



DEM Business Roundtable Newsletter

February 26, 2003

Regulatory Agenda

Contributed by: B. Ballou



DEM published its regulatory agenda for the first six months of 2003. The agenda details the possible regulatory changes that DEM will be working on in the Environmental Regulatory and Natural Resources arenas. Regulatory changes of interest include the following:

- **Freshwater Wetlands**- Develop regulations based on the recommendations of the Wetlands Task Force.
- **Dredge Management** - Provides a single set of regulations governing the dredging process and the management and disposal of dredge material.
- **Dam Safety** - Establishes a regulatory framework for several of the major provisions of the state's current dam safety law. Rhode Island currently does not have any rules governing standards for dam inspections and repairs.
- **Arsenic** - Amend state regulations to increase the Industrial/Commercial Direct Exposure Standard for Arsenic from 3.7 PPM to 7.0 PPM.
- **Tank Inspections** - Increased inspections of Underground Storage Tanks systems throughout the state.
- **Mercury** - Establish a regulatory framework for several of the major provisions of the Mercury Education and Reduction Act, enacted in 2001, including establishing labeling requirements, and perhaps education elements, in response to statutory requirements take effect in 2004

The regulatory agenda is posted on the [DEM website](http://www.state.ri.us/dem/index.htm) and is located at: <http://www.state.ri.us/dem/index.htm>, then click on publication and then scroll down to Regulations.

Solid Waste Plan



The Rhode Island Resource Recovery Corporation has begun the process of revising the state solid waste plan. The existing plan is not current and needs to reflect existing waste disposal conditions. The group will review the plan to expand opportunities for source reduction, recycling and composting in order to reduce the amount of material landfilled.

The first meeting of the group was held on January 27th, 2003. This meeting focused on setting the agenda for further discussions about this important issue. The plan will discuss issues like landfill disposal capacity, source reduction, commercial and municipal recycling, the economics of waste disposal, recycling market development, composting and special wastes. The group will meet at the RIRRC's headquarters in Johnston on the second Friday of the month. The next meeting will be held in March.

For additional information about this plan revision, contact Dante Ionata at Dante@rirrc.org or 942-1430 extension 128. Information concerning this topic can also be viewed on the DEM website: <http://www.state.ri.us/dem/index.htm> then click on Topics, then Ombudsman, then Outreach Working Groups, then Integrated Solid Waste.

Ozone Attainment Plan

Contributed by: Barbara Morin



Rhode Island was in attainment of the Ozone standard from 1996 until 2000. Based on recent monitored data, the state is now violating the one-hour ozone standard and is responsible for developing an Ozone Attainment Plan.

The plan developed by DEM addresses the one-hour ozone standard only. Monitoring data show that the State will also not meet EPA's eight-hour ozone standard. DEM will develop a plan to meet this eight-hour standard when EPA issues appropriate guidance. The plan developed will meet the one-hour standard by 2007. This is the earliest time the state can meet this standard because downwind states like New York and New Jersey will not start to control their NOx emissions until 2004. These states will not meet the standard until 2007 and Rhode Island will not be able to attain the standard without their reductions.

DEM conducted photochemical modeling to determine whether the emissions reductions would be sufficient to allow Rhode Island and neighboring states to attain the one-hour ozone standard. The model showed that additional reductions in upwind emissions of NOx would be far more effective in reducing Rhode Island's ozone levels than would reductions in emissions of volatile organic compounds, another class of ozone precursors.

The plan developed shows the emissions inventory for NOx emissions will decrease by 21% between 1999 and 2007 and by 16% between 2002 and 2007. VOC emissions will decrease by an estimated 16% between 1999 and 2007 and by 8% between 2002 and 2007. On-road and non-road mobile source emissions controls programs are primarily responsible for these reductions. The attainment demonstration shows that if emissions control programs are

implemented as currently promulgated, Rhode Island will attain the one-hour ozone standard by 2007. A public hearing regarding the proposed "Rhode Island Attainment Plan for the One-Hour Ozone National Ambient Air Quality Standard" will be held in Room 300 of the RI DEM building at 235 Promenade Street, Providence, RI on Thursday, 27 February 2003 at 10:00 AM.

Contact Barbara Morin at bmorin@dem.state.ri.us or at 222-2808 extension 7012 for any questions this plan. Information concerning the plan is available on the DEM's web site www.state.ri.us/dem/ then click on Program, then Air Resources.

Environmental Legislative Committee Update

Contributed by: Elizabeth Stone



In January 2003, the RI State Senate created a new permanent Senate Committee on Environment and Agriculture. This new committee, chaired by Senator V. Susan Sosnowski will consist of the following six members:

Chairperson, Senator V. Susan Sosnowski (D-37 New Shoreham, South Kingstown)
Daniel P. Connors (D-19 Cumberland, Lincoln)
Kevin A. Breene (R-34 Charlestown, Exeter, Hopkinton, Richmond, West Greenwich)
Leo R. Blais (R-24 Coventry, Foster, Scituate)
June N. Gibbs (R-12 Little Compton, Middletown, Newport, Tiverton)
M. Teresa Paiva Weed (D-13 Jamestown, Newport)

Senator Sosnowski recently indicated her interest in holding committee hearings on Tuesdays and/or Thursdays before the Senate reports for session at 4:00 PM. For specific legislative issues that may require additional

discussion time, the committee will likely convene on Monday afternoons.

The House of Representatives has yet to formally decide whether it will create a new House Environment Committee to mirror the Senate's new committee.

Urban Environmental Design Manual

Contributed by: Peter Hanlon



The Sustainable Watersheds Office recently initiated the development of an Urban Environmental Design Manual. This project will promote environmentally

responsible development and re-development in urban areas by providing a comprehensive guide for local officials, community groups, residents, and the development community. The Urban Environmental Design Manual will complement the recently completed South County Design Manual that focuses on sustainable development in rural and suburban areas (The South County Design Manual is available online at <http://www.state.ri.us/dem/programs/bpoladm/swshed/desmanul/toc.html>).

The new manual will illustrate how using innovative techniques to deal with urban issues such as Brownfields, riparian buffer restoration, and stormwater runoff can help to overcome both real and perceived barriers to redevelopment within urban areas. The manual will also promote infill development that is sensitive to the surrounding community's needs and quality of life.

Four sites within Rhode Island were chosen by the project's Advisory Committee to serve as case studies. A design scenario will be developed for each site showing existing conditions, how

the site would appear using conventional development techniques, and the impact of incorporating innovative techniques described in the Manual. In addition, there will be model ordinances produced to help communities implement these concepts. The project consultants (Dodson Associates in association with Horsley & Witten and Randall Arendt) will conduct exercises to better understand the communities' vision for the sites and how best to address their specific issues. Ultimately these design scenarios will be applicable to many urbanized areas because the four study sites represent a variety of different urban environments.

This project is being jointly funded by the John H. Chafee Blackstone River Valley National Heritage Corridor Commission and the EPA. The anticipated completion date is the fall of 2003.

Wetlands Best Management Practices Manual

Contributed by: Susan Ely



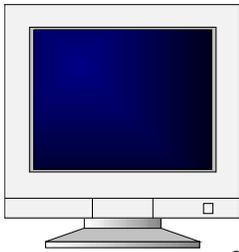
The DEM wetlands permitting program is developing a Best Management Practices manual for wetlands. It will be designed for consultants, as well as for project applicants. The objective of the manual will be to provide a better understanding of acceptable and wetland-friendly designs and practices that can be used when designing a project submittal for DEM. This manual is in the response to suggestions emanating from the Director's Wetland Task Force (March 2001) and the development of the manual is funded by EPA, Region 1. Printing and distribution is pending further funding.

The manual will include BMPs for specific project design types. For example, it might highlight innovative designs for wetlands crossings that avoid filling, wetland boardwalks

that minimize shading, or alternative treatments for wetland paths. The manual might also show mitigative measures used in golf course design, commercial lighting (such as focussing down instead of out), or temporary roads in wetlands using timber mats. We welcome your ideas and input on the manual. Please contact Susan Ely at 222-4700 x7205 or sely@dem.state.ri.us. If you are interested in hearing more about the wetlands program, be sure to check our booth at the Home Show, March 12-16 and the RI Convention Center!

Web Translation Project

Contributed by: T. Getz



The results of the 2000 census have been evaluated and Rhode Island is changing. The population of the state has increased and there is a net inflow of people into the state.

Several of our citizens are recent arrivals from Central and South America. The state also has a vibrant Asian community. DEM is evaluating its existing outreach activities, especially its Internet home page to increase services to this changing population.

All the information currently posted is in the English language and is not readily accessible to our newest citizens. DEM is working with the Department of Health and the Department of Human Resources to increase the foreign language content of the website.

If you have any thought about the kind of environmental information that should be translated to other languages, contact Tom Getz at tgetz@dem.state.ri.us or 222-4700, extension 2417.

Solid Waste Update

Contributed by: G. McAvoy



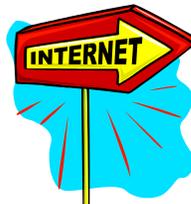
During the last six months the Office of Legal Services (OLS) has worked to resolve several major waste disposal cases.

The OLS and the Waste Management Division coordinated efforts that resulted in the closure of the NEED, Inc. facility and its operations. NEED, Inc. is currently in receivership and the Court has yet to approve remedial action for the recycling site. The Office of Waste Management has filed a claim for “closure” costs when the facility is finally shut down by court order.

The Global Waste Recycling site in Coventry, Rhode Island is another facility that is on the road to final remedial action. This property contains thousands of cubic yards of disposed waste, has been the subject of litigation for a number of years. After years of contested hearings and attempts at resolution, the site is now near the end of the waste removal phase. Status conferences are now being moved on a week to week basis to monitor and assess the removal progress. The work is proceeding at a fast pace; 2000-2500 tons per day in some instances. The clean up is projected to finish by mid to late March 2003.

Environmental Education Website

Contributed by: T. Getz



DEM has recently added an Environmental Education section to its website. The site is targeting the public, and teachers and students below college level. The purpose of the website

is to give people a starting point for their search

for information about environmental topics that are of concern to Rhode Islanders. Topics included in the website range from Air Pollution to Wetlands with many topics in between. The site can be viewed at the DEM website located at: <http://www.state.ri.us/dem/index.htm> then click on Topics, then click on Educational Resources.

If you have know of other environmental websites that you think should be included on this site, contact Tom Getz at tgetz@dem.state.ri.us or 222-4700, extension 2417.

Narragansett Bay Planning Grant

Contributed by: Richard Ribb



The Partnership for Narragansett Bay at the University of R.I. Coastal Institute has received a \$100,000 grant from the U.S. Housing and Urban Development agency to complete studies and analyses for the development for a decision-making framework for Narragansett Bay. The federal funds were secured through the efforts of Senator Lincoln Chafee (R-R.I.). These funds are supplemented by an additional \$34,000 in state bond funds designated by the R.I. Governor to support revisions to the 1993 Narragansett Bay Comprehensive Conservation and Management Plan.

The grant funds support four tasks:

- A study of previous and ongoing regional and local watershed planning initiatives to determine characteristics of successful efforts;
- Collection and synthesis of ecological data produced since the last State of the Bay report in the early 90s (this will be used to create an updated State of the Bay report);

- A characterization study of economic activity in the Bay and watershed linked to the National Oceans Economics Project; and
- Development of a public vision and set of core principles for bay planning efforts

All of these elements are intended to support revisions to the existing Bay watershed plan and one result will be an agreement that policy-makers can adopt to guide planning efforts throughout the bay watershed. This effort builds on the recommendation from the Narragansett Bay Summit 2000 that a new, more effective and integrated planning framework is needed for the Bay and watershed.

For additional information about this grant, contact Richard Ribb at rribb@dem.state.ri.us or at 222-4700 extension 7271.

Environmental Legislative Liaison

Contributed by: E. Stone

A warm welcome goes out to Mark Adelman of Governor Donald Carcieri's Policy Office. Mark will be responsible for handling many of the Governor's environment and health



legislative issues. For the past five years Mark has been working for U.S. Senator Olympia Snowe of Maine as both a Legislative Aide and Director of Correspondence. As a Legislative Aide, Mark advised the Senator on policy issues such as: homeland security, foreign affairs, trade, the judiciary and law enforcement. Before working for Senator Snowe, Mark attended Colby College in Maine. Mark is a native Rhode Islander, having grown up in Barrington. Mark can be reached in the Governor's Policy Office at madelman@gov.state.ri.us

Stormwater General Permit Updates

Contributed by: Eric Beck



The Department of Environmental Management has issued two draft general permits. These general permits control the discharge of stormwater from publicly owned stormwater systems and industrial facilities.

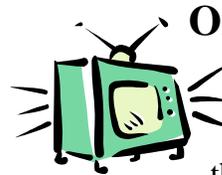
The first general permit is intended to reduce pollution from stormwater systems in urban areas owned by local, state and federal governments in accordance with new federal Clean Water Act requirements. The draft general permit allows municipalities flexibility to develop cost-effective local programs for their municipal stormwater systems that use best management practices to address local water quality issues. The programs must include public education and outreach, public involvement and participation, illicit discharge detection and elimination, construction site stormwater runoff control, post-construction stormwater management, and pollution prevention or "good housekeeping" for municipal operations.

DEM is also proposing to reissue a draft General Permit to cover storm water discharges associated with industrial activity. The draft permit is proposed to be effective for a one-year period during which DEM will determine if any significant modifications to the permit are appropriate. There are no other changes proposed to the draft permit. The general permit requires the development and implementation of a Storm Water Pollution Prevention Plan (Plan). The goal of the Plan is to identify the sources of pollutants in industrial storm water discharges and to implement practices to minimize pollutants from entering industrial storm water discharge.

DEM will hold a public hearing on draft permit for publically-owned stormwater systems on March 13. DEM will hold a public hearing on the draft permit for industrial facilities on March 14 only upon request. The public may comment at the hearing or may submit comments anytime from now until March 14. For additional information visit the DEM website at: <http://www.state.ri.us/dem/programs/benviron/water/permits/ripdes/stwater/t2regula/pnfeb03.htm> or contact Margarita Chatterton at mchatter@dem.state.ri.us or at 222-4700, extension 7715.

Environmental Outreach Proposal

Contributed by: T. Getz



Oil Spills, Ozone alerts, solid waste disposal, land conservation purchases, West Nile Virus are some of the topics discussed in the Rhode Island media on a regular basis. The public is being barraged with information, many times in thirty to ninety second bits of information. There is no source of in-depth reporting on environmental issues in the state.

DEM would like to determine the feasibility of setting up a regularly scheduled TV programming that focuses on environmental issues. This show could allow environmental and citizen groups and DEM to talk about these issues in a forum that would encourage the thoughtful discussion and resolution of environmental problems. If any is interested in exploring this idea please contact Tom Getz at tgetz@dem.state.ri.us or 222-4700, extension 2417.