

## **Environmental Roundtable Meeting Notes - October 4, 2000**

Present: Paul Beaudette, Aimee Tavares, Sarah Kite, Eugenia Marks, Chris Modisette, Jane Sherman, Bob Mendoza, Harold Ward, Topher Hamblett, Alicia Lehrer, Susan Arrants, Jeff Koss, Guy Lefebvre

DEM staff: Jan Reitsma, Mal Grant, Bob Ballou, Alicia Good, Terry Gray, Tom Getz, Warren Angel, Chris John, Pam Annarummo, Mike Mulhare, Kathy Sparks, Sally Spadaro, Scott Millar, Angelo Liberti, Mickey Musselman

### **Old Business**

#### **Watersheds**

The Director expressed his regrets that he would not be able to attend the full meeting today due to a conflict with a Dam Safety meeting. He mentioned that he would continue the watershed discussion from the previous meeting.

He acknowledged the watershed efforts could be more encompassing. He expects the watershed programs to expand and the Department will become more active outside the two pilot areas. DEM will, however, provide a single point of contact for each watershed, but does not have the resources to extend the same level of effort in all areas.

In order to be successful in managing state environmental resources such as watersheds, mosquito abatement, or dam safety, the Department will look to form partnerships with locals and to involve other agencies in these activities. The director also mentioned he is trying to get more funding for the Rivers Council.

Eugenia Marks asked that DEM make schedules available to environmental groups for programs such as TMDLs and Stormwater Phase II that affect watersheds. A meeting of regulatory staff was held to review Phase II regulations and to discuss what to do with the communities that do not fall under the regulations. Angelo Liberti said he expects to get the regulations out by December and DEM then has two years to develop a general permit for stormwater. The 303d List is almost final and will be posted on the DEM web site.

Paul Beaudette suggested bringing legislators into watershed meetings when a project is underway in their communities. Director Reitsma agreed that this expanded group could help with the process, but said it is often hard to get elected officials to come to meetings. Alicia Good said elected officials are invited to TMDL meetings.

Scott Millar said he would try to write local watershed groups into grant applications so funding could be made available to the locals. The Coordinating Council will discuss the issue at its next meeting. Guy Lefebvre suggested that DEM, Statewide Planning, the Rivers Council, and other agencies coordinate legislation and budgets.

The Director thought that hiring more watershed coordinators might be counter-productive. Instead he

wants the watershed approach to be incorporated into the appropriate programs within DEM.

### **Enforcement**

The director said that the budget does not allow for expansion of the program, but hiring more staff is not the only way to improve enforcement. He questioned whether a 100% complaint response rate equates a good enforcement effort, noting that not all complaints are determined to be valid upon investigation. He plans to convert to a multi-media investigation force, and to pursue that before adding staff. Jeff Koss asked if DEM is shrinking its enforcement effort to fit the budget. Director Reitsma said enforcement expenditures are growing this year from last year's budget.

Eugenia asked for an accounting of how many inspectors there are in the various programs such as Air, Water, etc. and if that number includes Conservation Officers. Director Reitsma said it is an idiosyncrasy of this Department, but Conservation Officers are not used for enforcement of the state air, water or waste regulations.

Guy Lefebvre said the Kent County Water Authority comes across contaminated soil at times and incinerates and replaces it with clean soil. He asked if the Department pursues the source when it discovers contaminated soil. Terry Gray answered that DEM does pursue the source.

### **Quonset Point**

Director Reitsma said the new feasibility report for Quonset/Davisville considers a much smaller port than the first one proposed. Strategic principles will be developed for Quonset/Davisville that will consider how a port fits into the overall needs of the state. DEM does not have a position on the proposal at this time. When a proposal has been developed, an EIS will be developed. When the Department reviews this proposal, it will be interested in the comments of this group. We will develop a documentation index for this proposal.

Eugenia Marks asked if DEM would be involved in water supply issues. Will DEM review water supply and wastewater for Quonset/ Davisville? The Director said he wants to advocate for water quality and conservation.

Topher Hamblett said the consultants do not seem to have a good understanding of the permitting process and budgets.

Bob Mendoza said Economic Development Corporation has met with EPA and the Army Corps of Engineers and an Environmental Impact Statement (EIS) is probably required. The Director said the EIS process should help by allowing the public to participate and clarifying what the impacts of the project. The project cannot be successful without good public participation.

### **Dam Task Force**

State statute mandates that DEM regulates dam safety. These regulations are in the development phase. DEM is also considering a streamlined wetlands permitting review for dam repairs.

One problem with the program is that dam owners are responsible for maintenance, but many do not have the resources to perform this work. DEM is looking at ways that would involve cities and towns, (using the septic system program as a model), perhaps providing low-interest loans to dam owners for repairs, and possibly for inspections. DEM is also working closely with the Emergency Management Agency.

## **I/M update**

Additional information is in the newsletter. There is a bill that is being considered that expands the I/M Program to cover heavy-duty diesel vehicles. The inspections of these vehicles will be on-road, and eventually we may have trucks going to their own inspection stations.

## **Enforcement**

Terry Gray reported that there are four new positions in enforcement for field inspections in wetlands and ISDS. DEM is responding to complaints within 4 days for water and waste. In ISDS there are 100 cases open and many open cases in wetlands. We are working on better coordination between enforcement and permitting. There are currently some high profile cases in waste. The Underground Storage Tank program will inspect 110 facilities in the next year to ensure that the owners understand the new system. DEM is posting summaries of all enforcement cases on its website.

## **New Business**

### **Forest Sustainability**

Chris Modisette updated the group on forestry issues especially on fragmentation and parcelization. He mentioned that he was working with national and regional groups to develop indicators and criteria to measure this effort. International criteria and indicators were developed as part of the "Montreal Process" and the New England Forest Consortium is considering the implications for New England. If federal forested land is measured against standard criteria, these efforts may ultimately benefit state, local, and private landowners. Eugenia Marks asked if his group is involved with municipalities. Chris responded that they encourage communities to incorporate these standards into their comprehensive plans.

Harold Ward said that urban forests are important and since they are generally smaller than ten acres, they may be deemed less important than larger parcels. He also said it is important to coordinate efforts across property lines where a forested area may have more multiple owners. Chris answered that these smaller parcels are important and are discussed at national and regional forums on fragmentation and parcelization.

### **Open Space**

DEM is optimistic about passage of the two bond issues involving open space and the water bonds. Trudy Coxe and Bob Gilbane are leading the effort on the open space bond. Save the Bay and David Preston are working on the water bond. On October 18 DEM will announce projects that will deplete the Aqua Fund grants. On October 27<sup>th</sup> the Governor will announce additional open space grants.

### **Lead**

Chris John reported DEM received about 140 complaints concerning lead abatement out of the approximately 3,000 complaints processed. About 70% of these cases result in further DEM action. In order to be more responsive to these complaints, DEM has initiated new enforcement procedures, which include issuing on-site notifications of contractor. If this notice is not effective in resolving the

problem, DEM can issue an immediate compliance order. DEM is copying all homeowners on the notices and working closely with contractors, DOH, and field personnel. Harold Ward asked how many of the notices involve repeat violations by the same contractor. Chris said there is fewer this year than in past years, but due to the nature of the industry, there is a constant influx of new contractors.

Dr. Ward suggested that lead violations be highlighted on the web site. Eugenia Marks asked if violations are listed by company name or the firm's principle's name. Aimee Tavares suggested that a link be established between the Department of Health's Childhood Lead Prevention and DEM web sites.

DEM received a \$25,000 grant for outreach and education on lead paint. DOH has received an EMPACT grant to test soil around day care centers and to remove contaminated soil and install landscaping to keep kids from these areas.

Bob Ballou mentioned the DEM legislative agenda and asked for input on DEM's initiatives. Paul Beaudette asked how much interaction there is between the Attorney General's Office and DEM on lead. Since DEM has its own internal enforcement system, there are fewer interactions than DOH who deals primarily with the Attorney General's Office for enforcement issues.

### **Information Management Unit (IMU)**

Bob Ballou introduced Warren Angell, the Chief of the new Information Management Unit. Warren said the IMU has several objectives: to improve both internal and external communications; to improve the DEM web page (increased content, including mapping capabilities), and to ultimately enable payment of fees and submission of environmental applications online.

### **Permit Streamlining (Kyran Research Projects, Associates)**

Pam Annarummo reported that the hardware and software for the permit-streamlining project are in place and the software will be installed on the machines in the next two weeks. The next step will be joint application design sessions, then training for divisions beginning with the Air program. The system will allow applicants to track the status of their own permit applications online, and the additional environmental data concerning monitored data and reports will be able to the general public.

### **Total Maximum Daily Loading**

DEM is trying to get other funding to conduct additional TMDL analysis. The federal 106 funding was not significantly increased and it will be a challenge to maintain the TMDL development schedule without more funding.

### **Environmental Roundtable Survey**

Bob Ballou said the first survey was very helpful and asked that the group fill out a second one and return it to Tom Getz.

The next meeting is scheduled for January 24.