

Business Roundtable Meeting Notes – May 23, 2002
235 Promenade Street, Providence
3:30 –5:00

Meeting Attendance

G. Ezovski, J. Boehnert, K. Camp, M. Conway, M. Geisser, A. McManus, J. Meyer, K. O'Connor, T. O'Connor, H.L. Preston, J. Callahan, B. Higgins, J. Lennon, R. Main, J. Reitsma, R. Gagnon, A. Good, J. Keller, B. Migliore, T. Getz, F. Vincent, T. Maguire

Old Business

1. March Meeting Minutes

There were no comments on the minutes from the March meeting, and they were accepted as written.

2. Budget

The Director and Fred Vincent briefed the group on the 2003 budget. The director expressed his concern that there is little flexibility in the agency budget, especially with respect to moving resources around to fill gaps. He is doing the best he can to minimize impacts, but in the end the cuts may affect service.

This year's budget proposed some fee increases, but also reduced service in some areas. The turnover rate was also increased to 34 positions. This means the agency was not provided funding for the equivalent of 34 positions for the next year. The Office of Technical and Customer Service was cut by \$200,000 and this will limit the service that will be provided by this office. The program that assesses watersheds lost five people in the last year and part of the problem is DEM's pay is not competitive with the private sector. If we are not able to fill these positions, DEM will not be able to support this function in the next year.

The budget will be a problem for the next few years. The impacts of these budgets can be minimized if Agency Directors had more flexibility concerning personnel issues. The existing state labor contract does not allow a lot of flexibility and the Department of Administration should be encouraged to discuss this issue further with the union representatives.

2. Tanks Update

Gary Ezovski mentioned the tanks group met on May 9 and the next meeting is scheduled for June 6 at the Oil Heat Institute. The purpose of this group is to clear up conflicts in DEM / Building Code / Fire Code requirements for tanks smaller than 1100 gallons.

Another tank issue was raised and it concerned the way DEM recently modified the tank regulations. A stakeholder group was not convened before the regulation changes and the process could have benefited by additional input from the regulated community.

New Business

1. Drought Management Update

Over the last year, the state has experienced a rainfall deficit of over five inches. The last three months have seen precipitation levels return to almost normal levels. It is timely for the state to develop a Drought Management Plan. Blanche Higgins from the Office of Statewide Planning discussed this plan. There are some existing policies for drought management issues, but long-term droughts need statewide coordination. The lead agency for this effort is the Water Resources Board.

The draft plan establishes coordinated procedures for the state's response to severe drought episodes. The plan breaks the state into regions and five phases of drought are identified. The plan outlines the roles and responsibilities of state, federal and local entities involved in water resources management during a prolonged drought. The plan describes the various agency duties related to data gathering, anticipation of drought conditions and drought mitigation efforts. The plan also establishes policies and recommendations that address the need to anticipate drought conditions, provides for an early response and coordinates resources to manage the state's water resources during a drought. The plan will be heard in June.

A general discussion was held on this issue and the following points were made:

- The drought plan does not include future growth. It was noted that other elements of the state plan address this issue.
- Drought tracking mechanisms have been identified.
- The plan does not address water allocation. The Blackstone Valley, if it is built-out, will experience a water deficit in twenty years.
- Water is being sold as a commodity and the plan focuses on the water suppliers to resolve the problem.
- The Pascoag problem showed the need for back-up plans. In addition, there had not been many improvements in the water infrastructure in the last fifty years and this could be a problem.
- More work needs to be done on setting priorities of the use of water for industrial processes and drinking water.
- The plan should address the need for stream flows to support habitat, fisheries and recreational activities.
- There is a need to address the natural hydrological cycles of waterways.
- Adequate water supplies can be an issue on siting of major industrial facilities. The state should spend more effort in developing policies for supply / management of the resource.

2. Legislative Discussion

The director briefed the group on the status of bills that affect environmental programs. At this time, there was not a lot of movement for the pollution prevention tax credits, Brownfields, habitat restoration or wetland penalty increases.

The Director was asked to provide an update on the department's effort on dredging. He mentioned that the regulations were moving forward. The regulations were coordinated with CRMC and they are responsible for the pre-application process and the development of dredge management plans.

DEM is responsible for finding upland disposal sites. DEM is evaluating using dredge disposal material with Brownfields sites.

The marine trades thought the initial regulation approach was too complex. A simple approach to regulation could lead to a process that would be too conservative. A tiered approach was proposed to simplify the regulation.

3. Greenhouse Gas Update

DEM has studied options to reduce greenhouse gasses. This process has provided a clear, cost-effective framework on how Rhode Island can move forward in this process. The options currently under consideration include the development of estimates of the tons of carbon that each option could save, the cost from a societal perspective of saving the carbon, and the potential savings from other air and health co-benefits.

Three working groups were created, i.e., the Buildings and Facilities; Land Use and Transportation; and Energy Supply and Solid Waste and have come to consensus on most of the options under consideration. The Phase I report that will be finished this summer will prioritize these options. The Phase II report will detail the implementation strategies and should be complete by the end of 2002.

The package of GHG reduction options could substantially reduce Rhode Island's greenhouse gas emissions over time at little or no cost to society. They could also help reduce air pollution emissions such as nitrous oxides and sulfur dioxide, save energy, increase recycling, and stabilize energy supplies and costs. Many of these options expand and extend pre-existing Rhode Island programs and policies, while others call for new initiatives.

4. Mercury update

Ron Gagnon provided an update on DEM's activities concerning mercury and includes the following:

- DEM is a participant in the RI Mercury Workgroup. The last meeting was held on April 25, 2002. This group is working with CVS and DEM to develop a thermometer take back program. The group has identified a funding need of about \$100,000 to continue the program. The most likely source of this funding will be a Supplemental Environmental Project that will result from a DEM Notice of Violation settlement negotiation.
- DEM is preparing to establish an Advisory Board that is required by the Mercury Reduction and Education Act. The board will meet on June 7, from 9 to 12 in the State house.
- DEM will host a meeting of the New England Governor's Conference/Eastern Canadian Premiers Mercury Task Force on May 30 and 31, 2002. The conference will allow participants to discuss progress in the region's efforts to reduce mercury from dental, schools and boiler sources.
- RI continues to work with Interstate Mercury Education Reduction Clearinghouse and NEWMOA. DEM participates in bimonthly phone calls that discuss issues including the progress in processing notification forms that are required by the Mercury Reduction and Education Act.

- RI Department of Health has issued new Mercury in Fish advisory. DEM is distributing these brochures through the Office of Technical and Customer Service.
- DEM is co-sponsoring a Mercury-Free Schools Workshop on May 22, 2002 in the Foundry Offices. The purpose of the workshop is to inform school administrators, teachers, facility managers' etc. about the risks and problems associated with mercury in schools and ways to reduce that risk.

5. Air Permit Streamlining Task Force Update

The main problem identified by the Task Force is a permit backlog and the overall time it takes to process applications. The major recommendations of the Task Force include:

- 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. Another alternative is for DEM to 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. DEM will convene a working group to further discuss this recommendation.
- DEM will evaluate developing a tiered application information requirement. 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, on the DEM homepage. DEM will also post an index of all permits issued by the program to facilitate information requests on past permits.

6. Next Meeting

The next meeting was set for July 25, 2002 and will be held from 3:30 –5:00 in Room 300 in 235 Promenade Street, Providence.