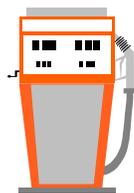




# DEM Business Roundtable Newsletter

May 23, 2002

## Underground Storage Tank Regulations



DEM is revising its underground storage regulations and will hold a public hearing on this issue on June 4 at 6PM in Room 390 in DEM headquarters. The general intent of the revisions are to clarify existing regulations, increase annual registration and late fees, and set a deadline for mandatory upgrade of single walled tanks used to store petroleum product or hazardous materials. Highlight of the regulation change include the following:

### ◆ Annual Registration Fees

The annual registration fee will increase from \$50 per tank to \$75 per tank, effective July 2002. Additionally, fees for late payment will increase from \$25 to \$35 per tank.

### ◆ Groundwater Monitoring Wells

All UST Facilities with single walled tanks must install groundwater-monitoring well(s) within six months of the effective date of the proposed regulations.

### ◆ Single Walled Tanks

All single walled USTs not exempted by the proposed regulations must be replaced by December 15, 2015 or within thirty years of installation.

### ◆ Environmental Consultant

An environmental consultant is required to be present during all repairs or modifications of a UST system where the excavation of soils is performed. This is an opportunity to identify and report releases so that preventative action can be taken on early on.

### ◆ Wellhead Protection

The installation of new USTs is still prohibited where the groundwater is designated as a wellhead protection area for a community well. However, USTs that have been registered prior to the effective date of these regulations and have not been abandoned or removed from the ground for more than 180 days shall be permitted to be replaced with a tank (s) of equivalent size and substance stored and in accordance with the provisions of these regulations.

### ◆ Temporary Closure

Temporary closure now requires that the tank system be evacuated of its contents by pumping the product to a depth of less than one inch. Facilities covered are usually seasonal tanks. During the off season the facility does not have monthly operation and maintenance checks.

For additional information about this hearing, contact Kevin Gillen 222-2797 extension 7116 or by visiting the DEM website @ <http://www.state.ri.us/DEM> then click on Programs / Waste Management/ UST Regulations

**Air Pre-construction Permit Streamlining Task Force**



DEM has recently released a report of the Air Pre-construction Permit Streamlining Task Force. This Task Force had

representatives of the business and environmental community, environmental consultants, state representatives and DEM staff. The main problem identified by the Task Force that needs to be addressed is permit backlog and the overall time it takes to process applications. A number of the recommendations focus on this problem and include the following:

- ◆ Super Application – DEM will modify the regulations to allow facilities to submit more comprehensive permit applications including a proposed draft permit. In exchange for a more comprehensive application these projects would be assigned to the first available staff person for review and processed shortly after they were received.
- ◆ General Permits - DEM will develop general permits or permits by rule for small degreasers, drycleaners, emergency generators and future regulatory source categories that regulates many facilities and use technology requirements to determine compliance. DEM will also evaluate self-certification opportunities that could be used in an Environmental Results Program for facilities, instead of general permits.
- ◆ Pre-Review of Applications - DEM should pre-review applications and categorize them, possibly into easy, medium and hard applications. Or DEM should categorize applications based on their potential to emit. The applications that pose a greater environmental or health concern should be reviewed more closely or should be required to submit a higher level of documentation. This recommendation needs

further discussion. DEM will convene a working group to implement this recommendation.

- ◆ DEM will evaluate developing tiered application information requirements. The purpose of the tiered approach is to increase the amount of information that is submitted to DEM, thus improving application quality.

In order to assist the regulated community in understanding the permitting process DEM will provide or develop additional outreach tools that include the following:

- ◆ The Office of Technical and Customer Assistance will update the “Guide to Environmental Permits and Approvals” that was written in 1989. This document briefly describes the DEM review process, application information requirements and guidance on applicability requirements.
- ◆ Starting September 1, 2002, DEM will post copies of permits, in a PDF format, on the DEM homepage. DEM will also post an index of all permits issued by the program to facilitate information requests on past permits. The program will also speak to the DEM website contact, to determine if a searchable index of BACT decisions could be installed on the DEM website.

The Task Force Report is posted on the DEM website located at: <http://www.state.ri.us/dem> then click on Publications. Contact Tom Getz at [tgetz@dem.state.ri.us](mailto:tgetz@dem.state.ri.us) or (401) 222-4700 extension 2417 for further questions.

**Waste Fee Stakeholder Group Being Formed**

DEM is proposing to increase fees in the Office of Waste Management. At the Business Roundtable meeting in February the group recommended that DEM should modify the manner in which the fee increase will be implemented. The group suggested that DEM consider approaches that will encourage pollution

prevention efforts and other ways to tie fees to the amount of waste generated.

DEM will be starting a stakeholder group to discuss this issue in June. DEM anticipates this group will meet three or four times. If you are interested in participating in this process, contact Tom Getz at [tgetz@dem.state.ri.us](mailto:tgetz@dem.state.ri.us) or (401) 222-4700 extension 2417 for further questions.

### Water Quality Report

By: Michelle Freestone

DEM's 2002 water quality assessment report titled "*State of the State's Waters*" will be released on May 24. The report, required on a biennial basis by the federal Clean Water Act, contains a significant amount of informative data about the water quality in Rhode Island and the programs at DEM that manage and protect it.



The report reflects available water quality data from numerous sources, including state and federal agencies, universities, environmental organizations and citizen volunteers. The data is used in establishing and reviewing the state's water quality standards to measure progress toward achieving state and federal water quality goals, and to supply information for use in development of permit limits for wastewater discharges and water quality restoration plans. The report reviews and assesses a total of 99% of the 156.29 square miles of estuarine waters, 79% of the 20,917 lake acres, and 36% of the 1,498 river miles in the state.

The 2002 assessment information reveals that:

- 66% of river miles, 78% of lake-acres and 69% of estuarine waters assessed support all designated uses.
- Approximately 80% of waters designated for shellfishing are open.
- Bacterial contamination continues to be among the leading cause of impairments in all waterbody types.
- Excess nutrients and low dissolved oxygen are among the leading causes of impairments in lakes and estuarine waters.

The report documents the progress made in controlling point sources of pollution such as that coming from wastewater treatment plants. However, it clearly shows that the state faces challenges in abating water quality pollution from diffuse non-point sources such as stormwater runoff. DEM has identified 129 lakes, river segments and coastal waters that fail to meet water quality standards and that will be targeted for restoration activities.

For additional information regarding the content of this report, contact Connie Carey at [ccarey@dem.state.ri.us](mailto:ccarey@dem.state.ri.us) or at 222-3961. The report will also be available on the DEM website at [www.state.ri.us/dem](http://www.state.ri.us/dem) and at various libraries around the state.

### RI Drought Management Plan

Climate models predict increased occurrences of weather extremes in the future. Although average precipitation levels may not change significantly in New England because of global warming, Rhode Island can anticipate more frequent periods of drought. The state needs to take steps to reduce vulnerability to periods of reduced precipitation. One means is by increased efficiency of water use and allocating high quality water first to uses that require that quality. Rhode Island should have in place programs that insure efficient use by all types of water consumers.

Each category of water consumer requires programs tailored to each situation.

**T**he Rhode Island Drought Management Plan is an element of the State Guide Plan and is intended to coordinate the efforts of state, federal and local entities with responsibilities relevant to drought management. These include duties for gathering data, responding to drought conditions and mitigating the effects of drought. The intent is to anticipate drought conditions, respond early and coordinate resources to effectively manage water resources during drought.

**T**he plan vests state responsibility for coordination of its drought management process in the Water Resources Board and plan implementation in the Drought Management Steering Committee. Members of the Steering Committee include federal and state agencies as well as local water suppliers. The Water Resources Board is responsible for maintaining a current contact list, monitoring conditions and convening the Steering Committee when necessary.

**T**he plan outlines five levels of drought, consistent with the National Weather Service's Watch/Warning system and those used by neighboring Massachusetts. Each level requires increased action and coordination of the Steering Committee member agencies.

**T**he Steering Committee assigns drought levels based on hydrological indices such as precipitation, groundwater and stream flow and the Palmer Drought Index, as well as local supply indices such as static groundwater levels and reservoir levels. The Normal, Advisory and Watch levels are issued statewide. The Warning and Emergency levels are issued on a regional basis and consider local conditions, source of supply and local capacity issues.

**A**ddition information about the drought management plan can be viewed at the following

website:

<http://webster.wrb.state.ri.us/droughtplanshrt.pdf>

(This article was condensed from the RI Drought Management Plan.)

### DEM Offers On-line Boating Registration

**A**s of May 3, 2002, Rhode Island's 40,000 boaters will be able to renew their boat registrations online through RI.gov. It is the first public service offered by the state's centralized web portal, and one of the first government sites nationally to offer boat registration renewal services. This is the first step toward offering a number of online services from DEM. Eventually the portal will be used to apply for hunting and fishing licenses, beach passes, campground reservations, and will allow customers to apply for and check the status of wetlands and ISDS permit applications.



**B**oat owners interested in renewing their registrations online can visit [www.RI.gov](http://www.RI.gov), click on the renewal service and, with a credit card, and complete the renewal process from beginning to end. A printable temporary registration can be used until the new registration is mailed within 10 days of the online transaction. There is a graduated fee scale for the transaction, ranging from \$1 to \$12 depending on boat size and length of renewal, which is used to fund RI.gov.

**RI.gov** is a collaborative effort of the state Department of Administration and New England Interactive (NEI) to create an Internet gateway for business and individuals to obtain government-related information as well as to interact with Rhode Island government electronically. The state last year signed a long-term, zero-dollar contract with NEI to provide the e-Government services. Funding comes solely from transaction and/or subscription fees associated with the services.