

**Draft Environmental Roundtable Meeting Notes**  
**July 20, 2006**

Meeting Attendees: Jane Austin, Matt Auten, Rob Burns, Kelly Camp, Jim Celenza, Shannon Daigle, Jef Fornaro, Rupert Friday, Cynthia Giles, Caroline Karp, Samuel Krasnow, Eugenia Marks, Maria Meleschnig, Jane Sherman, Rob Sumner-Mack, Claudette Weissinger, Chris Wilhite

DEM Staff: Bob Ballou, Terri Bisson, Russ Chateaufneuf, Alicia Good, Janet Keller, Terry Maguire, Steve Majkut, Bev Migliore, Mickie Musselman (meeting notes), Michael Sullivan, Liz Stone

**1. Greetings and Introductions** – Michael Sullivan introduced the new chairman of the Environmental Roundtable, Matt Auten, and Ames Colt, the chairman of the Rhode Island Bays, Rivers and Watersheds Coordination Team. Matt Auten will now serve as co-chair of Environmental Roundtable meetings with Director Sullivan.

**2. Meeting Minutes** The February 16 meeting notes were approved as written.

### **3. Presentations/Discussions**

#### **Dental Amalgam**

Bev Migliore described the dental amalgam project. Because RI does not have coal-fired power plants and does not incinerate waste, dental amalgam makes up a larger part of mercury output in the state than in other states. The DEM program is similar to the Narragansett Bay Commission pretreatment program that requires dentists to meet mercury levels that can only be met by installing mercury separators. The new legislation requires all dentists in the state to install separators by 2008, but DEM is working to encourage voluntary installation of the separators before that time. This is a self-certification program like the Environmental Results Programs for auto body shops and underground storage tanks.

#### **Legislative Updates**

Director Sullivan said the cesspool phase-out bill failed but the Department will re-introduce it next year. He also said the Department had advocated for a \$50 million water bond, but it is not in this year's package.

Liz Stone said that the bill to allow certain natural resource violations to be moved from Superior Court to the Traffic Tribunal also failed and will be re-introduced. This bill would allow some fines to be paid by mail, eliminating many court appearances.

Stone said the successes were the tree stump bill that eliminates the exemption of tree stumps from the definition of solid waste; the dam safety bill that requires municipalities to prepare emergency action plans for dams and allows DEM to take action to avert a dam failure to recoup a portion of the costs from the owner and a budget article transferred the Underground Storage Tank Board into DEM with four FTEs.

Other bills that passed include:

- BUD – beneficial reuse - the Department can now approve foundry ash, sand, and materials such as settlement scrapings from water treatment ponds to be reused.
- Amendments to the Brownfields Law.

- Auto companies are now required to pay a \$5 bounty to vehicle recyclers who turn in switches that contain mercury.
- \$250,000 from OSPAR was approved to pay for bay monitoring and to hire Ames Colt.
- An electronic waste disposal ban that keeps larger electronic products such as CRTs and computers out of the landfill.
- The rules of the road for bike paths in Rhode Island have been changed to be consistent with neighboring states.
- Establishment of an arsenic commission to study remediation of naturally occurring arsenic.
- The no-discharge inspection program has been pushed to next year.
- A cumulative impacts bill that allows the Department to consider cumulative impacts of septic systems in an area in Jamestown that has very small lots with septic systems and wells.

Elizabeth will forward a comprehensive summary of 2006 environmental legislation as soon as it is complete.

Steve Majkut said the anti-idling bill for diesel vehicles passed and DEM will finalize regulations by next July. The law also gives DEM the authority to write regulations for other sources of diesel pollution. A stakeholder group will be convened this fall and deliver a report by next spring.

Rupert Friday said a new law requires DEM to establish a process for reviewing any future proposal to develop or change the use of state-owned open space lands - i.e., state parks and management areas. The law establishes minimum criteria for this review and mitigation for any proposed change in land use. .

#### ECRI Priorities

Matt Auten said that two big energy bills passed. One requires that the standard offer consider renewable energy in setting rates; establishes by statute the Rhode Island Office of Energy Resources, and a new Council, the Rhode Island Energy Efficiency and Renewable Resource Management Council; and allows the state to lease land for renewable energy projects, among other actions. The other bill added five products to last year's Act that governs 13 energy-efficient appliances. A bill on out-of-state waste did not pass. Separation of Powers was not acted on. Caroline Karp said a national group grades states on open government issues She also said the Rhode Island Marine Fisheries Council has vacancies and it is dominated by industry recreational interests and should have a non-governmental representative. She said the RI Marine Fisheries Council meetings should be added to the calendar in the Roundtable Newsletter.

## **4. Updates**

### **DEM Budget**

Terry Maguire said that the Governor proposed a \$36.5 million in reduction in force actions and these are spread among all agencies. This means a \$1.2 million cut for DEM and the Department is keeping 15 positions vacant. DEM has funding for 490 positions and has 500 people now so there is a hard freeze on hiring.

Director Sullivan said this year six substantive tasks were added for DEM, but there are fewer people.

## **Litter Task Force**

Jef Fornaro said the Litter Task Force had been resurrected and attempted a number of legislative initiatives, one of which was to restore funding from the litter tax to litter prevention programs. None of the legislation passed this session and without resources the group decided to suspend operations for now. DEM will continue to maintain the website and Greg Garritt of ECRI will respond to inquiries. Jef discussed a number of bills that did not pass including one that would have banned smoking on beaches. Eugenia Marks stated that cigarette butts are the number one item found in litter surveys. Jim Celenza said that smoking on beaches causes a big litter problem and that since the beaches are a workplace for some, the existing ban on smoking in workplaces may be used to ban smoking on beaches. Eugenia said there is law that authorizes municipalities to designate smoking areas. A member also expressed concern that the Solid Waste Management Plan has no litter component.

## **Regulatory Update**

Members were provided with a summary of major regulations adopted since January and scheduled to be adopted through the end of 2006. Karp said the handout omits marine fishing regulations and that the regulatory agenda on DEM's website does not have contacts for the Marine Fisheries Council. There should be a Council listing with names, affiliations, etc. Liz Stone said that information is on the Secretary of State's website, with council agendas and minutes. Karp suggested a link from DEM's website to that one.

Rupert Friday asked how the national ruling on the Corp of Engineers authority over wetlands affects Rhode Island. Alicia Good said it does not affect RI state laws and regulation.

Jim Celenza asked if the risk management plan for Motiva's area addresses air pollution. Steve Majkut said development of regulations for emergency management plans is on his agenda.

## **5. Other/Announcements**

- Karp suggested that a topic for a future meeting could be how the Department deals with newer classes of pollutants from industries coming into Rhode Island, such as personal care products, caffeine, etc.
- Director Sullivan said that DEM and the Congressional caucus will be in Warwick Monday, July 24th to showcase DEM's new seaweed control program. Seaweed that washes up on the shore decays and releases hydrogen sulfide gas, creating air pollution.
- Sullivan also said the Governor's Bay Days will be Saturday and Sunday, July 29th and 30th, check DEM's website for listing of events
- Sullivan said the Earthwatch Rhode Island series runs in the 9 to 10 am hour on Sundays on Channel 10
- On August 9<sup>th</sup>, 10<sup>th</sup> or 11<sup>th</sup> DEM and Clean the Bay will hold an event to publicize the \$150,000 grant from NOAA to fund the cleanup of major refuse on the shores of Narragansett Bay. The Navy has agreed to work with Clean the Bay to remove large wood camels that were used to buffer ships and docks and for an anti-submarine screen in WWII.
- Eugenia Marks said in conjunction with the 22<sup>nd</sup> Annual Coastal Cleanup the international and local cleanup results have been published. She reminded members that the Cleanup will be held on the 3<sup>rd</sup> Saturday in September – September 16. More info can be found at [www.asri.org](http://www.asri.org).

## **6. Future Meeting Schedule**

September 28

## **7. Possible Future Topics**

- Update on GHG Stakeholders Activities
- Ways of water re-use
- Dam removal, human safety, habitat
- Changes from pond to stream pollution
- How to promote Pay-As-You-Throw (PAYT)
- Wetlands – are isolated wetlands “waters of the state”
- Discussion on particulates and ozone (health, diesel exhaust, energy)
- Enforcement, NOVs, collections
- Staffing and enforcement

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