

March 24, 2000

The Honorable Lincoln C. Almond  
Governor of the State of Rhode Island  
Executive Chambers  
State House  
Providence, Rhode Island 02908

*Re: Regulatory Agenda for the Year 2000*

Dear Governor Almond:

In accordance with the provisions of the Rhode Island Administrative Procedures Act, I am pleased to provide you with our Regulatory Agenda for the year 2000. The attached information provides a summary of rules and regulations the Department hopes to promulgate this calendar year. As you know, we are also working closely with the business and environmental communities, through stakeholder groups, on several regulatory reform initiatives. These efforts may produce additional proposals for rule changes later this year, aimed at improving and streamlining the regulatory process. If this occurs, I will provide you with appropriate updates to the attached summary.

Sincerely,

Jan H. Reitsma  
Director

cc: Secretary of State James Langevin  
Senator Paul Kelly  
Speaker John Harwood

# BUREAU OF NATURAL RESOURCES

## DIVISION OF AGRICULTURE

### Revisions to the Rules and Regulations Pertaining to Pesticides:

**Reason for the Rule:** Since the rules were first promulgated in 1980, there have been significant changes in federal and state regulations, pest control technology and business operations that warrant updating the rules. Among other things, the rules currently have vague or no requirements for storage, disposal and transportation of pesticides. **What the Rules Will Do:** Revise requirements for the way pesticides are handled to stress the need for simple and comprehensive cradle-to-grave management of these potentially dangerous chemicals, and to establish standards to certify those who will be applying pesticides. **Who Will Be Impacted:** Commercial pest control companies (such as lawn care companies, landscapers, pest control companies), the agricultural community (farmers) that uses pesticides, retail businesses that offer pesticides for sale, and other cities and towns that occasionally apply pesticides in their communities. The Division of Agriculture held hearings regarding these regulations in 1999, and has been working with stakeholder organizations to address their concerns and make appropriate revisions, to the point we now have consensus among the groups on the proposed changes. We anticipate another round of public hearings before final promulgation. **Contact:** Elizabeth M. Lopes-Duguay, 222-2781, Ext. 4510.

### Revisions to Deer Damage Regulations:

**Reason for the Revisions:** Deer Damage regulations pertain to out-of-season hunting permits for taking deer in Rhode Island. Traditionally the program has been regulated by the Division of Fish and Wildlife. However, most permits for off-season deer hunting are issued to farmers, to control damage to crops. **What the Rules Will Do:** Transfer the administration of this program to the Division of Agriculture, and modify some of the requirements to qualify for an off-season permit to hunt deer, such as increasing the length of time and seasons during which permits will be valid, and streamline other administrative requirements for obtaining a permit. **Who Will Be Impacted:** The proposed revisions are targeted to assist farmers who are experiencing ever-increasing crop damage from Rhode Island's (healthy) deer population. **Contact:** Ken Ayars, 222-2781.

## DIVISION OF PARKS AND RECREATION:

### General Regulations Governing Park and Management Areas

**Reason for the Rule:** The regulations governing activities in state parks and management areas have not been updated in many years, and are in part dated, internally inconsistent, sometimes duplicative, and unnecessarily confusing to the public. **What the Rules Will Do:** Eliminate duplication and conflicting provisions, and ensure consistency with other DEM regulations. **Who Will Be Impacted:** Recreational users of the State's parks and management areas should be affected positively. **Contact:** John Faltus, 222-2632.

### **Regulations Controlling Dogs on State Parks and Management Areas**

**Reason for the Rule:** DEM is increasingly receiving complaints about people bringing dogs on bike paths and other properties without leashes or other ways to constrain them. **What the Rule Will Do:** Require that dogs be kept on leads and that owners be responsible for cleaning up after their animals. **Who Will Be Impacted:** All users of State properties will be impacted, most positively. **Contact:** John Faltus, 222-2632.

### **Regulations Restricting the Feeding of Wildlife:**

**Reason for the Rule:** DEM is increasingly encountering water quality problems associated with concentrations of waterfowl, both wild and domestic, attracted to our facilities by well meaning people who feed these animals (ducks, geese, etc.). **What the Rule Will Do:** Prohibit public feeding on state properties. **Who Will Be Impacted:** The majority of visitors will be positively impacted by improvements in water quality. We anticipate some negative reactions from those who like to feed these animals. **Contact:** John Faltus, 222-2632.

## **DIVISION OF COASTAL RESOURCES**

### **Newport Fishing Port Operations Regulations, Pier 9**

**Reason for the Rules:** Current regulations governing docking of commercial fishing boats on Pier 9 in Newport are outdated and need to be updated to reflect current conditions and changes in fishing practices. **What the Rules Will Do:** Allow for better management of the storage of bait and thereby address persistent odor issues and complaints. The rules will also propose a curfew to control vandalism and theft; better control of the loading zones on the pier to keep areas clear for multi-use by all other boat tenants of the pier; and better controls on the times, places and manner that fishing gear is stored on the piers, so as to minimize the threat of fire, ensure orderly operations and improve appearance. **Who Will Be Impacted:** Commercial boat owners and operators (tenants) will be impacted by these changes, but they fully endorse these revisions. Other visitors to the piers (non-tenants), particularly recreational fisherman, will be impacted by the curfew. **Contact:** Donald McGovern 783-5551.

### **Galilee Port Operations Regulations and Berthing Management System**

**Reason for the Rules:** The current regulations are out-dated, and the newly formed Port Advisory Committee has identified certain provisions that need to be up-dated to reflect current conditions at the port. **What the Rules Will Do:** While the substance of the actual changes is still under review and discussion, we anticipate to address issues similar to the ones mentioned above for Pier 9 in Newport. **Who Will Be Impacted:** Same as for Pier 9. **Contact:** Donald McGovern, 783-5551.

## **DIVISION OF FISH AND WILDLIFE**

### **Regulations Governing Freshwater Fishing, Hunting, Waterfowl and Falconry:**

**Reason For the Rule:** Regulations are promulgated or revised annually to establish conditions and requirements for hunting species, bag limits, minimum size restrictions, seasons, etc. **What the Rules Will Do:** Set these restrictions for all hunted species in Rhode Island. **Who Will Be Impacted:** Recreational anglers and hunters. Since no major changes are proposed, no controversy is expected. **Contact:** Wildlife: Michael Lapisky, 788-8168; Marine Fisheries: Richard Sisson; 788-8168 Freshwater Fisheries: John O'Brien, 788-8168.

### **Regulations Governing Motorcycle Operation and Special Events in Management Areas:**

**Reason for the Rule:** With increased use of management areas have come increased conflicts between users, adverse impacts on wildlife and habitat, and trail damage. This is particularly true of large sponsored events. **What the Rule Will Do:** We propose that management areas be closed to special events during sensitive seasons; that the number of large-scaled events be strictly controlled, and the right to conduct them shared fairly; and that off road motorcycle use be limited to specific trails and access roads. . The Division of Fish and Wildlife also expects to promulgate regulations relating to the use of off-road vehicles on state management areas, and to the wearing of fluorescent orange on state management areas during hunting seasons. **Who Will Be Impacted:** These revisions have been extensively reviewed and debated by the Trails' Advisory Committee (consisting of representatives of DEM and major user groups). They have been enthusiastically endorsed by most user groups and the Committee, with the exception of Rhody Rovers, a motorcycle group. **Contact person:** Mike Lapinsky, 788-8168.

## **BUREAU OF ENVIRONMENTAL PROTECTION**

### **OFFICE OF COMPLIANCE AND INSPECTION**

#### **Assessment of Administrative Penalties**

**Reason for the Rule:** The current rules use different matrices, or formula, for different types of violations (Wetlands, Septic, Solid Waste, etc.). This has caused confusion and unnecessary complexity for both DEM staff and the regulated community. The revisions will greatly simplify and streamline the way the department goes about assessing penalties in formal enforcement cases. **What the Rule Will Do:** Create one simplified formula that will be applicable to all types of enforcement cases. This will reduce confusion, and simplify the assessment of penalties with consistency under similar statutory penalty provisions in the various environmental laws enforced by the department. The revisions will also simplify the assessment of penalties in so-called multi-media cases (cases involving enforcement of different environmental laws in the same case). **Who Will Be Impacted:** All members of the regulated community (including business owners and home owners) who are potentially subject to formal administrative enforcement actions by the department will be affected by these revisions. Because these rules

will greatly simplify the current rules, it is expected that the regulated community will be supportive of these changes. **Contact:** Dean H. Albro, 222-4700, Ext. 7431.

### **OFFICE OF AIR RESOURCES:**

#### **Amend Air Pollution Control (“APC”) Regulations No. 34 “Rhode Island Vehicle Inspection Program”**

**Reason for the Rule:** There is a need to update the testing procedures and associated pass/fail points used in the newly enacted Vehicle Inspection and Maintenance Program (“the I/M program”) in accordance with the suggestions of Keating Technologies, the state’s consultant.

**What the Rule Will Do:** Allow for updated procedures to determine when a vehicle passes the emissions test. Currently, there is a 91-second test allowed in our regulations. The recommended change will allow for a so-called BAR31 emission test, which will be easier for technicians to run while obtaining the same environmental benefit/emissions reductions. The BAR31 test is also the same test run in Massachusetts, and this will allow for federal approvals by EPA of Rhode Island’s procedures to be shared other region states, such as the Mass. Dept. of Environmental Protection.

**Who Will Be Impacted:** The same groups and individuals impacted by the recently implemented I/M program; the technicians and auto garages authorized to test vehicles and the public that brings their vehicles to be tested. Since this will make the tests easier to administer, it is expected that this rule change will be supported by the regulated community.

**Contact Person:** Thomas Barry 222-2808, Ext. 7021.

#### **Amendments to the State’s Implementation Plan (SIP) submittal to EPA Concerning the Vehicle Inspection and Maintenance Program (“I/M Program”)**

**Reason for the Public Hearing/Comment/Submittal:** Rhode Island is required to submit to EPA a narrative describing how the State will comply with the federal program requirements of the recently enacted Vehicle Inspection and Maintenance program. **What the Process Will Do:** We plan on conducting a public hearing and comment process on the Rhode Island I/M program to date, so as to provide EPA with a submittal as part of the State’s SIP. The submittal will describe how Rhode Island is in compliance with all federal obligations. The submittal will not change any part of the program, or any motorist responsibilities. However, the submittal will explain the emission reductions expected, how we will evaluate the program, the types of periodic reports that we will send to EPA, procedures on answering questions about the program, how the program will be enforced, and other issues as well. **Who Will Be Impacted:** The I/M program has been the source of much debate, and all the groups and individuals who participated in this debate will likely play a part in this public hearing/comment process. **Contact:** Steve Majkut, 222-2808, ext. 7010.

#### **Promulgate regulations implementing an on-road heavy-duty diesel-testing program if authorizing legislation is enacted.**

**Reason for the Rule:** Contingent upon authorizing legislation, this rule is needed to fulfill Rhode Island’s commitment to join a regional program to improve the control of air pollutants emitted from heavy-duty diesel trucks and vehicles, and to respond to the public concerns with

pollution caused by diesel smoke emissions. **What the Rules Will Do:** Implement an on-road heavy-duty diesel-testing program that will result in reduced particulate matter emissions and subject operators of heavy-duty diesel trucks to the same pollution control requirements as exist in other New England States in the Northeast. **Who Will Be Impacted:** The heavy-duty diesel trucking industry. **Contact:** Thomas Barry 222-2808 Ext. 7021.

#### **Amend APC Regulation No. 11 “Petroleum Liquids Marketing and Storage”**

**Reason for the Rule:** Currently, DEM inspects bulk storage gasoline tanks yearly. Because these inspections themselves release pollutants into the atmosphere, at EPA’s suggestion, the proposed rule change would extend the inspection cycle to five years. **What the Rules Would Do:** Modify the current inspection techniques for these bulk storage terminals (two in the state) and update the requirements for Stage II gasoline dispensing. The rules will also clarify the annual testing requirements for the 500 installations in R.I. with Stage II vapor recovery systems, so as to be consistent with current federal regulations and with common practice in the industry. The rules will also allow exemptions for businesses with throughput air emissions below a certain threshold. **Who Will Be Impacted:** The operators of the two bulk storage gasoline terminals, and the other 500 operators of facilities with Stage II systems in place. **Contact:** Barbara Morin 222-2808, Ext. 7012.

#### **Amend APC Regulation No. 25 “Cutback Asphalt” to simplify requirements and improve compliance.**

**Reason for the Rule:** Current rules are not consistent with those of other states and federal requirements. **What the Rules Will Do:** Simplify the requirements used to control emissions in asphalt processing and make our rules consistent with those used in other states in the region (and with federal requirements). **Who Will Be Impacted** The proposed rule will also allow rural towns to use some cutback asphalts that are currently prohibited, since the impacts are much less of a concern in the rural community and where the loss of emissions reductions will be minimal. **Contact:** Barbara Morin 222-2808, Ext. 7012.

#### **Promulgate regulations for Hospital/Medical/Infectious waste Incinerators to codify federal requirements and reduce mercury emissions.**

**Reason for the Rule:** Rhode Island has committed, through the New England Governors Association and the Eastern Canadian Premiers, to address the impacts caused by mercury and other toxics produced through incineration and other means. This proposed rule would follow through on Rhode Island’s commitment in this regional pollution control effort. **What the Rules Will Do:** Codify existing federal requirements and require affected facilities, such as hospital medical waste incinerators, to comply with standards to control emissions of mercury and other toxics in this process. **Who Will Be Impacted:** Four medical facilities in Rhode Island will be impacted by these rules and all four have been directly involved in the regulatory process. Zambarano is expected to close its incinerator, the Fatima Unit of St. Joseph’s Hospital and Roger Williams Hospital are undecided about operations, and Rhode Island Hospital has indicated it is likely to continue to operate under these proposed regulations. **Contact:** Barbara Morin 222-2808, Ext. 7012.

### **Amend APC Regulation No. 22 “Air Toxics”**

**Reason for the Rule:** There is a need to update the air toxics regulations to include new federal hazardous air pollutants and to upgrade the requirements in view of new scientific and federal standards. **What the Rules Will Do:** These revisions and updates to the rules will: (1) include federal Hazardous Air Pollutants not currently listed in state regulations. This will better ensure that facilities that are generating hazardous air pollutants subject to federal technology regulations do not pose an unacceptable health risk to the public; (2) update what are considered acceptable ambient levels for certain pollutants based on newer standards and federal guidance developed by EPA and other states since the last revisions in 1988; and (3) modify requirements for dry cleaners so as to be consistent with federal rules. Currently, dry cleaners are subject to both federal and state rules governing air pollutant emissions from their facilities. This rule change would simplify the regulatory oversight by allowing for federal delegation to the State so facilities would be subject only to state regulations. **Who Will Be Impacted:** The less than 100 dry cleaners in Rhode Island. **Contact:** Barbara Morin 222-2808, Ext. 7012.

### **Promulgate regulations for the Accidental Release Prevention Program**

**Reason for the Rule:** Regulations are needed to allow Rhode Island to apply for federal delegation authority from EPA so as to administer the program at the state level. **What the Rules Will Do:** Require affected facilities to plan so as to prevent accidental releases of pollutants to the air, and to be able to better respond in the event of a release. **Who Will Be Impacted:** About 300 facilities will be affected. Of these, 29 have already submitted these Risk Management Plans to EPA. About 30 others will be required to submit plans to DEM. Another 250 facilities will have to prepare contingency plans without having to submit them to EPA or DEM. **Contact:** Barbara Morin 222-2808, Ext. 7012.

### **Amend APC Regulation No. 29 “Operating Permits” to expand the exemption for facilities with multiple small sources of emissions**

**Reason for the Rule:** There is a need to simplify and streamline the rules governing facilities with a number of smaller sources of air pollutants and to make the threshold for the need for a permit the same as the threshold currently in the rules for pre-construction permits. **What the Rules Will Do:** Expand the eligibility opportunity for exemption to facilities with multiple, small sources of emissions. The revisions would also exempt facilities with these smaller sources of emissions from the requirement to list these sources in an operating permit obtained from DEM. This change will make the cut-off threshold for the operating permit the same as the threshold for pre-construction permits in current regulations. This change will also simplify the requirements for operating permits for the few large facilities with multiple sources of small emissions. **Who Will Be Impacted:** Facilities such as Brown University and the Naval Education Training Center, and other large facilities in the state that have a number of small sources of air emissions in their operations. **Contact:** Doug McVay 222-2808 Ext. 7011.

## OFFICE OF WATER RESOURCES

### Rules and Regulations Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Individual Sewage Disposal Systems

**Reason for the Rule:** As a result of the work of the Governor's task force on improving the regulation of ISDS systems in the state, and as called for in enabling legislation, DEM is obligated to establish regulations to govern the licensing of septic system designers. **What the Rules Will Do:** As called for by statute, DEM has established a licensing program that includes four classes of septic system designers. The Rules will clarify procedures for determining soil classifications and seasonal high water tables and other features of concern in siting an ISDS. The Rules will also modernize various provisions and incorporate technical and procedural improvements, as suggested by the Governor's Task Force on ISDS, so as to streamline the review process. Additionally, in response to the federal promulgation of so-called Class V Underground Injection Control regulations, we will need to amend the regulations regarding the elimination of large-scale cesspools (serving 20 people per day or the equivalent). **Who Will Be Impacted:** ISDS designers, engineers, homeowners, and those in the development industry. **Contact:** Ernest Panciera, 222-3961, Ext. 7603.

### Rules and Regulations for Freshwater Wetlands:

**Reason for the Rule:** Need to streamline and simplify the wetlands permitting regulatory process, and to implement new law granting CRMC jurisdiction over freshwater wetlands in the coastal zone. **What the Rules Will Do:** Facilitate the approval of wetland habitat restoration projects and water quality improvement projects, simplify the fee schedule, clarify selected other provisions and ensure as much consistency as possible in the way CRMC and DEM regulate fresh water wetlands within their respective areas of jurisdiction. **Who Will Be Impacted:** The development community, the environmental community, homeowners and others with potential activities concerning the state's wetlands. **Contact:** Carol Murphy, Principal Natural Resource Specialist 222-3961, Ext. 7208.

### Groundwater Quality Regulations:

**Reason for the Rule:** There is a need to update and simplify the rules governing subsurface discharges in the State. **What the Rules Will Do:** Specifically, the proposed rules will update and amend the current groundwater quality rules in order to: (1) update the statewide classification map and designation of wellhead protection areas; (2) promote consistency and clarity with respect to site remediation activities; and (3) clarify certain siting restrictions regarding Class V Underground Injection Controls (UICs). In addition to these changes, DEM will continue working toward a comprehensive update of the provisions regulating subsurface discharges involving the Underground Injection Control (UIC) Rules. The first set of changes is expected to be completed in the fall of 2000 to be followed by the comprehensive discharge rules (UIC) in 2001. **Who Will Be Impacted:** Contractors in the site remediation and development community. **Contact:** Ernest Panciera, Principal Environmental Scientist 222-3961, Ext. 7603.



### **Underground Injection Control Regulations:**

**Reason for the Rule:** As a result of the promulgation of federal requirements for Class V subsurface discharges, DEM will pursue minor changes to the existing underground injection control (“UIC”) rules in 2000. **What the Rules Will Do:** These changes will allow Rhode Island to support an application to maintain federal delegation (primacy) for implementation of the UIC program in Rhode Island. The proposed changes will also involve the prohibition of selected high-risk discharges. This will specifically address the phasing out of large-scale commercial and industrial cesspools. As mentioned above, DEM will also continue to work on a complete revision and update of the UIC rules with promulgation expected in 2001. **Who Will Be Impacted:** A relatively small number of larger commercial and industrial cesspool owners in Rhode Island. **Contact:** Terry Simpson, Principal Environmental Scientist 222-4700, Ext. 7602.

### **Water Quality Regulations:**

**Reason for the Rule:** Need to conform to recent changes in federal criteria, expand the class of allowed exemptions, as well as simplify and streamline the public comment/hearing process. **What the Rules Will Do:** (1) Modify the state water quality regulations to be consistent with the federally established allocation levels of ammonia; (2) Allow for certain discharge from desalinization facilities to seawaters; and (3) Modify the public notice procedure for water quality certifications. DEM will also complete its triennial review of the water quality regulations may propose additional changes as needed. **Who Will Be Impacted:** Some of the Wastewater Treatment Facilities and others who apply for water quality certifications. **Contact:** Connie Carey, Principal Environmental Scientist 222-3961, Ext. 7239.

### **Rhode Island Pollution Discharge Elimination System (RIPDES) Regulations:**

**Reason for the Rule:** Changes required by the federal Clean Water Act with respect to the regulation of stormwater discharges. **What the Rules Will Do:** More effectively protect water quality and natural resources from stormwater impacts. The rule changes will require municipalities to plan for stormwater management and mitigation as needed to achieve water quality goals. The program will be phased in over several years. **Who Will Be Impacted:** Primarily municipalities who may incur some planning and stormwater infrastructure design costs over the next several years (these costs will be mitigated, however, by federal and state nonpoint source grants). **Contact:** Angelo Liberti, Chief, Surface Water Protection, 222-3961 ext. 7225.

### **Rules and Regulations Pertaining to the Operation and Maintenance of Wastewater Treatment Facilities:**

**Reason for the Rule:** A complete updating of these regulations is needed to reflect new policies, advancements in technologies and operational practices among other things. **What the Rule Will Do:** Update the 1978 regulations to streamline the regulatory review process and to reflect newer technologies and operational standards for these facilities. **Who Will Be Impacted:** Operators of Wastewater Treatment Facilities in Rhode Island. **Contact:** Warren Towne,

Supervising Sanitary Engineer, 222-4700, Ext. 7247 or Jay Manning, Principal Sanitary Engineer 222-3961, Ext. 7254.

### **Well Drilling:**

**Reason for the Rule:** Standards originally developed to prevent wells from being drilled near contamination are now resulting in too many variance requests. **What the Rule Will Do:** Reduce the number of variance requests requiring approval by the department, and give well drillers more flexibility. **Who Will Be Impacted:** Those in the business of well drilling in Rhode Island, and owners of property potentially subject to a need to drill new wells. **Contact:** Susan Kiernan, Deputy Chief, 222-3961, Ext. 7600.

## **OFFICE OF WASTE MANAGEMENT**

### **Revisions to the Rules and Regulations for Hazardous Waste Management:**

**Reason for the Rules:** It has been several years since the regulations were last updated (1992) and there is a need to modernize and update the regulations governing hazardous waste management so as to comply with changes in federal law, state law, and to streamline the regulatory process. There is also a need to clarify existing ambiguities in our existing regulations.

#### **What the Rules Revisions Will Do:**

(1) **Universal Waste Regulations:** The proposed Universal Waste Regulations will enable certain wastes, including pesticides, batteries, thermostats, mercury containing lamps, other mercury containing devices and CRTs (cathode-ray tubes), presently managed as hazardous waste, to be managed as so-called universal waste subject to the federal requirements of 40 CFR 273.

Managing them as universal waste should reduce the amount of hazardous waste items in the municipal waste stream (since these items are commonly thrown in the trash by households and small businesses), encourage the recycling and proper disposal of these common wastes, and reduce the regulatory burden and cost on businesses that generate these wastes;

(2) **Revisions to waste analysis methodology:** We will propose changing the current method of testing for the presence of toxic substances from the current method with the federal standard known as the TCLP method. This will allow for testing for the presence of many more chemicals (25) as compared to the chemicals tested under the current testing procedure (14);

(3) **Compliance with New Procedural Requirements in State Law:** We will propose procedural revisions for permitting procedures and permit fees for new and renewed licensing of Treatment, Storage and Disposal facilities (TSDs) to comply with certain 1999 amendments to State law. The revised procedures will promote permit streamlining, by shortening the review times associated, as well as give the communities more information and input into the licensing process;

(4) **Simplify regulations for certain small quantity generators:** The revisions will allow for the temporary storage and simplified regulatory treatment for certain accumulations of small amounts of hazardous wastes;

- (5) **Clarification of generator biennial reporting requirements:** The proposed rules will provide clearer rules for the submittal of certain reports, and allow for small quantity generators to submit reports only upon request of the department;
- (6) **Provisions for electronic submittal of manifests:** The new rules will allow for generators and TSD facilities to submit manifests electronically rather than in paper filings;
- (7) **Clarify regulatory requirements for transport of hazardous waste and septage waste:** The proposed revisions will clear up ambiguity on what rules apply to permit the transportation of hazardous waste and septage waste;
- (8) **Clarify the Self Inspection Requirements of Vehicles/Trucks Transporting Hazardous Wastes:** The revisions will update the transporter self-inspection provisions as well address other transportation issues;
- (9) **Update the Regulatory Definition and Standards Concerning PCB Wastes:** The proposed revisions will clarify the regulatory definition and standards governing PCB's as hazardous waste;
- (10) **Minor corrections to Appendix II list of industrial chemicals:** The revisions will correct typographical errors and add one chemical to the list of chemicals subject to regulation as a hazardous waste;
- (11) **Conform Regulations to updated federal citations:** The revisions will update several sections that reference specific federal EPA and DOT rules and regulations (40 and 49 CFR citations) to be consistent with current federal citation numbering and amendments;
- (12) **Conform Regulations to updated State Statutes:** The revisions will update citations to reflect changes in recent Rhode Island Statutes;
- (13) **Conform Regulations to Current Rule-Making Procedures:** The revisions will update the administrative (introductory) section to be consistent with current rule-making procedures;
- (14) **Conform Regulations to Current Organization of the Department:** The new rules will revise certain sections that reference specific DEM offices to be consistent with the current DEM organizational structure;
- (15) **Clean Up and Technical Changes:** The revisions will restructure and re-number the rules to incorporate recent changes to the hazardous waste regulations.

**Contact:** Chris Shafer, Senior Environmental Scientist, 222-2797, Ext. 7511.

## **BUREAU OF POLICY AND ADMINISTRATION:**

### **OFFICE OF PLANNING AND DEVELOPMENT:**

**Reason for the Rule:** If the Governor's Open Space Bond passes in November, the Division of Planning and Development will need to develop implementing regulations. **What the Rules Will Do:** These new regulations will allow for the distribution of \$15 Million Dollars to cities and towns for the development of recreational facilities and the acquisition of open space. Additionally, we will develop regulations for the distribution of \$800,000.00 in Land Protection Planning Grants to every city and town. The first fiscal year that the capital budget anticipates use of the \$15.0 Million is FY 2002. **Who Will Be Impacted:** Cities and Towns, Land Trusts and other Conservation Organizations will be supportive. **Contact:** Robert W. Sutton, Jr. 222-2776, Ext. 4300.

### **OFFICE OF MANAGEMENT SERVICES:**

#### **Regulations Increasing Fees Charged For Use of State Beaches**

**Reason for the Rule:** To fund an increase in pay for the seasonal work force, including lifeguards and park rangers. **What the Rule Will Do:** Increase parking fees at seven state beaches across the State. **Who Will Be Impacted:** All those who park at the State's beaches. **Contact:** Glenn Miller, 222-6825, Ext. 4900.

#### **Regulations Governing the Licensing Program for Fish and Wildlife Vendor Agents**

**Reason for the Rule:** To meet the statutory requirement for regulations for the licensing of vendor agents who sell fishing and hunting licenses. **What the Rule Will Do:** Establish licensing requirements for vendor agents. **Who Will Be Impacted:** All those who apply for fishing and hunting vendor licenses in the State of Rhode Island, and the vendor agents. **Contact:** Glenn Miller, Chief, 222-6825, Ext. 4900.