



**RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT**

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DEM's 2007 Legislative Agenda

1) Enact a Cesspool Phase Out Law (S-565, Gibbs)

Phase-out all cesspools by 2013 that present the highest risks to public health and/or the environment – namely, cesspools located in close proximity to tidal water areas, public beach areas, and public drinking waters.

2) Establish a Civil Penalty Provision for the Site Remediation Program (S-397, Breene)

Add a \$50,000 civil penalty provision (per violation, per day) to the Industrial Property Remediation and Reuse Act to address failures to comply with remedial actions required by DEM.

3) Increase Civil & Criminal Penalty Limits for Hazardous Waste Violations (S-332, Blais)

Increase the maximum penalties for civil and criminal violations of the RI Hazardous Waste Management Act from \$10,000 to \$25,000 per violation, per day.

4) Increase the Limit on Administrative Penalties for Environmental Violations (S-312, Blais)

Increase the limit on administrative penalties for environmental violations from \$1,000 to \$5,000, per violation per day.

5) Allow for Mail-In Fines for Frequently Encountered Natural Resource Violations (S-492, Blais)

Shift several of DEM's most frequently encountered natural resource violations – e.g., boating, hunting, and freshwater recreational fishing violations -- from the jurisdiction of the District Court to the Rhode Island Traffic Tribunal, thereby affording violators the option of mailing in payments for fines instead of having to appear personally in District Court.

6) Align State and Federal Requirements Governing Inspections of Underground Storage Tanks (S-242, Blais)

Render state law consistent with federal law regarding the frequency of UST inspections by changing the current 2-year inspection cycle under RI law to a 3-year inspection cycle, applicable to all federally regulated USTs.

7) Strengthen the Alcohol Boating Safety Act (S-491, Algieri)

Strengthen the Alcohol Boating Safety Act, aka BUI statute, by: adding a penalty for cases where observations of intoxication, in lieu of chemical tests, result in convictions; adding a penalty for operating a watercraft after being ordered not to pursuant to a conviction under the statute; clarifying the District Court's jurisdiction over all cases other than those involving minors; better aligning the BUI statute with the DUI statute, after which it was modeled; and providing more evidentiary protection for defendants, consistent with the provisions of the DUI statute. The bill also fills in a number of gaps in the statute and addresses a number of internal inconsistencies.

8) Enhance Boater Safety (S-241, Blais)

Establish the following new requirements relating to boating safety: (1) all persons being towed behind another vessel must wear a USCG-approved personable floatation device (PFD); and (2) all persons operating or riding in any small boat less than 14 feet in length, including canoes and kayaks, between October 1 and April 30, must wear a USCG-approved PFD.

9) Improve Management of Fur-Bearing Animals (S-396, Breene)

Improve the management of fur-bearing animals by establishing clear legislative policies regarding trapping and, in accordance therewith, allowing for the regulated use of foothold-type traps, and further allowing for the regulated harvest of river otters.