



# Business Roundtable News

## DEM to Adopt California Vehicle Emission Standards

DEM is wrapping up the stakeholder process to amend Air Pollution Control Regulation No. 37, Rhode Island's Low Emission Vehicle Program, in keeping with Governor Carcieri's directive to adopt California Vehicle Emission Standards, which are stricter than the federal standards. The new standards will require greater curbs on auto emissions, beginning with cars sold in model year 2008. Vehicle emissions contribute 80 percent of the air pollution and 40 percent of greenhouse gas emissions in Rhode Island. The new standards will result in a 16 percent improvement over federal standards by 2020.

The Department expects to adopt the standards in December, joining a growing number of Northeast States that have adopted the California standards, including Maine, Massachusetts, New York and Vermont. Connecticut and New Jersey are moving in that direction. The amendments were proposed on October 16<sup>th</sup> and a public hearing held on November 16<sup>th</sup>. Stakeholders included representatives of automobile manufacturers, Rhode Island auto dealers and environmental and health advocates. One concern raised by auto manufacturers was that compliance with the Zero Emissions Vehicle (ZEV) standards would be difficult in Rhode Island because manufacturers have been able to earn credits for early ZEV sales in California for a number of years. DEM developed a system to transfer ZEV credits from California to Rhode Island to address this issue. The system also allows manufacturers to earn additional credits for placement of ZEVs in Rhode Island before the requirement becomes effective in model year 2008.

DEM is reviewing 127 individual and group comments in preparation for adoption of the standards. For more information contact Steve Majkut at 222-2808, extension 7010 or visit DEM's website DEM's [Air Resources Web Page](#).



The hybrid Toyota Prius is one of the vehicles that would qualify as a Zero Emissions Vehicle under the proposed CA-LEV regulations.

### SAVE THE DATES

Here are proposed quarterly meeting dates for the 2005 Business Roundtable. The dates will be finalized at the December 2, 2004 meeting and will be posted on the web.

**February 3**

**May 5**

**September 8**

**December 1**

All meetings are from 3:30 to 5:00 PM in Room 300, DEM Headquarters.

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## Draft RI Forest Resources Management Plan Available

DEM has forwarded a final draft of the *RI Forest Resources Management Plan* to the RI Statewide Planning Program for review and adoption as part of the state guide plan.

Developed by DEM's Sustainable Watersheds Office and Division of Forest Environment in cooperation with the RI Statewide Planning Program, the 70-plus page document will be an element of the state guide plan, and by law the goals and policies of the Forest Resources Plan must be reflected in updates of local comprehensive plans.

Forests cover nearly 60 percent of Rhode Island's landscape, contributing over \$530 million each year to the state's economy as well as providing clean air and water, habitat for wildlife, and aesthetic benefits. The Plan addresses forest resource management, information and education, forest health, commercial forest products, and water resources. Three new issues - sustainability, recreation and tourism, and fragmentation - are also addressed.



The objectives for recreation and tourism focus on providing adequate funding to maintain recreational areas, and coordinating policies with recreational groups for state-owned forestland, as there is little, if any, private forestland recreation for the public corresponding to agri-tourism on farmland. The plan recommends expanded education and outreach to address the key issues of sustainability and fragmentation. Since 70% of the state's forestland is in private ownership, education in the following areas is critical to preserving forestland:

- conservation development, estate planning, conservation easements and the Farm, Forest and Open Space Program
- land use ordinances to minimize loss of forest cover and fragmentation
- land use and smart growth policies
- technical assistance and education on sustainable practices
- sustainable forest product businesses

The plan will be reviewed by the State Technical Planning Committee next month and open for public comment shortly thereafter. The [draft Plan](#) can be found on [DEM's website](#), by clicking on "[Forest Environment](#)" under "[Programs](#)". The file is large, and may take some time to download.

## DEM Selling Surplus Property

Submitted by Lisa Primiano

The Department of Environmental Management is currently in the process of surplusing a 5.48 acre parcel of land located in the City of Providence at 242 Allens Avenue. This property has been owned by the State since condemnation by the State Harbor Improvement Commission in March of 1911.

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Since December of 1978, the property has been leased to Promet Marine Service Corporation for use as a marine repair facility for large boats and commercial vessels and for handling bulk cargo. After a comprehensive review of all DEM properties, the parcel was determined to be surplus to the Department's needs. Under Governor Carcieri's Fiscal Fitness Program, DEM proceeded to immediately surplus this land.

The property is located in the City's industrial/commercial waterfront district and is zoned for Port Maritime Industrial use. It contains approximately 410 feet of frontage on Allens Avenue and 500 feet of frontage on the Providence waterfront.

In response to an RFP advertising the land for sale, DEM received two bids on the property; one from the current tenant and the other from a nationally recognized stone and granite buyer and processor. The Department is about to begin negotiations to enter in to a Purchase and Sales contract to sell the land to the highest bidder which was Promet, the current tenant. The prospective transfer will reflect the market value for this coastal parcel on the Upper Bay. DEM anticipates the final transfer to occur in early 2005.

## **Nutrient Removal Course Held To Assist Efforts In Water Pollution Control**

On Monday, October 25, DEM sponsored a biological nutrient removal course for wastewater treatment operators at the Warwick Wastewater Treatment Facility. The day-long session was attended by some 35 operators from facilities throughout Rhode Island that are undertaking (or considering) voluntary and interim system changes to remove as much nitrogen and ammonia as possible from their systems prior to any state-required upgrade.



Excess nutrients stimulate algae growth, which robs water of the oxygen necessary to fish and shellfish. Studies have demonstrated that wastewater treatment facilities are a significant source of nutrients to upper Narragansett Bay. The course, presented by the New England Interstate Water Pollution Control Commission, presented the latest concepts in nitrogen removal. Instructors examined ways to retrofit a facility to achieve nitrogen removal as well as process control changes that facilities can make.

A number of operators from facilities throughout Rhode Island are working toward nutrient removal. Currently, Cranston, Warren, and East Providence are experimenting with interim process control changes. East Greenwich is continuing to evaluate whether interim process control changes are feasible. Narragansett Bay Commission's Field's Point wastewater treatment facility, the largest in the state, is investigating the feasibility of facility modifications to temporarily reduce nutrients. In addition, DEM has required, or has drafted permits, that will require construction of wastewater treatment facility upgrades.

For additional information, call Bill Patenaude of DEM's Office of Water Resources, at 222-3961 ext. 7264.

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## Narragansett Bay Update

Submitted by Tom Getz

DEM is responsible for implementing a number of elements in the Governor's Narragansett Bay and Watershed Planning Commission Report. The following is an update on some of the major DEM activities of the last few months:

- Nutrient Reduction at Wastewater Treatment Facilities: Warwick- completed construction and started the Biological Nutrient Reduction (BNR) process. Cranston- Issued Order of Approval in September. Construction projected to be complete by April 2005. DEM, with contractor assistance, evaluated the feasibility of implementing temporary improvements at five facilities. Recommendations were successfully implemented in Warren, East Providence and Cranston. East Greenwich and Fields Point continue to evaluate possible changes for interim nitrogen removal.
- DEM's Division of Law Enforcement intensified enforcement of the states "no-discharge" law, targeting five priority beaches. The Division conducted compliance checks on 31 boats and made six arrests and issued one written warning for violations.
- DEM, DOH and DOT developed and implemented several projects of a Beach Improvement Strategy. At Scarborough Beach, one of the highest priorities of the Strategy, DOT instituted engineering changes to the stormwater collection system to help reduce pollution at the beach. In addition, DEM inspected septic systems at all 30 houses in the Black Point area of Scarborough and identified nine failed systems. DEM issued Notices of Intent (NOI) to enforce in order to provide owners with an opportunity to correct problems before Notices of Violations (NOV's) are issued.
- DEM has completed a draft statewide water monitoring strategy. The draft strategy is posted on the web. ([http://www.ci.uri.edu/Projects/RI-Monitoring/Docs/DEM\\_WQ\\_Mon.pdf](http://www.ci.uri.edu/Projects/RI-Monitoring/Docs/DEM_WQ_Mon.pdf)) and is expected to be finalized by the end of the year.
- The National Oceanic & Atmospheric Administration (NOAA) informally approved DEM's request to reprogram a \$368,000 grant to enhance access to and use of the Prudence Island Reserve by the public. DEM will contribute an additional \$100,000 to the project. Key aspects of the project include rebuilding and improving accessibility of the existing wharf, upgrading and expanding the educational center and building a new handicap-accessible composting toilet facility.
- DEM programmed \$75,000 to assess increased shoreline access sites at 23 publicly owned properties, with an emphasis on public fishing sites. DEM received seven bids for consultant services and will select a firm by January 2005. The study will be completed in the summer of 2005.

## Regulatory News

### Hazardous Waste Generation Fee Collections on Target

DEM has released its annual report for fiscal year (FY) 2004 on Hazard Waste Generation Fees. In FY04, the Department collected \$928,696.90, slightly exceeding the \$890,000 target. In January 2003, the Department began collecting the fee of 2 cents per pound (or 16 cents per gallon) from

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Rhode Island hazardous waste generators for waste transported on a hazardous waste manifest. Some of the money funds programs within the Office of Waste Management and a portion is set aside in a contingency fund for site remediation projects that are an imminent threat to human health and the environment and lack a responsible party.

The full report showing monthly collections and waste types is available at <http://www.state.ri.us/dem/programs/benviron/waste/pdf/hwfee103.pdf>. For additional information, please call Mark Dennan in the Office of Waste Management at 222-2792, extension 7112.

### **Water Quality Regulation Amendments**

DEM will hold a public workshop on proposed amendments to the Water Quality Regulations on December 9 and a public hearing on January 12, 2005, both will be held in room 300 at 6 pm. The regulation amendments are required to meet the mandates of the federal government in the Clean Water Act and include changes to criteria, classification of waters, special resource protection waters, water quality certification rules, appeals to decisions, and to the anti-degradation policy. For a brief overview of the changes and the complete amendments, visit <http://www.state.ri.us/dem/programs/benviron/water/quality/draftreg.htm>.

### **DEM to Begin Public Comment Period for Groundwater Regulations**

Proposed changes to the *Rules and Regulations for Groundwater Quality* are moving forward and DEM has **tentatively** established the public notice schedule as follows:

Monday, December 13, 2004 – Public Comment Period Opens  
Thursday, January 6, 2005; 3:00 PM; – Workshop  
Thursday, January 20, 2005; 3:00 PM – Public Hearing  
Friday, January 28, 2005 – Public Comment Period Closes

The workshop and public hearing will take place at DEM Headquarters, 235 Promenade Street, Providence, Room 300, 3<sup>rd</sup> floor. Please check the [Publications/Regulations](#) page of the DEM Website for the final schedule.

### **Governor's Mercury Awards**

DEM Associate Director Terry Gray presented gubernatorial citations to the Narragansett Bay Commission (NBC), Eastside Marketplace, and environmental advocate Sheila Dormody for their efforts to reduce the amount of mercury in the environment. The State Mercury Education Reduction Group sponsors the recognition program. From left to right: Robert Vanderslice, DOH; Sheila Dormody, Clean Water Action; Tom Uva, NBC; Edmund Pacheco, Eastside Marketplace; and, Terry Gray, DEM.



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### **Air Regulation Amendments Underway**

In addition to the California Vehicle Emission Standards discussed above, the Division of Air Resources has a number of regulatory amendments in process. They include:

- Streamlining permitting requirements regulations that will encourage more small-scale Combined Heat and Power (CHP) and Distributed Generation (DG) projects (see DEM Business Roundtable News – December 2003). A stakeholder group will be established by the end of 2004 and begin work in early 2005. Contact: Doug McVay, 222-2808, extension 7011.
- Chemical Accidental Release Prevention Program regulations that will minimize the potential for accidental air releases and minimize the harmful effects of those that do occur. The proposal has been reviewed in a stakeholder process and the regulations will be proposed in January 2005. Contact: Gina Friedman, 222-2808, extension 7016.
- A change to Control of Nitrogen Oxides Emissions regulations to allow facilities to submit certified stack testing results instead requiring each test be observed by DEM staff. DEM will continue to review all testing protocols and results and will conduct random stack test observations. The Office of Air Resources will discuss the changes with potential stakeholders in January 2005 with the goal of promulgating the regulations by May. Contact: Ted Burns, 222-2808, extension 7013.

For additional information on proposed air regulations, please visit DEM's website DEM's [Air Resources Web Page](#).

### **Save the Dates - Training for Underground Storage Tank Environmental Results Program Tentatively Scheduled**

At previous Business Roundtable meetings, the Department has reported on a stakeholder process to develop an Environmental Results Program (ERP) for Underground Storage Tanks (UST). The UST-ERP will allow facilities to certify that they are meeting their regulatory obligations using a workbook and checklist. The program has been finalized and training dates have been tentatively scheduled. The proposed training dates are: **February 2, 16, 24, March 9, 22 and 31 in 2005**. Locations will be in Providence, South County and East Bay areas. Times will be early evenings.

Business Roundtable members will be notified once details have been finalized. Please visit the UST-ERP web page for more information and/or updates at [RI DEM/OTCA- Underground Storage Tanks Environmental Results Program](#).

### **RI Committee on Occupational Safety & Health News**

*Adapted from the RICOSH October 2004 News Bulletin Submitted by James Celenza, Director*

#### **Chemical Safety in Schools**

A special chemical prohibition that involves high schools here in Rhode Island is now in effect. Under Rhode Island Department of Education/Department of Health (DOH) regulations (Section 39.0-Laboratories, Shops and Other Special Purpose Areas) many hazardous chemicals must now be removed from schools, and can no longer be purchased.

Examples of banned chemicals that have been found (improperly stored and improperly identified) in RI schools include: Sodium or potassium metals (can explode in contact with water); Mercury (toxic to the brain);

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Picric acid (extremely sensitive to shock and friction – may explode if moved); and, Ethers (extremely flammable and explosive).

Rhode Island regulations require chemicals on the designated list to be removed by August 2005. There are federal and state hazardous waste regulations that govern the removal of chemicals. DOH has some grants for proper removal and almost a dozen schools have taken advantage of the DOH grants.


The Rhode Island Chemical Safe Schools Committee, a voluntary group of state regulators, private consultants, chemists, educators and occupational health advocates, have put on several workshop and on chemical safety and safe chemical removal to look at environmental health risks in schools and to help eliminate or minimize risks associated with hazardous chemicals in schools.

### **Rhode Island Joins the Ranks of Smoke-free Workplace States**

After years of effort on the part of smoke-free worksites advocates and their legislative allies, a comprehensive smoke-free worksites law will go into effect on March 1, 2005. Some private bars and small neighborhood bars would be exempt from the ban until October 2006. Gambling establishments, nursing homes and hotels can still permit smoking by visitors and guests but there is a provision that permits employees to refuse to work in areas where smoking is allowed.

Among the labor groups supporting passage of the law were the Rhode Island AFL-CIO, the Hotel And Restaurant Workers and the Rhode Island Committee on Occupational Safety and Health.


RI Committee on Occupational Safety & Health  
741 Westminster St., Prov., RI 02903 (401) 751-2015/jobhealth@juno.com

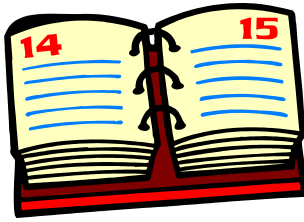


### Tis the Season!

Please support Rhode Island Christmas tree farms when choosing your fresh cut Christmas tree this season.

For a list of Rhode Island farms, tips on safety and rules for buying and preserving your tree, please visit the DEM's Division of Agriculture, <http://www.state.ri.us/dem/topics/agricult.htm> or call (401) 222-2781 for a free brochure.





## Upcoming Events/Meetings

### 2004

#### December 2

**Business Roundtable** - DEM, Room 300, 235 Promenade St, Providence, 3:30-5 PM

#### December 2

**Public Hearing re: Proposed Major Source Air Pollution Permit for Ridgewood RI Generation at Central Landfill.** 7:00 p.m. in Room 300 on the third floor of [DEM Headquarters](#), 235 Promenade Street, Providence. For information, call [Doug McVay](#) at 222-4700 ext. 7011.

#### December 9

**Public Workshop re: Proposed Amendments to the Water Quality Regulations** 6:00 p.m. at DEM, Room 300, 235 Promenade Street, Providence, RI.

**Public Hearing re: Proposed "Rules and Regulations Governing the Management of Marine Fisheries" (Licensing Regulations)** 6:00 p.m. at the URI Graduate School of Oceanography's Corless Auditorium, South Ferry Rd., Narragansett, RI. For information, call [Jason McNamee](#) at 423-1943.

#### December 14

**Earth Day RI Meeting** – DEM, Room 340C, 235 Promenade Street, Providence, 5:30 PM

#### December 16

**Environmental Roundtable** - DEM, Room 300, 235 Promenade St, Providence, 3-5 PM

### 2005

#### January 6

**Public Workshop re: Proposed changes to the Rules and Regulations for Groundwater Quality** 3:00 p.m. at DEM, Room 300, 235 Promenade Street, Providence, RI.

#### January 12

**Public hearing re: Proposed Amendments to the Water Quality Regulations** 6:00 p.m. at DEM, Room 300, 235 Promenade Street, Providence, RI.

#### January 20

**Public hearing re: Proposed changes to the Rules and Regulations for Groundwater Quality** 3:00 p.m. at DEM, Room 300, 235 Promenade Street, Providence, RI.

#### February 2, 16, 24

**Underground Storage Tank Environmental Results Program Training (tentative)** Time/location to be announced.

#### February 3

**Business Roundtable** - DEM, Room 300, 235 Promenade St, Providence, 3:30-5 PM

#### February 17

**Environmental Roundtable** - DEM, Room 300, 235 Promenade St, Providence, 3-5 PM