waste training for employees on managing hazardous waste
- contingency plan violations (in case of a release or spill of hazardous waste)

The following violations were observed on a less frequent basis.

- no authorized signatures by the generator for employees signing hazardous waste manifests
- accumulation start date missing on container
- hazardous waste containers not closed
- no EPA ID number obtained by the generator
- no weekly container inspection to check for spills or releases
- no secondary containment for containers holding liquid hazardous waste
- manifest violations
- waste stored for greater than 90 days
- flammable waste stored less than 50' from property line
- inadequate spill control equipment
- insufficient aisle space between hazardous waste containers
- hazardous waste treated without a permit

Underground Storage Tanks (UST)/Leaking Underground Storage Tanks (LUST) – The program coordinated with RIDEM's Office of Waste Management (OWM) to carry out its responsibilities for ensuring that the State's thousands of underground storage tanks (USTs) and leaking underground storage tanks (LUSTs) used for petroleum products and hazardous materials are being operated and maintained in a manner to prevent impacts to human health and the environment in compliance with the RIDEM *Rules and Regulations for Underground Storage Facilities Used for Petroleum Products and Hazardous Materials*. The program seeks

to meet that responsibility by performing compliance inspections, investigating complaints and issuing enforcement actions against owners and operators that are out of compliance with the regulations.

Inspection targets are determined based on a review of the UST Environmental Results Program (ERP). The UST ERP is a compliance assistance program administered by the RIDEM Office of Technical and Customer Assistance (OTCA). OTCA provides training workshops and plain language workbooks that clearly explain all of a facility's environmental obligations as well as proposed pollution prevention and health and safety practices. An owner/operator certifies every two years to OTCA that the facility is in compliance and will continue to be in compliance. If the facility is not in compliance, it must file a Return to Compliance Plan with a schedule for returning to compliance. Facilities that do not submit certifications or submit certifications that appear to be erroneous are targeted for inspection by OC&I and OWM.

The program performed inspections at **92** UST facilities. Approximately **220** USTs are installed at those facilities. Of the inspections conducted, **52** UST facilities were found to be in violation (enforcement action was deemed to be warranted).

A list of the facilities inspected is shown in Appendix C.

The following are the 5 violations most frequently observed in 2008 (listed by frequency from highest to lowest).

- failure to maintain tank top sumps, dispenser sumps and/or spill containment basins free of liquid and/or solid debris (50)
- failure to test leak monitoring devices, line leak detectors and/or shear valves on an annual basis (46)
- failure to comply with the inventory control/inventory reconciliation record-keeping requirements (24)
- failure of the owner/operator to test continuous monitoring systems on a monthly basis (16)
- failure to ensure that groundwater monitoring wells and tank field observation wells are constructed in conformance with the UST Regulations (16)

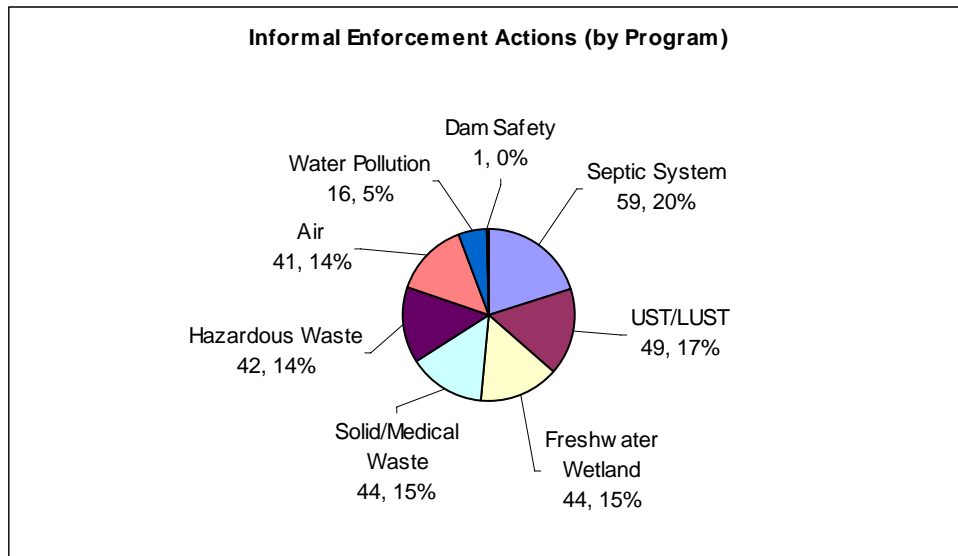
Enforcement Response

A large component of OC&I's activities for the year include an enforcement response to bring violators into compliance with environmental statutes and regulations. Our response to noncompliance discovered through complaint inspections, compliance monitoring, or other channels can take several forms, but, for the most part, can be described as either **informal** or **formal** enforcement. **Informal enforcement** includes those actions that do not result in an enforceable order or assessment of a penalty. For the most part, these actions include correspondence such as Letters of Deficiency, Warning Letters, Letters of Noncompliance and Notices of Intent to Enforce. All of these types of actions are taken to allow violators to resolve noncompliance voluntarily and as quickly as possible, including repairing any environmental damage that may have resulted due to noncompliance

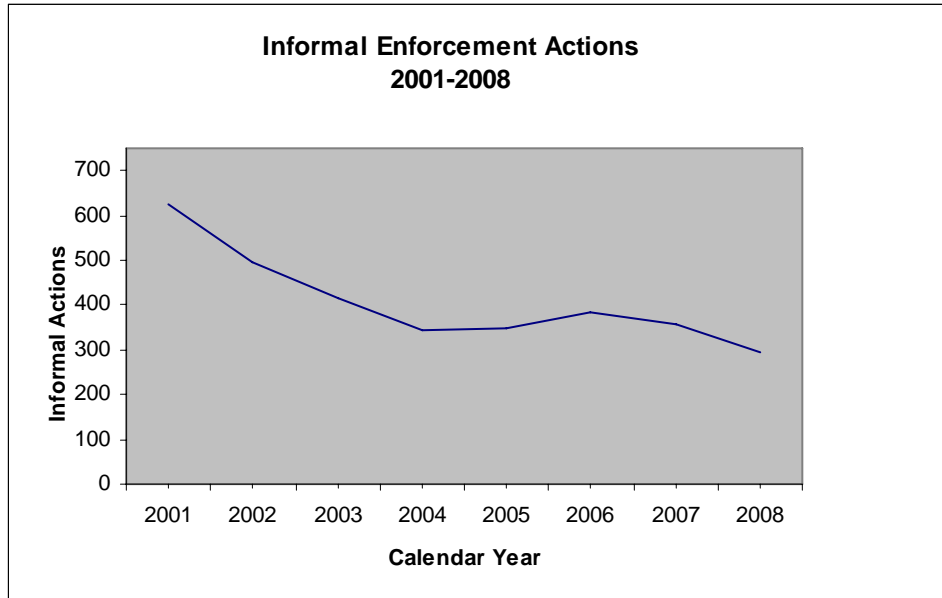
Informal Enforcement

In 2008, OC&I issued **296** informal enforcement actions. Of the actions issued, **41** were for air violations, **1** was for a dam safety violation, **44** were for freshwater wetland violations, **42** were for hazardous waste violations, **59** were for septic system violations, **44** were for solid waste violations, **49** were for UST/LUST violations, and **16** were for water pollution violations. Where performance is required, these informal enforcement actions include deadlines within which the owner or operator is expected to meet compliance.

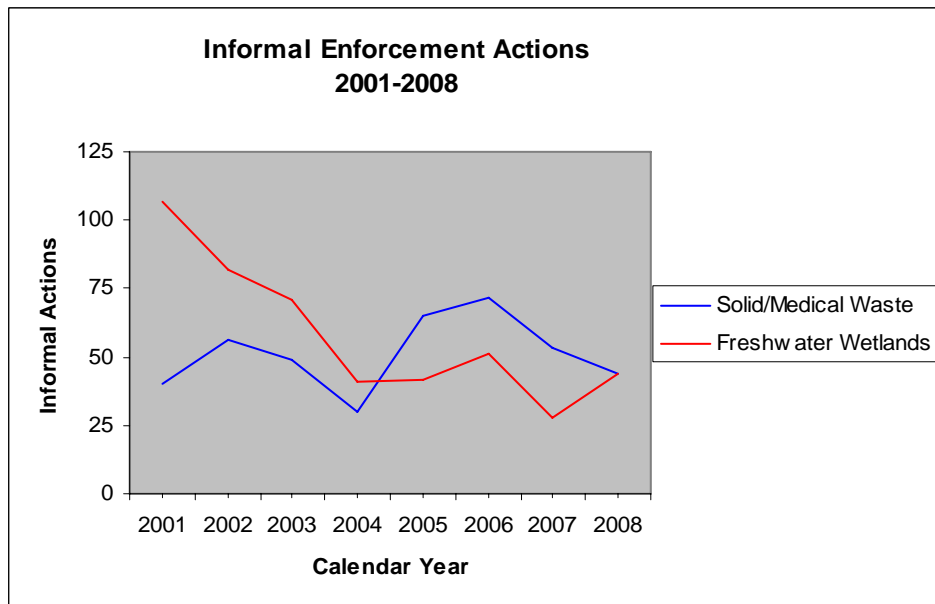
The informal enforcement actions issued by each program in 2008 (by number and percentage) are illustrated in the chart below.

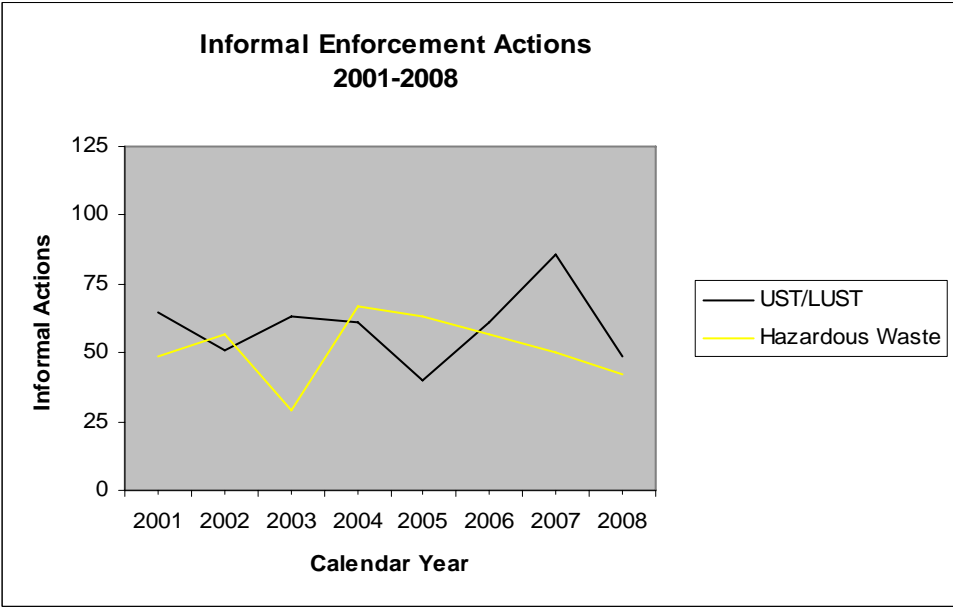
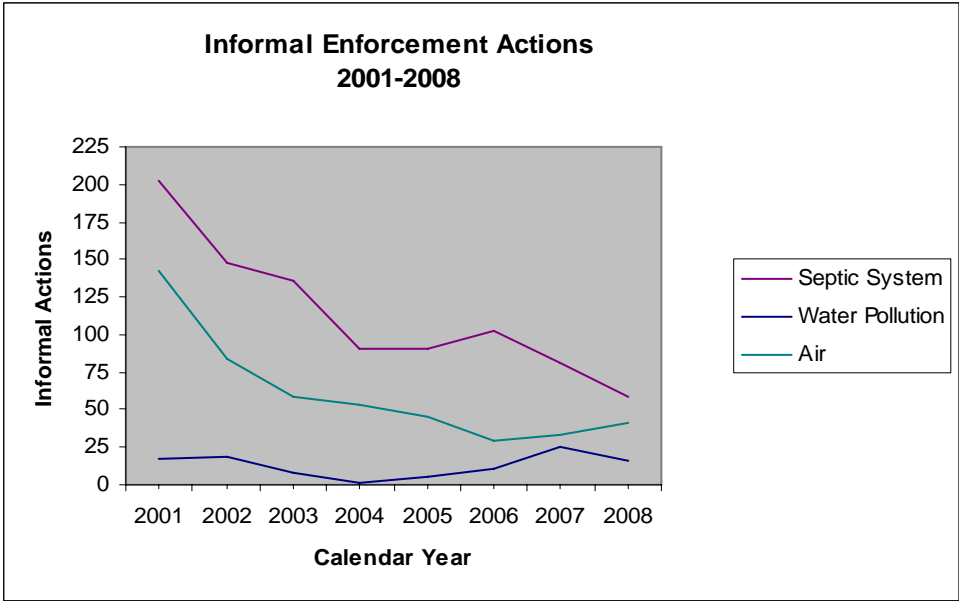


The **296** informal enforcement actions is a reduction from the **356** informal enforcement actions issued in 2007; however, the number of informal enforcement actions issued since 2004 has been relatively consistent, as illustrated by the graph below.



The number of informal enforcement actions issued from 2001 to 2008 for the air pollution, freshwater wetlands, septic system, water pollution, solid waste/medical waste, UST/LUST and hazardous waste programs is illustrated on the charts below.





OC&I obtains varied success with informal enforcement actions depending upon the program and the ability to issue formal enforcement actions. Overall, **237** informal enforcement actions were resolved in 2008 without formal enforcement.

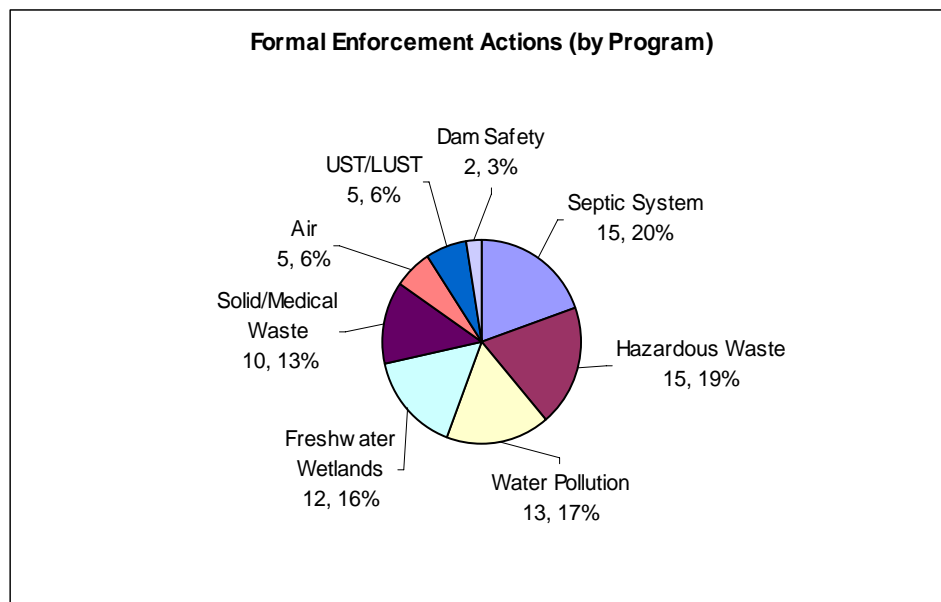
Formal Enforcement

In the event that compliance with informal enforcement actions is not met, or RIDEM determines that violations identified at a site or facility represents significant noncompliance, OC&I will issue a formal enforcement action to ensure compliance. **Formal enforcement** is

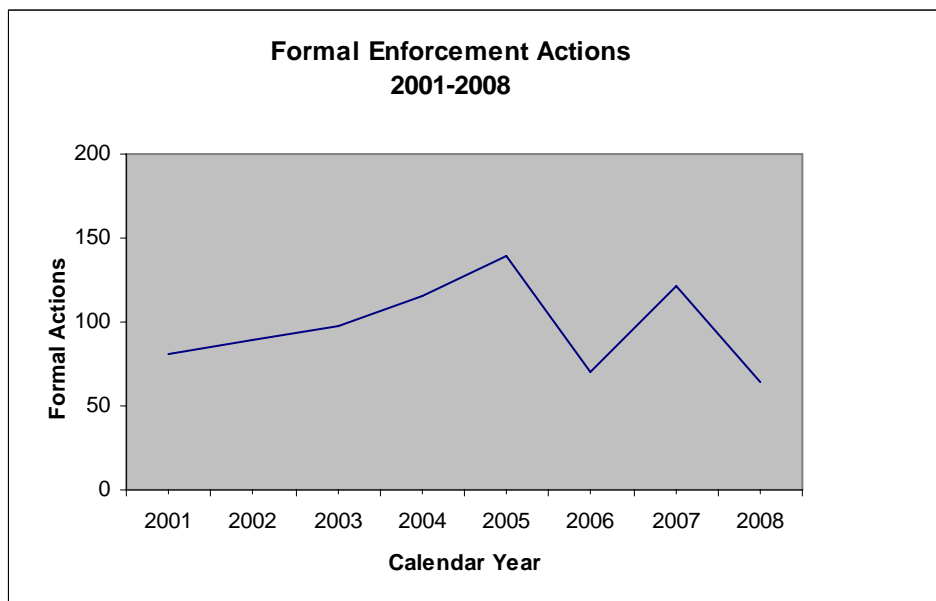
usually in the form of a Notice of Violation (NOV). Each NOV advises the respondent of the alleged facts that support the violation, the statutes and regulations that are alleged to have been violated, the requirements to meet compliance and usually include an administrative penalty. The requirements to meet compliance are set forth in the order portion of the NOV. The assessed penalty is developed in accordance with the RIDEM *Rules and Regulations for the Assessment of Administrative Penalties*, and the NOV includes worksheets providing information on how the penalty was determined. The maximum penalty for violations is derived from the legislative statute providing RIDEM with the authority to assess a penalty for civil (non-criminal) violations of laws or regulations. Since formal enforcement actions contain enforceable orders and assessments of penalties, such actions are subject to appeal with the RIDEM's Administrative Adjudication Division (AAD). Respondents have **20** days to appeal the NOV to the AAD. OC&I and the respondent may finalize a settlement of the outstanding enforcement action prior to, or even after a hearing commences. Upon completion of a hearing, a recommended decision is forwarded to RIDEM's Director for a Final Decision and Order. Respondents may file an appeal to contest the Final Decision and Order to Superior Court. In the event that an administrative hearing is not requested, the NOV becomes a final order of the Director and is enforceable in Superior Court.

In 2008, OC&I issued **64 formal enforcement actions**. Each formal enforcement action can involve more than one program. Of the actions issued, **10** involved violations in more than one program. Of the actions issued, **5** were for air violations, **2** were for dam safety violations, **12** were for freshwater wetland violations, **15** were for hazardous waste violations (which includes site remediation and oil pollution violations), **15** were for septic system violations, **10** were for solid waste violations, **5** were for UST violations, and **13** were for water pollution violations (for a total of **77**).

The formal enforcement actions issued by each program in 2008 (by number and percentage) are illustrated in the chart below.



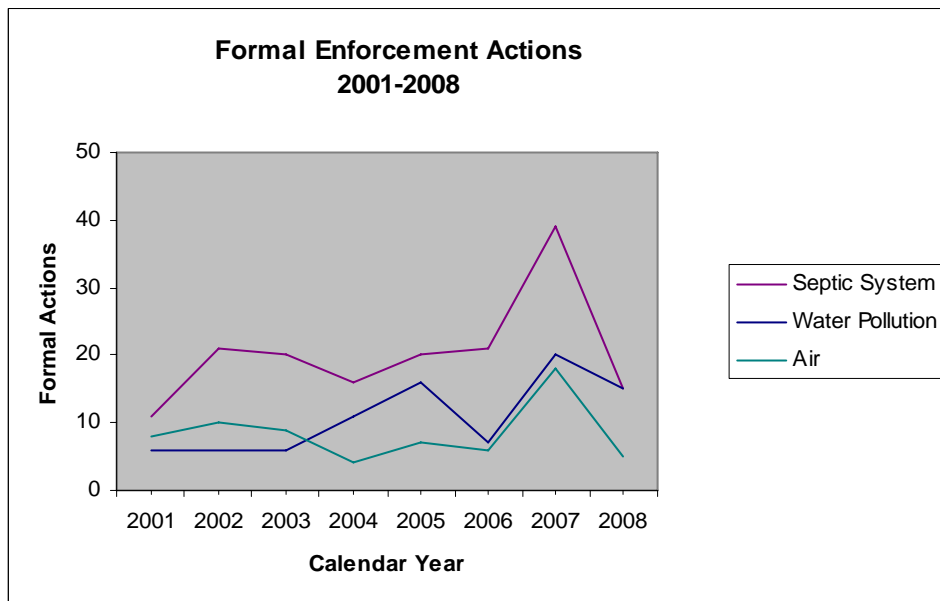
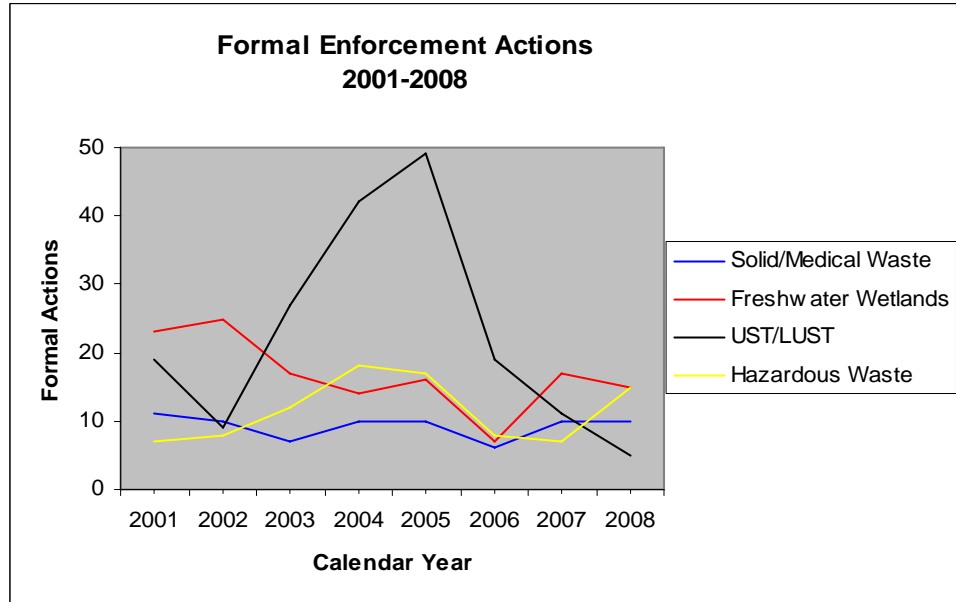
The **64** formal enforcement actions is a sharp reduction from the **122** formal enforcement actions issued in 2007 and is the lowest number of formal enforcement actions issued since 2001, as illustrated by the graph below. As the chart shows, sharp reductions occurred from 2005 to 2006 and from 2007 to 2008.



A review of the data reveals that the sharp reduction from 2005 to 2006 was primarily the result of a reduction in the formal enforcement actions issued in the UST/LUST program from **49** in 2005 to **19** in 2006 (see charts below). As a result of revisions to the UST regulations adopted in 2005, owners/operators are now required to submit self certification forms to RIDEM every 2 years that evaluate the facility's compliance with the UST regulations and certify that the facility is in compliance, or if not, includes a plan to return to compliance. OC&I issued **21** formal enforcement actions in December 2005 as a result of the owners/operators failure to submit the self certification forms by the August 2005 deadline.

The data also shows that the sharp reduction from 2007 to 2008 was primarily the result of a reduction in the formal enforcement actions issued in the UST/LUST and the septic system programs (see charts below). From 2001 to 2006 the UST/LUST program issued on average **22** formal enforcement actions per year (excluding the violations for failing to submit the self certification forms). In 2008 the program issued **5** formal enforcement actions. The reason for the reduction was a regulatory interpretation by the RIDEM Office of Legal Services (OLS) in 2007 that precluded OC&I from enforcing past noncompliance at UST facilities. The reduction in the septic system program is the result of a concerted effort in 2007 to reduce the backlog of formal enforcement cases pending issuance. The OLS agreed to forego reviewing formal enforcement actions for septic system violations based upon the extensive experience in OC&I in preparing these actions and the straightforward nature of the violations. As a result of this effort, OC&I was able to eliminate its backlog of formal enforcement actions in 2007. In 2008 the septic system program issued **15** formal enforcement actions, which is consistent with the average of **18** formal enforcement actions per year achieved from 2001 to 2006.

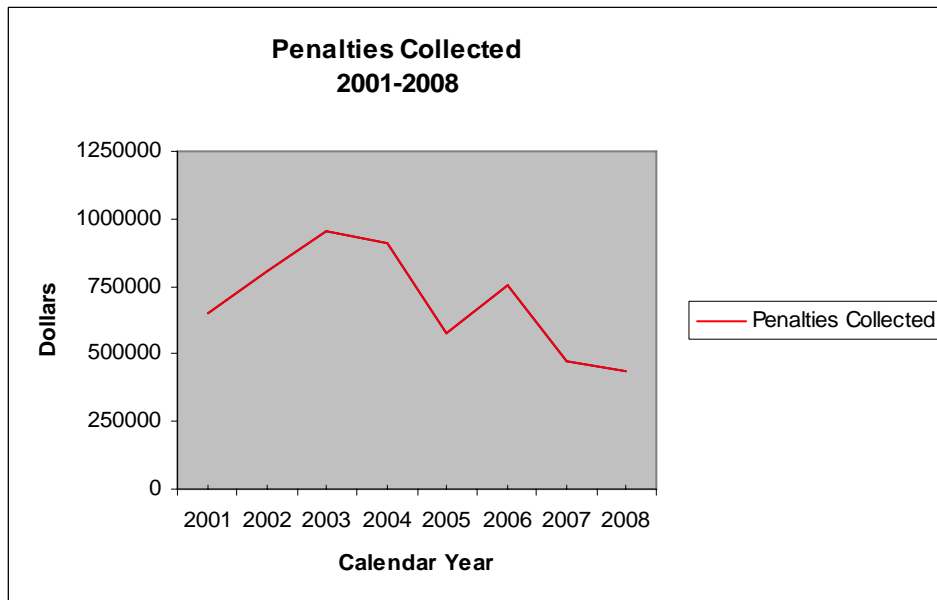
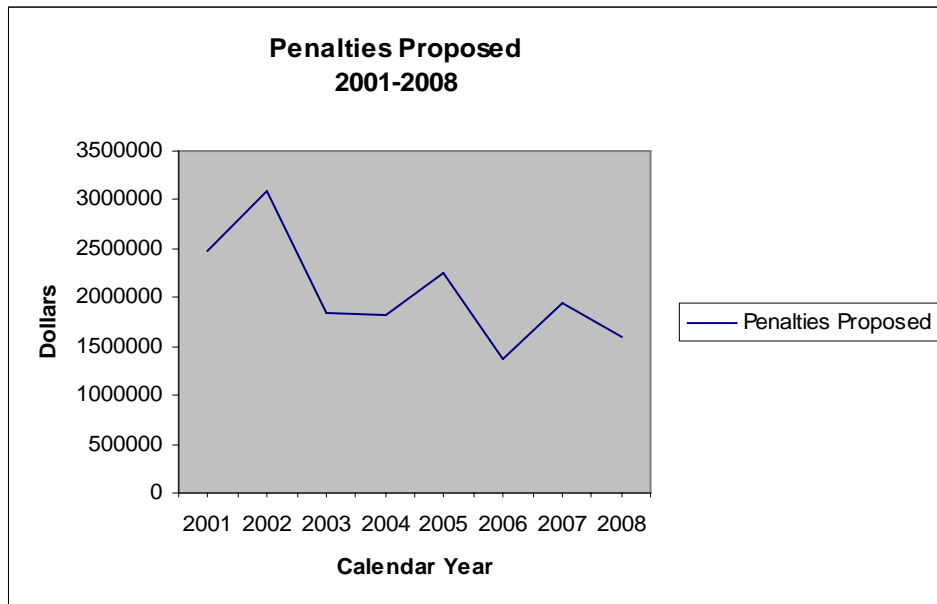
The number of formal enforcement actions issued from 2001 to 2008 for the air pollution, freshwater wetlands, septic system, water pollution, solid waste/medical waste, UST/LUST and hazardous waste programs is illustrated on the charts below.



Administrative Penalties

As part of the **64** formal enforcement actions issued in 2008, OC&I proposed total penalties of **\$1,600,447.54**. As a result of efforts to settle or to resolve formal enforcement actions issued over the last year or in previous years, respondents agreed to pay **\$507,828.00** in penalties in the form of cash and OC&I collected **\$439,941.50**.

The following graphs show the penalties proposed and collected from 2001 through 2008. Overall, there has been a downward trend in penalties proposed and collected since 2002.



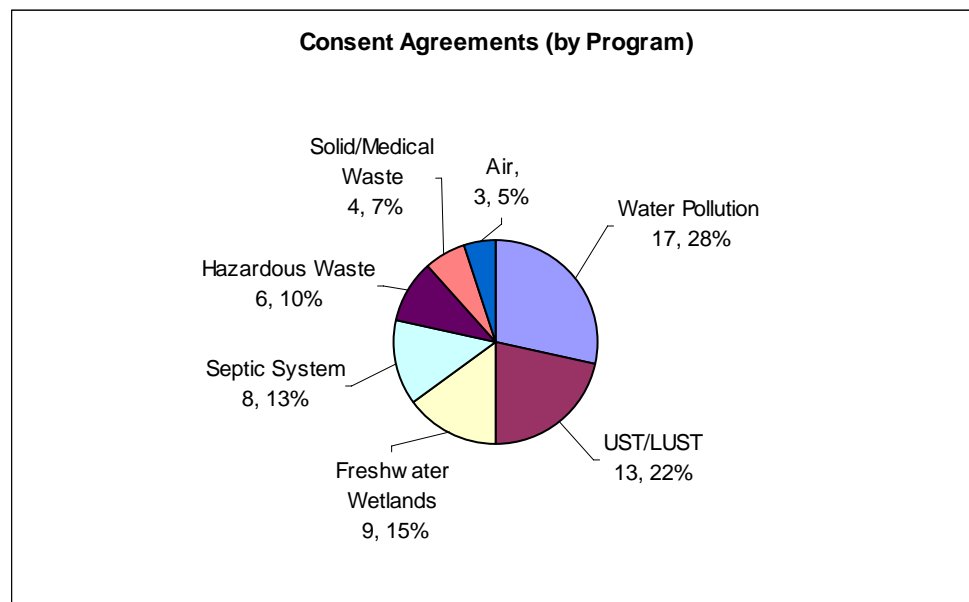
OC&I also agreed to settle **5** enforcement cases by having the respondent conduct a **Supplemental Environmental Project (SEP)**. SEPs are environmentally beneficial projects that a respondent proposes to undertake in settlement of an enforcement action but is not otherwise legally required to perform. SEPs agreed to in 2008 had an estimated value of **\$581,080.00**. For more details regarding SEPs, you can refer to RIDEM's *Policy on Supplemental Environmental Projects* in effect since April 5, 1996 and revised on July 15, 2004. The SEPs agreed to in 2008 are described in Appendix D.

Consent Agreements

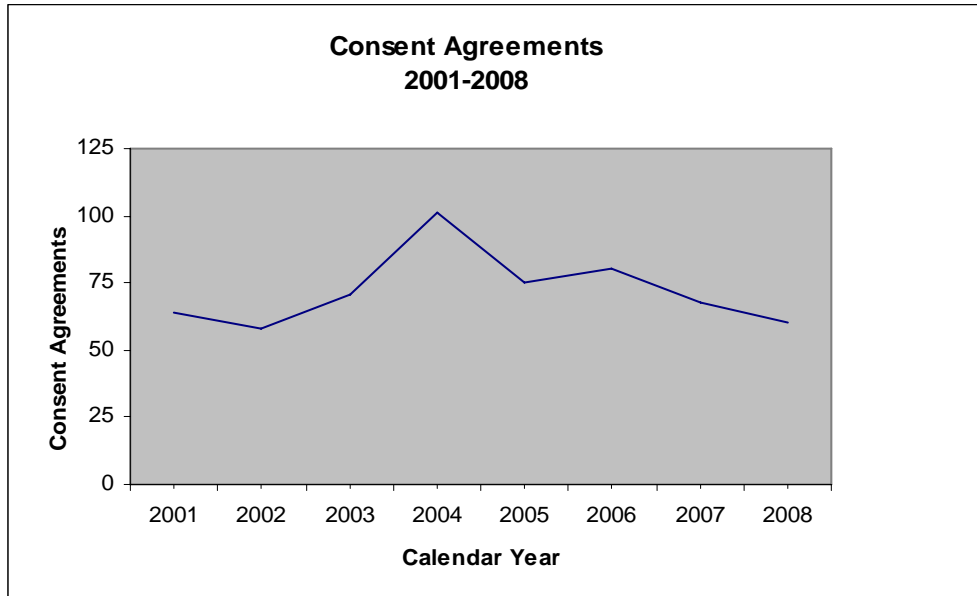
To resolve formal enforcement actions, OC&I often executes consent agreements with respondents. The purpose of such agreements is to have a document that is legally enforceable in court that sets forth how the formal enforcement action was resolved. Such documents identify what performance is required to comply with the RIDEM regulations and under what timelines the performance will be completed. Consent agreements also identify how the penalty assessed in the formal enforcement action was resolved and include a timeframe for payment of the penalty if necessary. In the event that a consent agreement requires performance, OC&I tracks the progress towards compliance.

In 2008, OC&I executed **60** consent agreements to resolve formal enforcement actions. Of the agreements executed, **3** were for air violations, **0** were for dam safety violations, **9** were for freshwater wetland violations, **6** were for hazardous waste violations (which includes site remediation and oil pollution violations), **8** were for septic system violations, **4** were for solid waste violations, **13** were for UST violations, and **17** were for water pollution violations.

The consent agreements executed by each program in 2008 (by number and percentage) are illustrated in the chart below.



The **60** consent agreements executed is a reduction from the **68** consent agreements executed in 2007 and is the lowest number of consent agreements executed since 2002, as illustrated by the graph below.



Part of the reason for the reduction in the number of consent agreements executed in 2008 was the reduction of administrative hearing officers in the RIDEM Administrative Adjudication Division from 3 to 1. The loss of the 2 hearing officers delayed proceedings on contested cases, so respondents were under no pressure to settle with OC&I.

Superior Court

One case was filed in court (in February). No cases that were pending in court were resolved. Effort is underway in 2009 to prioritize for prosecution the list of approximately 100 cases pending court action.

A summary of each formal enforcement action issued or resolved and Superior Court case issued or resolved since April 2000 is available at <http://www.dem.ri.gov/programs/benviron/compinsp/enfact/index.htm>.

Overall, **52** formal enforcement actions were resolved and closed in 2008.

Environmental Results

So, what environmental results did the Office of Compliance and Inspection achieve in 2008?

Air Pollution – The efforts of the program resulted in the correction of **43** air pollution violations (**27** exterior lead paint removal sites cleaned of lead paint chips and debris, **2** lead paint contractors using improper equipment resolved, **1** open burning eliminated, **4** fugitive dust emissions ceased, **4** odor problems eliminated, and **5** facilities with permits brought back into compliance with the regulations).

Dam Safety – A comprehensive report on the program accomplishments can be found at <http://www.dem.ri.gov/programs/benviron/compinsp/pdf/damrpt08.pdf>

Freshwater Wetlands – The efforts of the program resulted in the completion of **34** wetland restorations (**4.5** acres of wetland and **7.1** acres of regulated upland adjacent to freshwater wetlands). Restoration included removal of fill and unauthorized structures, re-grading, seeding unstable soils, and replanting trees and shrubs to recreate wildlife habitat. In some cases where clearing was the only unauthorized activity, restoration also would include the landowner's agreement to allow the cleared area to re-vegetate to a natural condition.

Hazardous Waste Management – The efforts of the program resulted in **3** Large Quantity Generators of hazardous waste, **25** Small Quantity Generators of hazardous waste, and **3** other facilities that generate hazardous waste brought into compliance with the regulations.

On-Site Wastewater Treatment System (OWTS or Septic System) – The efforts of the program resulted in the correction of **57**³ septic system violations (**11** sewage overflows, **7** laundry discharges, **4** illegally installed septic systems, **1** improper maintenance, and **2** improper building renovations).

Solid Waste/Medical Waste – The efforts of the program resulted in the correction of **34**⁴ solid waste violations (approximately **4,315** cubic yards equivalent to **267** tons of solid waste was removed from the environment (from various sites) and disposed of properly).

³ Data missing for 32 septic system violations

⁴ Data missing for 19 solid waste violations

Underground Storage Tanks (UST)/Leaking Underground Storage Tanks (LUST) – The efforts of the program resulted in **52⁵** UST facilities (**118** individual USTs) brought into compliance with the regulations.

Water Pollution – The efforts of the program resulted in the correction of **17⁶** water pollution violations (**3** discharges of soil/sediment, **3** sewage discharges, **2** laundry discharges, **3** oil discharges, and **3** other discharges).

Training

OC&I staff attended **10** separate training courses in 2008. The courses were provided by the Office of Training and Development, the Northeast Environmental Enforcement Project (NEEP), the Environmental Protection Agency (EPA), the Rhode Island Fire Academy, and in house staff. A list of the courses and number of staff who attended each course is shown in Appendix E.

Questions on this report or information regarding overall enforcement activity by the Office of Compliance & Inspection should be referred to the Chief of the Office of Compliance & Inspection (telephone: 401.222.4700 ext. 7400).

⁵ Data missing for 17 UST facilities

⁶ Data missing for 3 water pollution violations

APPENDIX A: FACILITIES/LOCATION INSPECTED FOR COMPLIANCE - AIR PROGRAM

Facility/Location	Address	City/Town	Fully Compliant at the Time of Inspection?
118 Ferry Lane	118 Ferry Lane	Barrington	Yes
161 Comstock Road	161 Comstock Road	North Smithfield	Yes
270 Freeman Parkway	270 Freeman Parkway	Providence	Yes
282 Benefit Street	282 Benefit Street	Providence	No
376 Benefit Street	376 Benefit Street	Providence	No
51 Birchwood Drive	51 Birchwood Drive	Cranston	Yes
ACN Providence	455 George Washington Highway	Smithfield	Yes
Area of 201 Jennifer Lane		Coventry	Yes
Area of Duchess Way		Lincoln	Yes
Area of Harris Avenue		Providence	Yes
Beneficent House	1 Chestnut Street	Providence	Yes
Bradford Dye Association	460 Bradford Road	Westerly	Yes
CAPCO Auto Body	30 Acorn Street	Providence	Yes
CAPCO Steel	33 Acorn Street	Providence	Yes
Capital Terminal	100 Dexter Road	East Providence	Yes
Cardi Corp	400 Lincoln Avenue	Warwick	Yes
Carpionato Construction	801 Greenwich Avenue	Warwick	Yes
Carpionato Construction	Lowes Plaza	Warwick	Yes
Carpionato Construction	Area of Greenwich Avenue & Main Street	Warwick	Yes
RRC Central Landfill	65 Shun Pike	Johnston	Yes
Centre of New England	Area of Arnold Road	Coventry	Yes
Charbert Manufacturing	299 Church Street	Richmond	Yes
Coventry Asphalt LLC	75 Airport Road	Coventry	Yes
Cullion Concrete	Saugatucket Road	South Kingstown	Yes
D'Ambra Construction	800 Jefferson Boulevard	Warwick	Yes
Darlington Fabrics	40 Canal Street	Westerly	Yes
DiCenzo Construction	Douglas Pike	North Smithfield	Yes
ELJ Construction	95 Tupelo Street	Bristol	Yes
Farmers Market (former)	Harris Avenue	Providence	Yes
Florida Power & Light (R.I.S.E.)	24 Shun Pike	Johnston	Yes
Freeman's Food Service	Area of Libia Street	Providence	Yes
Freeman's Food Service	10 Rosario Drive	Providence	Yes
J A M Construction	990 Aquidneck Avenue	Middletown	Yes
Metals Recycling	89 Celia Street	Johnston	Yes

Facility/Location	Address	City/Town	Fully Compliant at the Time of Inspection?
North Eastern Tree Service	Meadow View Drive	Cranston	Yes
North Eastern Tree Service	1000 Pontiac Avenue	Cranston	Yes
Ocean State Metals	80 Delaine Street	Providence	Yes
Ocean State Peeled Potato	1587 Plainfield Pike	Johnston	Yes
Parillo, GA Construction	14 Priscilla Lane	Johnston	Yes
Patriot Hauling	114 Shun Pike	Johnston	Yes
PJ Keating	875 Phenix Avenue	Cranston	Yes
RIAC-T.F.Green Airport	Area of Buckeye Brook	Warwick	Yes
Ridgewood Power	65 Shun Pike	Johnston	No
Riverpoint Lace	825 Main Street	West Warwick	Yes
Rizzo Ford (former)	Mineral Spring Avenue	North Providence	Yes
Senesco Marine	10 McNaught Street	North Kingstown	No
SJS Landscaping	141 Main Street	Cranston	Yes
Smithfield Peat	295 George Washington Highway	Smithfield	Yes
T. Miozzi	75 Airport Road	Coventry	Yes
Vinagro Pig Farm - Former NEED Facility	23 1/2 Green Hill Road	Johnston	Yes
Wakefield Meadows	Towerhill Road	South Kingstown	Yes
Warwick Compost Facility	Sandy Lane	Warwick	Yes
WWTF-City of Cranston	140 Pettaconsett Avenue	Cranston	Yes
WWTF-City of Newport	250 J.T. Connell Road	Newport	Yes
WWTF-Town of West Warwick	1 Pontiac Avenue	West Warwick	Yes
WWTF-City of Woonsocket/ Synagro	11 Cumberland Hill Road	Woonsocket	Yes
Yardworks	1309 Warwick Avenue	Cranston	Yes
Bodington, F.M. Co	49 Meeting House Lane	Little Compton	No
Area of Route 102 & Route 1		South Kingstown	No
55 Oriole Avenue	55 Oriole Avenue	Providence	No
441 Angell Street	441 Angell Street	Providence	Yes
51 Thayer Street	51 Thayer Street	Providence	Yes
Parillo, GA Construction	14 Priscilla Lane	Johnston	Yes
168 Lloyd Avenue	168 Lloyd Avenue	Providence	Yes
WWTF-City of Cranston	Area of Route 95 - EXIT 14	Warwick	Yes
Beneficent House	1 Chestnut Street	Providence	Yes
Area of Harris Avenue		Providence	Yes
Area of Arnold Road & New London Turnpike		Coventry	Yes
Technic	1 Spectacle Street	Cranston	Yes

APPENDIX B: FACILITIES/LOCATION INSPECTED FOR COMPLIANCE- HW PROGRAM

Facility/Location	Address	City/Town	Fully Compliant at the Time of Inspection?⁷
Solomon, Joseph	1119 West Shore Road	Warwick	Yes
Valelli, Michael & Gina	23 Sharon Street	Cranston	Yes
Schott AES	72 College Street	Warwick	No
Bio Waste, LLC	24 Martin Street	Cumberland	No
Silver Pines Condo	151 Main Street	North Smithfield	No
Durham Bus Co.	Federal Way	Johnston	Yes
Hannah Street (auto salvage business)	Hannah Street	Providence	Yes
Gary's Auto Removal	170 York Avenue	Pawtucket	Yes
New England Equipment Repair	82 Shun Pike	Johnston	Yes
Mobil Station/Post Road Mobil	4184 Post Road	Warwick	No
Five Star Auto Salvage	1348 Douglas Pike	Smithfield	No
Seabury Street & Huntington Avenue	Seabury Street & Huntington Avenue	Providence	Yes
R I Auto Body	455 Warwick Avenue	Warwick	Yes
Ballard Mack Sales & Service	80 Center of New England Blvd.	Coventry	Yes
Whitford Farm	919 Matunuck School House Road	South Kingstown	Yes
Dickens Street	116 Dickens Street	Pawtucket	Yes
Evans Plating Corp.	2 Putnam Avenue	Johnston	Yes
Tanury Industries Inc.	6 New England Way	Lincoln	No
International Etching Inc.	7 Ninigret Avenue	Providence	No
Ballou B A & Co., Inc.	800 Waterman Avenue	East Providence	No
Fujifilm	40-80 Circuit Road	North Kingstown	No
A C N-Providence	455 George Washington Highway	Smithfield	No
Gannon & Scott Inc.	33 Kenney Drive	Cranston	No
Honeywell Sensing and Control	500 Narragansett Parkway	Pawtucket	Yes
Mutual Metals Inc.	136 Corliss Street	Providence	No
Naval Station Newport Public Works Dept.	One Simonpietri Drive	Newport	No
Naval Undersea Warfare Center Division Newport	1176 Howell Street, Bldg. 679 Code 1151	Newport	No
Fujifilm	200/210 Massasoit Avenue	East Providence	No
C & C Rhode Island, LLC	192 Georgia Avenue	Providence	No
Davol Inc., Subsidiary of CR Bard, Inc.	100 Crossings Blvd.	Warwick	No
Technic, Inc. Engineered Powders Division	300 Park East Drive	Woonsocket	No

Facility/Location	Address	City/Town	Fully Compliant at the Time of Inspection? ⁷
Admiral Packaging, Inc.	10 Admiral Street	Providence	No
Green, Ira, Inc.	177 Georgia Avenue	Providence	No
Aspen Aerogels, Inc.	3 Dexter Road	East Providence	Yes
Induplicate, LLC	1 Greystone Drive	North Providence	No
Greenway Cleaners	386 Atwood Avenue	Cranston	No
178 Waterman Association LLC	178 George Waterman Road	Johnston	No
Pepsi Cola Bottling Group	1400 Pontiac Avenue	Cranston	No
Surface Finishing (Atlantic Mills) (Superior Finishing)	100 Manton Avenue	Providence	No
Weingeroff Enterprises	1 Weingeroff Blvd.	Cranston	No
AAMCO Transmission	82 Cypress Street	Warwick	No
Cumberland DPW	37 Blackstone Street	Cumberland	No
Blackhawk Machine Products	6 Industrial Drive	Smithfield	Yes
Bruno's Junk Cars	2005 Plainfield Pike	Johnston	No
Grinnell Cabinet Makers Inc.	169 Mill Street	Cranston	No
Lee's Manufacturing	116 Niantic Avenue	Providence	No
Putnam Pike Sunoco	1163 Putnam Pike	Glocester	No
Elite Printing & Engraving	675 West Shore Road	Warwick	No
Wal-Mart	199 J.T. Connell Memorial Road	Newport	Yes
North's Imported Car Service	304 Main Street	South Kingstown	No
Majestic Motors, Inc.	509 Quaker Lane	West Warwick	Yes
Star Cleaners	1060 Broad Street	Providence	No
Hannah Instruments, Inc.	584 Park East Drive	Woonsocket	No
Pride Hyundai	20 Division Street	Pawtucket	No
Valley Street Auto Center/ J & J Towing	500 Valley Street	Providence	No
Brass, Scott	1637 Elmwood Avenue	Cranston	Yes
Western Oil	1114 Lonsdale Avenue/One Duchess Way	Lincoln	No
Branch Truck Wash	375 Wampanoag Trail	East Providence	Yes
Meticulous Paint Job Inc.	1518 Green End Avenue	Middletown	No
Union Wadding Co.	125 Goff Avenue	Pawtucket	Yes
North Providence Tire & Auto	1968 Mineral Spring Avenue	North Providence	No
Oceanstate Quality Cleaners	1705 Stafford Road	Tiverton	Yes
Volpe Cleaning & Tailoring, Inc.	592 Charles Street	Providence	Yes
Walco Electric Company	303 Allens Avenue	Providence	No
Bunge North America LLC	38 Colfax Street	Pawtucket	No
J R's Autobody	4063 South County Trail	Charlestown	Yes
Turnquist Lumber Co., Inc.	180 Hartford Pike	Foster	Yes
Narragansett Auto Body	102 Narragansett Avenue	Westerly	No

Facility/Location	Address	City/Town	Fully Compliant at the Time of Inspection? ⁷
Hi-Tech Auto Body	30 Aster Street	West Warwick	No
Parker Manufacturing Corp.	22 1st Street	East Providence	No
Cardi Corp.	400 Lincoln Avenue	Warwick	No
Valley Street Auto Center	500 Valley Street	Providence	No
Fernando Originals	184 Woonasquatucket Avenue	North Providence	No
Sherwin Williams Store #5104	1873 Mineral Spring Avenue	North Providence	Yes
Providence Chain Co.	225 Carolina Avenue	Providence	No
Bernardo Mfg.	54 Taylor Drive	East Providence	No
Precision Etchings & Findings, Inc.	380 Jefferson Blvd., Suite F	Warwick	Yes
Mitkem Corp.	175 Metro Center Blvd.	Warwick	No
Fine Line Graphics, Inc.	90 Douglas Pike, Unit 4	Smithfield	No
Quality Yacht Services	95 Riverside Drive	Tiverton	No
Ocean State Rigging Systems Inc.	90 Industrial Circle	Lincoln	Yes
Borges Collision Center Inc.	2 New River Road	Lincoln	No
Pepsi Cola	24 Kenney Drive	Cranston	No
Beam Truck & Body, Inc.	433 Cumberland Hill Road	Woonsocket	No
US Naval Undersea Warfare Center Division Newport/Gould Island	Gould Island	Newport	No
Fairlawn Auto Sales	526 Weeden Street	Pawtucket	No
R & R Polishing, Inc.	37 Fletcher Avenue	Cranston	No
Metals Recycling	89 Celia Street	Johnston	No
Tony's Garage	24 Clear View Avenue	Portsmouth	Yes
Maxson Automatic Machinery, Co.	70 Airport Road	Westerly	No
Post Road Service Center	6541 Post Road	North Kingstown	Yes
South Shore Tiverton	Bulgarmarsh Road	Tiverton	No
Primary Flow Signal, Inc.	800 Wellington Avenue	Cranston	No
Clark Mini Fastener Corp.	10 Enterprise Lane, #B	Smithfield	No
Balise Auto Sales, Inc.	1338 Post Road	Warwick	No
Eden Park Cleaners	541 Pontiac Avenue	Cranston	No
Renaldo Baduya Sr., DMD	252-254 Adelaide Avenue	Providence	No
DelNero Cleaners and Laundry, Inc.	11 Farewell Street	Newport	No
Droitcour Company Cone Dept.	33 Graystone Street	Warwick	No
Genesis Mfg.	230 Oak Street	Providence	No

⁷ Fully compliant includes facilities/locations where minor violations were identified that were corrected prior to the completion of the inspection

APPENDIX C: FACILITIES INSPECTED FOR COMPLIANCE MONITORING-UST PROGRAM

Facility ID No	Facility Name and Address	City/Town	Fully Compliant at the Time of Inspection?
3120	Alliance Exxon Warwick 2 2003 Post Road	Warwick	No
1261	Alliance Energy Sunoco 3344 West Shore Road	Warwick	No
1258	Alliance Energy #0218 15 Jefferson Boulevard	Warwick	No
1814	Ryder Truck Rental #344A One Jefferson Boulevard	Warwick	No
1137	Warwick Line Service 568 Warwick Avenue	Warwick	No
435	Natalizia Service 3002 West Shore Road	Warwick	Yes
438	Shell Service Station 1190 Quaker Lane	Warwick	No
1759	Security Cleansers, Inc. 1060 Tollgate Road	Warwick	No
1508	Mobil #12534 1240 Warwick Avenue	Warwick	No
1893	National Car Rental 2053 Post Road	Warwick	No
2881	J&M Service Center 1710 West Shore Road	Warwick	No
3030	Citizens Bank - JB West 443 Jefferson Boulevard	Warwick	No
1476	Getty #68001 7780 Post Road	North Kingstown	No
18682	Avis Rent A Car System 10 Senator Street	Warwick	Yes
229	Avis Rent A Car System 2000 Post Road	Warwick	No
18577	Hertz Service Facility 40 Senator Street	Warwick	Yes
228	Hertz Corp. #1710-11 2000 Post Road	Warwick	Yes
18836	Budget Rent A Car System 55 Senator Street	Warwick	No
1508	Morrone Sunoco 206 Main Street	Hopkinton	No
2874	Northstar Aviation Hangar 544 Airport Road	Warwick	No

Facility ID No	Facility Name and Address	City/Town	Fully Compliant at the Time of Inspection?
1883	Kent Hospital 455 Tollgate Road	Warwick	Yes
2188	Cardi Corporation 400 Lincoln Avenue	Warwick	No
8	Vic's Service Station 424 Maple Avenue	Barrington	No
232	CVS Corporation Hangar 560 Airport Road	Warwick	No
685	Textron Hangar 566 Airport Road	Warwick	No
768	Stop & Gas 1959 Warwick Avenue	Warwick	No
3357	Brewer Greenwich Bay Marina South One Masthead Drive	Warwick	No
534	Lavin's Marina 110 Shore Drive	Barrington	Yes
724	Cove Haven Marina 101 Narragansett Avenue	Barrington	No
448	Getty #68623 227 County Road	Barrington	No
446	Getty #68619 899 Pontiac Avenue	Cranston	No
1855	Bradford Soap Works 200 Providence Street	West Warwick	No
143	Willie's Shell 5819 Post Road	East Greenwich	No
723	Striper Marina 26 Tyler Point Road	Barrington	No
1229	Willet Avenue Xtra Mart 973 Willett Avenue	East Providence	No
94	Hal's Garage 171 Tower Hill Road	South Kingstown	No
2994	Morris Sunoco 1050 Narragansett Boulevard	Cranston	No
1213	Verizon 2556 West Shore Road	Warwick	Yes
1222	Verizon 100 New England Way	Warwick	Yes
1220	Verizon 175 Amaral Street	East Providence	Yes
1192	Verizon 789 North Broadway	East Providence	Yes
957	Jamestown Xtra Mart 35 Narragansett Avenue	Jamestown	Yes
16134	Savers Mart	Providence	No

Facility ID No	Facility Name and Address	City/Town	Fully Compliant at the Time of Inspection?
	871 Elmwood Avenue		
736	Cumberland Farms #3802 41 North Main Road	Jamestown	Yes
1026	Cory's Petroleum 6690 Post Road	North Kingstown	No
1505	Mobil #12260 10 East Avenue	Westerly	No
775	Cumberland Farms #3847 129 Granite Street	Westerly	Yes
18504	AAA Southern New England 110 Royal Little Drive	Providence	Yes
955	Jerry's Service, Inc. 1101 Hope Street	Providence	No
2728	Mobil #12125 269 Valley Street	Providence	No
18762	Stop & Shop #712 622 George Washington Hwy	Lincoln	No
618	Sunoco #0012-0311 597 Branch Avenue	Providence	No
872	Hess #39505 83 Point Street	Providence	No
1256	Alliance Exxon Smithfield 471 Putnam Pike	Smithfield	No
3029	Diamond Gas 342 Manton Avenue	Providence	No
3026	Food 'N Fuel 2701 Hartford Avenue	Johnston	No
942	Hess #39501 396 Elmwood Avenue	Providence	No
2160	Charlie's Mobil 147 Ashaway Road	Hopkinton	No
616	Kelly's Car Wash 200 Charles Street	Providence	No
2580	Bradley Hospital 1011 Veterans Memorial Pkwy	East Providence	Yes
620	Sunoco #0006-0582 35 Cedar Street	Pawtucket	No
3446	Bay Tower Nursing Center 101 Plain Street	Providence	Yes
1191	Verizon 16 Old Flat River Road	Coventry	Yes
2579	Verizon 3199 East Main Road	Portsmouth	Yes
3633	100 Westminster 50 Kennedy Plaza	Providence	Yes

Facility ID No	Facility Name and Address	City/Town	Fully Compliant at the Time of Inspection?
1635	Fairlawn Oil Service 935 Smithfield Avenue	Lincoln	No
3067	The RJ Carbone Co. One Goddard Drive	Cranston	No
1762	FM Global 1301 Atwood Avenue	Johnston	Yes
978	Berretto's Service 758 Hope Street	Bristol	No
920	Shell Service Station 579 Metacom Avenue	Bristol	No
606	Iggy's Food Mart 292 Market Street	Warren	No
312	Armand's Service Station 272 Market Street	Warren	Yes
384	Bill's Towing Service 516 Child Street	Warren	No
386	Warren Service Center 100 Main Street	Warren	No
2128	Salem's Gas & Market 943 Main Street	Warren	No
2665	Bristol Water Pollution Control Dept. 2 Plant Avenue	Bristol	No
2949	Mt. Hope Pumping Station Annawamscutt Drive	Bristol	No
430	Shell Service Station 2095 Diamond Hill Road	Cumberland	Yes
582	Diamond Mobil 1178 High Street	Cumberland	No
764	Tony's Cumberland Market 290 Broad Street	Cumberland	No
749	Gulf #180492 3 Pine Swamp Road	Cumberland	No
261	Conway's Bus Service 10 Nate Whipple Highway	Cumberland	No
2969	Cumberland Department of Public Works 37 Blackstone Street, Cumberland	Cumberland	No
1838	Lukoil #68013 1170 Mendon Road	Cumberland	No
1698	Providence Water Supply Board 552 Academy Avenue	Providence	Yes
1433	East Providence Fire Station No. 2 329 Bullocks Point Rd	East Providence	No
217	Westerly Yacht Club One Watch Hill Road	Westerly	Yes
647	RIPTA	Providence	Yes

Facility ID No	Facility Name and Address	City/Town	Fully Compliant at the Time of Inspection?
	265 Melrose Street		
1281	RIDOT Maintenance Wyatt Road	Middletown	Yes
632	Sunoco #0006-0210 2033 Diamond Hill Road	Cumberland	No
1177	Mendon Road Valero 3585 Mendon Road	Cumberland	No
609	Valley Falls Sunoco 302 Broad Street	Cumberland	No

APPENDIX D: SEPs AGREED TO IN CALENDAR YEAR 2008

SEP #1 –Teknicote, Inc.

The SEP pertains to the company's facility located at 2 Titus Street in the town of Cumberland. The company operated/operates an organic solvent cleaning machine using trichloroethylene (TCE) at the facility. TCE is a listed air contaminant in RIDEM's Air Pollution Control Regulation No. 22 entitled, "Air Toxics". EPA has listed TCE as a hazardous air pollutant pursuant to the Federal Clean Air Act. The company agreed to eliminate any and all usage of trichloroethylene at the facility by 1 March 2008 for a period of at least 5 years. The total cost of the SEP was estimated at \$73,700.00.

SEP #2 – Town of North Providence

The SEP pertains to the town's police and fire complex located at 1967 Mineral Spring Avenue in the town of North Providence. The town owns and operates 3 underground storage tanks (USTs) at this location consisting of an 8,000-gallon gasoline UST, a 6,000-gallon diesel fuel UST and a 5,000-gallon No. 2 heating oil UST. The town agreed to the removal of the gasoline UST thereby removing any future threat of contamination from a UST leak. The total cost of the SEP was estimated at \$22,680.00.

SEP #3 – Kenyon Industries, Inc

The SEP pertains to the company's facility located on the Pawcatuck River in the village of Kenyon in the towns of Charlestown and Richmond. The company is a fabric finisher and is the owner and operator of a wastewater treatment facility that is authorized to discharge treated wastewater from the facility to the Pawcatuck River. The company agreed to perform 2 SEPs. One of the SEPs involved the installation of a Novo BioReef system within the wastewater treatment facility that will substantially increase the biological reduction of ammonia during the summer months, increase the biological reduction of ammonia during the winter months, and increase the biological reduction of phosphorous and nitrogen at different times of the year. The other SEP involves the installation of a septic system to treat all sanitary wastewater that is currently being discharged to the wastewater treatment facility. The total cost of the SEPs was estimated at \$161,000.00.

SEP #4 – Centre of New England

The SEP pertains to an approximately 480 acre parcel of land located north of Interstate 95 in the town of West Greenwich, west of Arnold Road and New London Turnpike in the Town of Coventry, east of Hopkins Hill Road in the town of Coventry and south of King Street in the Town of Coventry (also known as the Centre of New England). The parcel is under development for commercial and residential use. The developers agreed to remove sediment deposits in 3 adjacent off-site wetlands (Lake George, Little Tiogue Lake, and the stream tributary to Lake George) by March 2010 that have been adversely impacted over many years by sediment runoff from the town roads and a former gravel bank operation. The total cost of the SEP was estimated at \$225,000.00.

SEP #5 – Town of Middletown

The SEP pertains to the town's storm water drainage system that discharges to Easton's Bay in an area that is heavily used by bathers in the summer and surfers all year round. Storm water from the drainage system has been the cause of repeated closures of the public bathing beach due to bacteria. The town agreed to complete a study to identify and evaluate the feasibility of various alternatives to reduce bacteria loads and storm water flow contributions from the drainage system to Easton's Bay and implement one or more alternative corrective measures. The total cost of the SEP was estimated at \$98,700.

Appendix E: Training Completed by Staff in 2008

Month	Course Title	Number of Staff Attended	Trainer
February	Professional Communications	1	Office of Training and Development
April	Microsoft Access Fundamentals and Design	1	Office of Training and Development
	Quality System Awareness Training Certification	14	In House
May	Environmental Justice	1	Environmental Protection Agency
	Professional Communications	2	Office of Training and Development
June	Effective Writing	1	Office of Training and Development
	Verbal Judo	13	Northeast Environmental Enforcement Project
July	Quality System Awareness Training Certification	2	In House
September	Advanced Field Investigations for the Experienced Regulator and Investigator Training	3	Northeast Environmental Enforcement Project
	Hazwoper 8 hour Refresher Course	3	RI Fire Academy

APPENDIX F
Enforcement Activities
January 2008 to December 2008

COMPLAINTS	AIR	DAM	WETLANDS	HW/SR	OWTS	SW/MW	UST/LUST	WATER	Total
Received	496	0	296	37	212	68	1	136	1246
Investigations Conducted*	471	---	332	37	142	106	4	107	1199
Unable to Investigate	25	---	12	0	33	1	0	1	72
Unfounded	425	---	102	10	72	27	4	74	714
No Action	1	---	75	0	11	6	4	10	107
Inspections	373	---	694	37	209	260	8	131	1712
Referred**	12	---	0	0	1	17	0	5	35
COMPLIANCE MONITORING									
Inspections	138	9	38	88	0	0	115	0	388
ENFORCEMENT ACTIONS									
Informals - issued	41	1	44	42	59	44	49	16	296
Informals - resolved	36	0	26	31	47	34	52	11	237
Formals - issued***	5	1	11	9	15	7	5	16	69
Formals - closed	7	0	29	0	10	0	0	6	52
Consent Agreements Executed	3	0	9	6	8	4	13	17	60
Penalties Proposed (Formal Actions)	\$69,168.00	\$1,000.00	\$183,350.00	\$532,795.00	\$18,200.00	\$327,000.00	\$58,590.00	\$410,344.54	\$1,600,447.50
Penalties Assessed (Consent Agreements)	\$44,239.00	---	\$47,957.00	\$55,730.00	\$3,800.00	\$31,500.00	\$140,887.00	\$183,715.00	\$507,828.00
Penalties Collected (Cash Received)	\$71,164.00	\$0.00	\$21,500.00	\$73,804.26	\$16,932.00	\$37,650.02	\$97,384.36	\$121,506.86	\$439,941.50
Cost Recovery (Outstanding)	----	---	----	----	---	----	----	----	---
Cost Recovery (Collected)	----	---	----	----	----	---	----	----	---
SEP Agreed To	1	0	0	0	0	0	1	4	6
SEP Monetary Value	\$73,700.00	---	---	---	---	---	\$22,680.00	\$431,000.00	\$527,380.00
Mediation Cases	0	0	0	0	0	0	0	2	2
AAD/Superior Court Cases	0	0	3	0	1	0	0	0	4
Crim Inv Assist Cases	0	0	0	0	0	0	0	0	0

*Complaint Investigations are counted only once even though one Investigation may address multiple complaints received

**Referred to other program, department or agency

***Multi-media NOV's issued = 10, these are included in the program counts