

# Business Roundtable News



## Narragansett Bay News

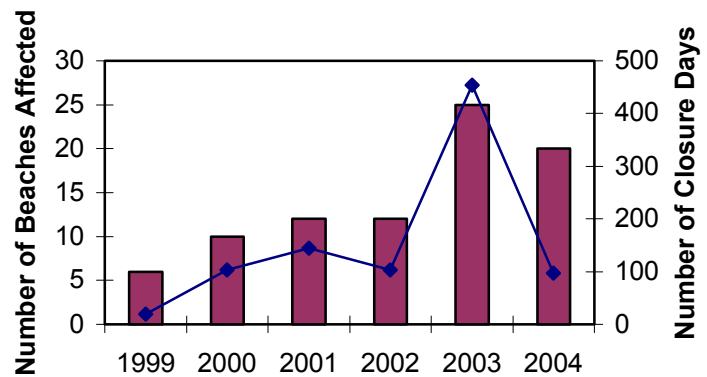
### Bay Plagued by Nutrients and Bacteria

Although not as bad as last year, bacteria and nitrogen pollution continued to plague Narragansett Bay in the summer of 2004.

High bacteria counts led to 97 beach closure days and affected 20 bathing areas<sup>1</sup> through August of 2004. Closures of saltwater beaches due to elevated bacteria levels include: Newport's Easton's Beach, adjacent Atlantic Beach, Fort Adams, Town Beaches in North Kingstown, Barrington and Bristol; Oakland Beach, Buttonwoods, Conimicut Point, Scarborough and Middletown's Third Beach.

Freshwater beaches at Governor Notte Park and six day camps and campgrounds were also closed for varying periods from one to 12 days. After a few earlier closures, Newport's King Park closed permanently, while the sources of bacteria were pinpointed and remediated, as was a 200-foot section where a stream enters Atlantic Beach. City Park Beach in Warwick closed for three days due to an accidental sewage spill and Easton's Beach, Atlantic Beach and Scarborough were also closed as a precautionary measure due to heavy rainfall.

1999-2004\* Beach Closures and Number of Beaches Affected



■ Number of beaches affected  
◆ Number of Closure Days

\*As of 8/24/04

High nutrient levels continued to plague the Warwick shoreline in Greenwich Cove. High nitrogen levels led to an explosion in the growth of sea lettuce, large leafy plants that cover the bottom of the Bay. In July, the sea lettuce died and washed up on the beaches, causing a major odor problem at Conimicut Point. DEM removed the sea lettuce to reduce the odors. In August, low oxygen conditions, combined with the overgrowth of algae and sea lettuce, led to the death of millions of soft-shelled clams, which washed up on the shores of Gaspee, Conimicut and Cedar Tree Points.

### Major Steps Taken to Protect Bay

#### New Laws to Improve Protection

As a result of the Governor's Commission on Narragansett Bay and Watersheds and the House and Senate Commissions on the Bay, the legislature enacted several new laws concerning Narragansett Bay. The laws seek to coordinate planning and management activities, improve monitoring, reduce nutrient

<sup>1</sup> As of 8/24/04.

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pollution, improve the State's response to Bay-related emergencies, and provide resources for restoration projects. A few of the new laws are highlighted below. For a complete list of enacted legislation related to the Bay, visit the DEM website and click on Programs, Director's Office and 2004 Enacted Legislation (<http://www.state.ri.us/dem/pubs/bill04p.pdf>)

- S-3113 and H-8359Aaa - **The Rhode Island Bays, Rivers and Watersheds Coordination Team.** Establishes the Rhode Island Bays, Rivers and Watersheds Coordination Team within the office of the Governor. The team will consist of the heads (or designees) of the following agencies: CRMC, DEM, DOA, WRB, RIRRC, EDC, and NBC. It is charged with coordinating member activities in accordance with an overall systems-level plan that the team shall prepare by 1/31/06, to be reviewed by the Governor, Senate and House, and to be finalized by 6/30/06. The act also formalizes in law the Governor's Narragansett Bay and Watershed Planning Commission created by the Governor in October 2003.
- S-3027A and H-8641 – **Marine Monitoring Collaborative.** Establishes a nine-member Collaborative to develop and implement a statewide monitoring strategy within 6 months, to be updated every 3 years. Members include Coastal Institute, CRMC, DEM, DOH, Watershed Watch, GSO, NBC, Statewide Planning RIGIS Division, URI, and EDC.
- S-3040Aaa and H-8638aa – **Nutrient Management.** Empowers DEM to regulate nutrients, calls upon DEM to meet a 50 percent nutrient reduction standard via point source (WWTF) permit modifications, and requires DEM to prepare a nutrient management/eutrophication control plan by February 2005.

#### DEM Takes Action

Submitted by: Tom Getz

On July 22, 2004, Governor Carcieri provided comments to the Phase 1 Report that was generated by the Narragansett Bay and Watershed Planning Commission. In this letter the Governor detailed the responses of his administration. DEM has begun to implement a number of the recommendations including:

- Established of a Bay hotline as of August 1. (See side bar)
- Established of a Bay website that provides information on Bay issues.  
(<http://www.state.ri.us/dem/bart/index.htm>)
- Established of a Bay Assessment and Response Team. This group has been involved with a number of activities that has worked to reduce the build-up of seaweeds in coves, thereby lessening the danger of fish kills.
- DEM issued draft permit modifications to reduce nitrogen limits to NBC Fields Point, Woonsocket, East Providence and NBC's Bucklin Point WWTF.
- Distributed a revised brochure on boat discharges to the bay and proved additional information on the subject at the following website:  
<http://www.state.ri.us/dem/programs/benviron/water/shellfsh/pump/index.htm>
- In early July, DOT completed installation of a mitigation device in the area near Scarborough Beach that should reduce the number of beach closings at that site.

#### **Bay Line a Success**

The Bay Line, a 24-hour telephone information line that allows the public to both receive Bay-related information and to report concerns began at the end of June. The address for a web page, with more detailed information is included in the Bay Line options. Immediate concerns, such as oil spills, should be reported to DEM's Environmental Police 24-hour hotline at 222-3070. Other concerns, such as potential algae blooms may be reported on this line.

Since its inception the Department has received 15 calls for information and 29 complaint calls. The information calls were about a variety of topics ranging from where can kids swim to will the algae removed in the dredging project be tested by chemists? The bulk of the complaint calls (16) were about the odor of rotting seaweed at Conimicut Point. The others were about various issues and two of them were referred to the CRMC for matters under its jurisdiction.

The Bay Line is anticipated to be a seasonal service, available from Memorial Day through October.

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## Comprehensive Water Monitoring Strategy Update

Submitted by: Sue Kiernan

DEM plans to release a draft comprehensive water monitoring strategy in September for public review and comment. The strategy outlines programs that will support a comprehensive assessment of the state's surface waters – rivers, lakes and coastal waters by 2020. Many of the state's waters are not assessed.

Major recommendations of the draft strategy include:

- Coastal Waters - Sustain and expand the network of fixed monitoring stations in Narragansett Bay to provide continuous monitoring data in order to evaluate hypoxia (low oxygen). The draft also includes other actions to fill data gaps.
- Rivers and Streams – Implement a new intensive sampling design, that divides the state into seven basins and monitor each basin on a rotating basis using an intensive sampling design. This is a significant change from the current fixed site approach to monitoring rivers and streams. The new approach was tested this summer in Wood River, integrates physical, chemical and biological monitoring.
- Lakes - Expand the volunteer-based URI Watershed Watch Program and build capacity to monitor lakes for which volunteers can not be recruited
- Other - Assess fish tissue contamination in areas where there is the greatest threat to public health.

The draft provides implementation details such as estimates of the resources needed and data quality issues, complimenting another document under development that spells out the methods and policies to interpret data against state water quality standards and criteria. DEM will work with the newly-established monitoring collaborative to refine the strategy.

## **Greenhouse Gas Stakeholder Process Making Major Strides**

The hard work of the RI Greenhouse Gas Group over the past few years has begun to pay off with the passage of several laws and Executive Orders by Governor Carcieri and the implementation of a major program to help businesses replace inefficient equipment. The initiatives would reduce greenhouse gases by over 148,000 tons of carbon dioxide, have a combined - \$414/tonne cost of saved carbon, and save 1 million gallons of gasoline by 2020. The initiatives would also help to stabilize natural gas and electricity prices, as well as reduce dependence on imported fossil fuels.



In May Governor Carcieri directed DEM to create regulations to adopt California's Low Emission Vehicle Standard for cars and light-duty trucks, which require reductions in tailpipe and evaporative emissions of all new cars, light-duty trucks and sport utility vehicles sold in the state. Vehicles in RI cause more than 80% of air toxics in the state, which are at unhealthy levels. The standard will reduce air toxics by 25%. Most Rhode Island car dealerships have vehicles that meet the standard in stock.

In June Governor Carcieri signed the Renewable Energy Standard law, requiring electricity suppliers to purchase an increasing percentage of renewable energy every year, ultimately reaching 16% by 2020.

The Department is also working with the Governor's Office and the Department of Administration on final versions of the Executive Orders developed through the RI GHG Stakeholder and Working group processes for Clean State Fleets and Green Facilities (LEED performance standards and life cycle costing requirements for new state buildings). DEM is also drafting an executive order for environmentally preferable purchasing (EPP) and will begin working

### **Environmentally Preferable Purchasing**

Refers to the practice of buying products or services that have a reduced impact on the environment and human health, compared with other products or services that serve the same purpose. Such products may include reduced packaging, reusability, energy-efficiency, recycled content, and rebuilt or remanufactured products. The State of Massachusetts has saved an estimated \$554,362 in FY2001, more than three times the cost of running the EPP program.

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with the Department of Education and municipalities to develop a strategy for green construction of new public school buildings.

The State Energy Office initiated new incentive programs to help businesses lower energy costs. **The programs will be outlined at the September 9 Business Roundtable meeting.**

Phase IV is slated to begin in the fall. In addition to following up on elements of phases 2 and 3, the group will:

- Raise funds for and develop an Education and Outreach Campaign;
- Develop a strategy for a System Benefit Charge for Fossil Fuel Project that will encourage efficiency and alternative fuels such as biodiesel. A similar charge on electric bills is used to fund about \$22 million per year in energy efficiency and clean energy projects related to electricity. The working group is also seeking funding from the oil industry to evaluate the use of biodiesel in state fleets and buildings;
- Develop a technical scoping paper with Northeast States for Coordinated Air Use Management (NESCAUM) concerning Vehicle Miles Traveled reduction measures; and
- Work with the federal government and other states to standardize Evaluation, Monitoring and Tracking.

Other possible efforts, pending funding, include a higher education initiative where colleges and universities actively reduce GHG emissions on their campuses, and expanding the lead-by example strategies to cities and towns.

## **Initiatives Aim to Improve Health of School Children**

### Schools Encouraged to Reduce Emissions from Busses

The Department of Environmental Management, Department of Education and Department of Health have created *Breathe Better Rhode Island*, an anti-idling program that asks school superintendents to pledge to limit school bus idling time and take other steps to reduce diesel exhaust emissions. Each school department will write a diesel exhaust control policy and provide a liaison with DEM and the school district transportation company. First Student, Inc. and Laidlaw Education Services of Southern New England, who provide school busses, have endorsed the program along with the American Lung Association of Rhode Island and the Rhode Island Parent Teacher Association.



### Joint Commission on Environmental Health in Schools Established

Submitted by James Celenza, Director of RI Committee on Occupational Safety and Health (RICOSH)

The Rhode Island General Assembly passed legislation, sponsored by Representative Arthur Handy, to explore ways to address environmental health hazards in Rhode Island schools. This legislation establishes a Joint Study Commission to explore how we can best develop a unified and coordinated response to environmental health problems in schools. The reporting date for the study commission is January 25, 2005.

The legislation was passed because of a belief that there is a strong argument to be made that school success and achievement is linked to the environmental health of school buildings (recurrent absenteeism, asthma triggers, etc.) and that one way to improve overall educational achievement is to address these health concerns.

The commission will be looking at models in other states to find a combination that will fit Rhode Island's own needs, challenges, and resources.

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## Regulatory News

### Dem Issues License For Phase V Landfill

Adapted from DEM Press Release

In August, DEM issued a license to the RI Resource Recovery Corporation to open and operate the 32-acre Phase V at the Corporation's Central Landfill in Johnston. Phases I through III are filled and closed, and Phase IV is nearing capacity. The proposed double-lined Phase V landfill overlaps portions of the existing landfill and will accommodate approximately 7.5 million tons of additional waste capacity. The Corporation has estimated that Phase V will extend the life expectancy of Central Landfill for an additional 7.1 years, or approximately until the summer of 2011.

Prior to approving the license application, DEM required the Corporation to address a range of issues, including storm water, leachate, and erosion controls; wetlands, groundwater, and air quality protection; and final facility closure plans. One key requirement stipulates that the Corporation maintain ongoing communication with the Johnston community. Within 90 days after the fiscal year ends, the Corporation must complete and distribute an annual report to Johnston's mayor, legislators, and town council members, along with DEM and the Citizens Advisory Board. The report shall include data on the amount of landfill capacity used during the past year, and a comparison of that amount with earlier published projections. If more capacity is used than projected, the report must outline corrective actions to bring disposal rates back in line with predicted levels. The annual report shall also include information on efforts to prohibit out-of-state waste disposal at the Central Landfill; and an update on work to maintain and/or re-vegetate the Phase V landfill buffer zone.

The [full text of the Phase V landfill license, conditions, and responses to all the public comments received](#) on the license application are posted on [DEM's website, www.state.ri.us/dem](http://www.state.ri.us/dem), by clicking on "[Waste Management](#)" under "[Programs](#)", then "[Other Waste Topics](#)".

### Groundwater Regulation Amendments

At the May 6 Business Roundtable meeting, DEM staff member Ernie Panciera provided members with an overview of proposed draft amendments to the "Rules and Regulations for Groundwater Quality". The amendments will strengthen groundwater protection with measures such as prohibiting hazardous waste facilities in certain areas, requiring road salt piles to be covered and extending certification requirements from large septic systems handling 10,000 gallons per day to 5,000 gallons per day.

The proposed changes are moving forward and DEM expects to go to public notice within the next month. Watch the [Publications/Regulations](#) page of the DEM Website for notice of public hearing.



## Upcoming Events/Meetings

### September 9

**Business Roundtable** – DEM, Room 300, 235 Promenade Street, Providence, 3:30 – 5 PM

### September 16

**Environmental Roundtable** – DEM, Room 300, 235 Promenade Street, Providence, 3:00-5 PM

### September 18

**International Coastal Cleanup** - The Audubon Society of Rhode Island will hold its 20<sup>th</sup> *Get the Drift and Bag It* program, Rhode Island's participation in the International Coastal Cleanup, from 9am-Noon at beaches and other coastal areas in Rhode Island. All participants will receive a free tee shirt. For information on where cleanups will take place, visit [www.asri.org](http://www.asri.org) or call 401-949-5454.



### September 20-22

**Free National Brownfields Conference, St. Louis, Missouri** - The National Brownfields Conference: Brownfields 2004- Gateway to Revitalization will feature more than 125 sessions, a brownfields film series, three walking tours of downtown St. Louis sites, and an opportunity to pose a question at the Wednesday morning Town Meeting Plenary moderated by NPR Smart City radio host, Carol Coletta. Registration is free. For more information, visit [www.brownfields2004.org/en/index.aspx](http://www.brownfields2004.org/en/index.aspx).

### September Farmers' Markets

- Fishermen's Memorial State Park, Narragansett, every Sunday 9am-1pm
- Haines Memorial State Park, Metropolitan Park Drive, E. Providence, every Wednesday 2pm-6pm
- Goddard Memorial State Park, Warwick, every Friday 9am-1pm
- Colt State Park, Bristol, every Friday 2pm-6pm

### December 2

**Business Roundtable** – DEM, Room 300, 235 Promenade Street, Providence, 3-5 PM

### December 16

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