

Environmental Roundtable Meeting Notes

Thursday, May 19, 2005

Attendees: Jane Austin, Matt Auten, Paul Beaudette, Jim Celenza, Kelly Camp, John Chambers, Kathleen Crawley, Shannon Daigle, Sheila Dormody, Jeff Fornaro, Joan Garceau, Cynthia Giles, Liberty Goodwin, Gary Kaufman, Eugenia Marks, Rich Ribb, Barry Schiller, Jane Sherman, Mack Sumner, Jennifer Tuttle, Jennifer West

DEM Staff: Bob Ballou, Alicia Good, Tom Getz, Terry Gray, Janet Keller, Terri Bisson, Angelo Liberti, Gerald McAvoy, Mickie Musselman (meeting notes), Elizabeth Stone, William Sullivan

1. Greetings and Introduction - Chair Sheila Dormody welcomed participants and led introductions.

2. December 2004 Meeting Minutes - The minutes were approved as written.

3. Presentations/Discussion - Dormody introduced DEM's Director, William Sullivan. Dr. Sullivan described his plans for the Department. He will begin with improving information systems that handle 42 kinds of permits to track all permits from application submittal to disposition. The system will be analyzed to determine where problems occur, and to help with decisions such as what training staff needs and where to target inspections based on the track record of consultants. He expects the results to be useful in negotiating with the legislature for additional FTEs.

Sullivan also said he plans to realign staff. He sees inadequate resources dedicated to policy research on issues such as cesspool phase-out and mercury transport. He said the Department needs topical research on what other states do, what federal partners do, what external partners support, etc.

Questions:

Eugenia Marks asked if Dr. Sullivan plans to include an enforcement tracking system similar to the permit system.

Ans: Not in the beginning, because of lack of resources, but eventually will include enforcement.

Barry Schiller asked what environmental objectives the Governor had given him.

Ans: The Governor told him that when he leaves office he wants to be known as the environmental governor, wants the bay islands to be easily accessible to all, and has given Sullivan the authority to do what he thinks needs to be done. Sullivan wants the science behind WWTF discharge permits to be unquestionable and for shellfish and finfish populations to be at sustainable levels. Sullivan and Bob Varney recently discussed the health of Narragansett Bay, its value as an economic driver and the importance of keeping the Bay and the fresh water feeding it clean, and ensuring land use that is protective of the Bay.

Joan Garceau asked if there would be a replacement for the chief of the Division of Coastal Resources.

Ans: The Fiscal Fitness Team did not recommend any reduction in resources for the coastal zone. McGovern's functions will be covered, but not necessarily by someone who has the same title.

4. Reports/Updates

Narragansett Bay - Rich Ribb, Acting Chair – RI Bays, Rivers and Watersheds Coordination Team

Ribb described the Coordination Team (heads of 7 agencies) and its Scope of Work and said they have developed an outline for the systems level plan that is called for by legislation. He said the team has developed a set of goals and objectives to drive the work plan that is to be completed by December 2005 in

draft form and is to be final by June 2006. The plan requires input from the Bay stakeholder community. The Coastal Institute website has information on the Coordination Team and a dedicated website is in development. The Environmental Monitoring Collaborative and the Science Advisory Committee have looked at priorities for monitoring and have a set of recommendations to the Governor for the 2006 budget. Ribb said DEM has gone further than other agencies in developing its Strategic Work Plan, which is a good model to use in developing the systems level plan.

Legislative Initiatives

Liz Stone said the cesspool phase-out bill has been re-introduced, has had a House hearing and amendments are under consideration. Michael Sullivan said if there is an accelerated schedule, DEM will not be able to handle the additional applications and there may not be enough licensed designers, installers and repairers. DEM is trying to project the workload, develop a process to prioritize systems that should be replaced, and to look at how many systems may belong to those with low to moderate income to assess the need for financial assistance.

Matt Auten said the Energy and Consumer Savings Act, which would set minimum efficiency standards for 17 products, was passed by the House and is on the Senate side. Similar legislation has been enacted in 5 other states and is under consideration in several others.

Liberty Goodwin said the lawn pesticide bill has had a hearing in the Senate, and asked for support and said an identical bill passed in Connecticut.

Jeff Fornaro asked how pesticides can be disposed of at the landfill.

Answer: EcoDepot collects household hazardous wastes (by appointment), including pesticides.

Sheila Dormody said the Electronic Waste Producer Act would ban electronic waste from the landfill and require the manufacturers to finance collection and recycling of electronic waste.

DEM Budget

Terry Maguire said the hearings on the budget went well with many questions on policy, but few on the budget itself. In May the Revenue Estimating Council projected an excess in the budget and the Department has requested an additional \$112 thousand for West Nile virus larvacide.

Eugenia Marks asked if communities use BTI or ditching, what are the qualifications for larvacide and what chemicals are used.

Sullivan said that altacid is a growth regulator, preventing the formation of chitin and that BTI is not reliable where the water is dirty, that organic matter reduces its efficacy. The Town of Westerly has its own program, Providence has asked for a different formula.

Marks said some towns are not participating, she is especially concerned about coastal towns.

Sullivan said the announcement is out, a second workshop is scheduled and any help members can give with outreach is appreciated.

Question: What would DEM ask for if more money becomes available.

Sullivan: Our wish list includes FTEs and vehicle replacement and DEM will be looking at state and federal funding to see how to deploy resources more effectively.

Dormody said the Environment Council would like to see more enforcement personnel.

Joan Garceau said the LNG terminal poses a safety risk, and asked if there is also an environmental risk.

Dormody said that could be a future agenda item.

Sullivan said Mike Mulhare could give the Department's perspective and the Fire Department and others could be invited to participate.

Dormody said Rhode Island Renewable Energy Fund funded a brochure on global warming and its effects in Rhode Island.

Land Use Plan - Janet Keller said Statewide Planning is updating the state Land Use Plan and that the Policy Office is coordinating DEM's review of the plan as it develops. She said other activities in progress that affect land use planning include: the CRMC Upper Bay SAM Plan, the Rhode Island Bays, Rivers, and Watersheds System Level Plan and the Providence Zoning Commission

Litter Task Force - Barry Schiller said the Litter Task Force is still alive and said there are problems and opportunities. The General Assembly is keeping the litter tax and DEM has no funding for a litter program. This session there is a bill in to ban smoking on beaches. The Rhode Island Food Dealers Association is not happy with the tax not going to litter and plastic bag litter is getting attention from RIRRC. With the above going on and the preferred purchasing and Ride with Pride initiatives and the fact that the public cares about litter, there is an opportunity for someone to come forward and lead an anti-litter initiative. There is a litter meeting scheduled for Thursday, May 26.

Solid Waste Management Plan Update

Terry Gray said the committee is looking at increased municipal and commercial recycling rates. The draft final report is to be presented to next week and then will go to the Technical Committee for the State Planning Council and the to the Planning Council for adoption.

Schiller asked to what extent the plan uses market forces to (tipping fees) to force recycling.

Gray said the preferred steps are source reduction, recycling and landfilling. The first option is to work with groups to reduce waste, and the last is to raise tipping fees.

Mercury

Dormody said the final report has been issued and the committee will go out of existence in July. There are several recommendations and the one with the most traction is reducing mercury in auto parts. The report is online on the DEM website in the Topics section.

Garceau asked about desk lamps with mercury in the bulbs.

Gray said the ban on mercury in products has not taken effect. The law will phase out products that contain mercury. EcoDepot will take these products also and the law will institute a more comprehensive collection program.

Paul Beaudette said several states are suing the federal government on mercury, and in the northeast only Rhode Island is not joining the lawsuit.

Gray said there is insufficient staffing in the Attorney General's Office to take on this issue.

5. Other/Announcements

Marks said since the last quarterly meeting Larry Taft has taken over as the new Executive Director at the Audubon Society of Rhode Island.

Schiller said May 20 is Bike to Work Day and the State Planning Council will hold a public hearing on the TIP on June 30.

Goodwin said Bush administration has altered the EPA cancer guidelines, that New York City has passed a major pesticide reduction program and that 70 cities in Canada have passed lawn pesticide bans.

Garceau said that environmental champion Fred Lippitt had passed away.

Beaudette said Lois Gibbs will be the speaker at the Environment Council of RI awards dinner.

Austen said Save The Bay will be moving into its new headquarters at Field's Point today.

Fornaro said the Earth Day cleanups went well and the attendance at the zoo during Conservation Week and the Earth Day Festival was 40,000 people.

6. Future Meeting Topics and Dates

- LNG
- RIPTA budget
- NEGC/ECP – update on climate change and RI Stakeholders activities, legislation passed and pending, continued support for Stakeholders
- DEM budget for 2006 – increased enforcement for compliance with environmental laws/permits
- Bay Coordination Team
- Scope of enforcement activities
- Toxics (reduction, how does DEM coordinate with DOH on toxics?, Exposure limits to dioxins, PCBs and other toxics)
- Explore joint meeting with Business Roundtable

2005 meeting dates

September 22

December 15