



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

June 24, 2004

The Honorable Donald L. Carcieri
Governor of the State of Rhode Island
Executive Chambers
State House
Providence, RI 02903

Re: 2004 DEM Regulatory Agenda (Mid-Year Update)

Dear Governor Carcieri:

In accordance with the provisions of Section 42-35-5.1 of the Rhode Island General Laws, I am pleased to provide you with the 2004 Regulatory Agenda Report Mid-Year Update for the Department of Environmental Management.

The attached document provides a summary of the rules and regulations that DEM has filed since January 2004 and those it intends to promulgate in the coming months. As you know, we continue to work closely with several stakeholder groups on various initiatives relating to our regulatory programs; and we continue to track statutory and regulatory changes at the state and federal level. If, through these or any other avenues, the need arises to pursue additional measures, I will provide you with an updated agenda.

The attached document will be posted on the Department's web site at <http://www.state.ri.us/dem/pubs/index.htm>

Sincerely,

Frederick J. Vincent
Acting Director

cc: Secretary of State Matthew A. Brown
Speaker William J. Murphy
Senate President Joseph A. Montalbano

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
2004 REGULATORY AGENDA (Mid Year Up-Date)

Rules and Regulations Filed Since January 15, 2004

Subject Area	Purpose	Effect	Interested Parties	Contact
<p><u>WILDLIFE REHABILITATION</u></p> <p>LEGAL BASIS: 20-1-18, 20-1-22, 42-17.1, 42-17.6 AND 42-35</p> <p>EFFECTIVE: 6/16/04</p>	<p>Comprehensive re-write of state's wildlife rehabilitation regulations.</p>	<p>Incorporate more flexibility within the wildlife rehabilitation program and encourage additional program participation.</p>	<p>Wildlife rehabilitators.</p>	<p>Mike Lapisky, Division of Fish and Wildlife, 789-7083 and Lori Gibson, Division of Fish and Wildlife, 789-7481.</p>
<p><u>MARINE FISHERIES</u></p> <p>LEGAL BASIS: 20-1-2, 20-1-4, 20-3-1 THROUGH 20-3-6, 20-4 THROUGH 20-10, 42-17.1, 42-17.6, AND 42-35</p> <p>EFFECTIVE: 1/29/04, 2/25/04, 3/5/04, 4/16/04, 3 ON 4/22/04, 5/13/04, 5/14/04 AND 5/25/04</p>	<p>Amend/regulate fisheries methods, possession limits, and seasons according to federal agency mandates and decisions by the Director in conjunction with the Rhode Island Marine Fisheries Council.</p>	<p>Keep Rhode Island in compliance with federal mandates, established fisheries management rules and regulations, and the RI General Laws.</p>	<p>All commercial and recreational fishermen and fish processing businesses.</p>	<p>Mark Gibson, Division of Fish and Wildlife 423-1940.</p>
<p><u>IMPORTATION, FEEDING, AND BAITING OF CERVIDS</u></p> <p>LEGAL BASIS: 4-4-23, 20-17-9, 4-18, 20-17, 42-17.1, 42-17.6 AND 42-35</p> <p>EFFECTIVE: 1/28/04</p>	<p>Make permanent the emergency regulations that were filed 12/30/02 to prevent the introduction of chronic wasting disease (CWD) into the State of Rhode Island.</p>	<p>Keep the wild cervid population (i.e., deer) free of CWD, giving deer hunters confidence that the herds are not a threat to public health.</p>	<p>Deer hunters.</p>	<p>Mike Lapisky, Division of Fish and Wildlife, 789-7083 and Gary Powers, Division of Fish and Wildlife, 782-4765.</p>

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<p><u>STATE PILOTAGE COMMISSION</u></p> <p>LEGAL BASIS: 46-9 AND 42-35</p> <p>EFFECTIVE: 2/12/04</p>	<p>Emergency amendments intended to prohibit vessels with a draft of thirty-four feet or more from entering a specific area of northern Narragansett Bay.</p>	<p>Prevent vessels from damaging an underwater natural gas pipeline, thereby ensuring the health, safety, and welfare of the vessel occupants as well as the residents of the State of Rhode Island.</p>	<p>RI licensed pilots.</p>	<p>Mike Scanlon, Boating Safety Program Coordinator, Division of Enforcement , 222-2284; Don McGovern, Division of Coastal Resources, 783-5551</p>
<p><u>ARSENIC (SITE REMEDIATION REGULATIONS)</u></p> <p>LEGAL BASIS: 23-19.1-6 AND 42-35</p> <p>EFFECTIVE: 2/24/04</p>	<p>Amend state regulations to increase both the Residential and Industrial/Commercial Direct Exposure Standard for Arsenic from 3.7 ppm to 7.0 ppm.</p>	<p>Recognize the statistical distribution of naturally occurring arsenic in Rhode Island, thereby facilitating site remediation projects.</p>	<p>Owners of properties found to have arsenic.</p>	<p>Leo Hellested, Office of Waste Management, 222-4700 ext. 7502.</p>
<p><u>MOTOR VEHICLE INSPECTION / MAINTENANCE PROGRAM (APC REGULATION NO. 34)</u></p> <p>LEGAL BASIS: 31-47.1-7(G) AND 42-35</p> <p>EFFECTIVE: 3/30/04</p>	<p>Correct a clerical error in APC Regulation No. 34, "Rhode Island Motor Vehicle Inspection/Maintenance Program" and the State Implementation Plan (SIP)</p>	<p>Remove language (the Department's "Response to Comments" document) which was mistakenly filed as a part of the final regulation with the RI Secretary of State's Office.</p>	<p>Authorized Inspection and Repair Stations, environmental advocates, and motorists.</p>	<p>Thomas Barry, Office of Air Resources, 222-2808 x7021.</p>
<p><u>AIR TOXICS (APC REGULATION NO. 22)</u></p> <p>LEGAL BASIS: 23-23-5(12) AND 42-35</p> <p>EFFECTIVE: 4/27/04</p>	<p>Amend APC Regulation No. 22, "Air Toxics," to: make the list of air toxics compatible with EPA's Hazardous Air Pollutant list; add additional air contaminants; update the Acceptable Ambient Levels and Minimum Quantity thresholds; and clarify permitting thresholds.</p>	<p>Reduce air toxics emissions from facilities that may have significant impacts on ambient air quality.</p>	<p>Businesses, industry, landfills, sewage sludge incinerators and other facilities that emit toxic air contaminants.</p>	<p>Barbara Morin, Office of Air Resources, 222-2808, ext. 7012.</p>

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<p><u>AIR POLLUTION CONTROL PERMITS (APC REGULATION NO. 9)</u></p> <p>LEGAL BASIS: 23-23-5(12) AND 42-35</p> <p>EFFECTIVE: 4/27/04</p>	<p>Amend APC Regulation No. 9, "Air Pollution Control Permits," to make that regulation consistent with proposed amendments to Regulation No. 22.</p>	<p>Ensure consistency among RI air pollution control regulations.</p>	<p>Businesses/facilities that emit air toxics.</p>	<p>Barbara Morin, Office of Air Resources, 222-2808, ext. 7012.</p>
<p><u>PARKS AND MANAGEMENT AREA RULES AND REGULATIONS (AMENDMENTS PROPOSED BY DIVISION OF FISH & WILDLIFE)</u></p> <p>LEGAL BASIS: 42.17.1, 42-17.6, 20-18, 20-1-2, 20-1-4, 20-1-8, 32-2-4, 31-3.2 AND 42-35</p> <p>EFFECTIVE: 4/29/04</p>	<p>Modify the regulations governing target ranges.</p>	<p>Allow users of target ranges (managed by DEM Division of Fish & Wildlife) the opportunity to practice with the type of ammunition used while legally hunting.</p>	<p>Target range users and hunters.</p>	<p>Mike Lapisky, Division of Fish & Wildlife, 789-7083.</p>
<p><u>MERCURY-ADDED PRODUCTS</u></p> <p>LEGAL BASIS: 23-19.1-6, 23-24.9 AND 42-35</p> <p>EFFECTIVE: 5/11/04</p>	<p>Establish a regulatory framework for several provisions of the RI Mercury Education and Reduction Act as enacted in 2001 and amended in 2003.</p>	<p>Establish regulatory provisions for notification procedures for mercury-added products and restrictions on the sale of mercury-added novelties.</p>	<p>Electronic manufacturers, manufacturers of mercury-added fabricated/formulated products, schools, and environmental groups.</p>	<p>Beverly Migliore, Office of Technical and Customer Assistance, 222-4700 ext. 7503. Ron Gagnon, Office of Technical and Customer Assistance, 222-4700 ext. 7500.</p>

Rules and Regulations
Proposed to be Filed Between June 15, 2004 and January 15, 2005 **

Subject Area	Purpose	Effect	Interested Parties	Contact
<p><u>HUNTING REGULATIONS FOR 2004-2005 SEASON;</u></p> <p><u>FRESHWATER FISHING REGULATIONS FOR 2005-2006 SEASON</u></p> <p>LEGAL BASIS: 20-1-4, 20-1-12, 20-1-13, 42-17.1, 42-17.6 AND 42-35</p>	<p>Establish conditions and requirements for hunting or fishing species, bag limits, minimum size restrictions, seasons, etc. in accordance with federal guidelines and public comment.</p>	<p>Set the rules for all hunted and fished (freshwater) species in Rhode Island.</p>	<p>Recreational anglers and hunters.</p>	<p>Mike Lapisky, Division of Fish & Wildlife, 789-7083.</p>
<p><u>RI FALCONRY REGULATIONS FOR THE 2004-2005 SEASON</u></p> <p>LEGAL BASIS: 20-1-4, 20-1-12, 20-1-13, 42-17.1, 42-17.6 AND 42-35</p>	<p>Regulations set in place allow for the managed practice of falconry in Rhode Island.</p>	<p>Efficiently manages the wildlife resources of Rhode Island</p>	<p>Falancers/recreational hunters</p>	<p>Mike Lapisky, Division of Fish & Wildlife, 789-7083.</p>
<p><u>HUNTING REGULATIONS FOR WATERFOWL SEASON 2004-2005</u></p> <p>LEGAL BASIS: 20-1-4, 20-1-5, 20-1-12, 20-1-13, 20-2-35, 20-2-37, 42-17.1, 42-17.6 AND 42-35</p>	<p>To establish seasons, bag limits and methods by which waterfowl hunting may be carried out in Rhode Island.</p>	<p>Efficiently manages the wildlife resources of Rhode Island</p>	<p>Recreational hunters.</p>	<p>Mike Lapisky, Division of Fish & Wildlife, 789-7083.</p>
<p><u>MARINE FISHERIES</u></p> <p>LEGAL BASIS: 20-1-2, 20-1-4, 20-3-1 THROUGH 20-3-6, 20-4 THROUGH 20-10; 42-17.1, 42-17.6 AND 42-35</p>	<p>Amend/regulate fisheries methods, possession limits, and seasons according to federal and regional mandates and decisions. Regulatory changes are promulgated by DEM in conjunction with the RI Marine Fisheries Council.</p>	<p>Keep Rhode Island in compliance with federal and regional mandates, established fisheries management rules and regulations, and the RI General Laws.</p>	<p>All commercial and recreational fishermen and fish processing businesses.</p>	<p>Mark Gibson, Division of Fish and Wildlife, 423-1940.</p>

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<p><u>MANAGEMENT PLANS FOR THE FINFISH, SHELLFISH, AND CRUSTACEAN FISHERY SECTORS (3)</u></p> <p>LEGAL BASIS: 42-17.1, 42-17-6, 20-1-2, 20-1-4, 20-2.1-9(5) AND 42-35</p>	<p>Update the companion documents to the "Rhode Island Regulations Governing the Management of Marine Fisheries"</p>	<p>Fulfill the requirements set forth by the licensing regulations entitled "Rhode Island Regulations Governing the Management of Marine Fisheries"</p>	<p>Commercial fishermen (existing and prospective).</p>	<p>Mark Gibson, Division of Fish and Wildlife 423-1940.</p>
<p><u>RHODE ISLAND REGULATIONS GOVERNING THE MANAGEMENT OF MARINE FISHERIES</u></p> <p>LEGAL BASIS: 42-17.1, 42-17-6, 20-1-2, 20-1-4, 20-3-2 THROUGH 20-3-6, 20-4 THROUGH 20-10 AND 42-35</p>	<p>Update commercial licensing provisions for 2005 license year.</p>	<p>Provide new license opportunities, where appropriate, based on revised fisheries management plans that reflect current resource and fishery conditions.</p>	<p>Commercial fishermen (existing and prospective).</p>	<p>Mark Gibson, Division of Fish and Wildlife 423-1940.</p>
<p><u>AIR POLLUTION: COMBINED HEAT AND POWER AND DISTRIBUTED GENERATION</u></p> <p>LEGAL BASIS: 23-23(5)12 AND 42-35</p>	<p>Establish regulations limiting air pollution emissions from small-scale combined heat and power and distributed generation projects.</p>	<p>Streamline the permitting process for small-scale combined heat and power and distributed generation projects, and encourage the use of distributed generation to help reduce greenhouse gas emissions.</p>	<p>Engine and turbine manufacturers, large energy users, state agencies, businesses.</p>	<p>Doug McVay, Office of Air Resources, 222-2808, ext. 7011.</p>
<p><u>DEFINITIONS IN AIR POLLUTION CONTROL REGULATIONS</u></p> <p>LEGAL BASIS: 23-23-5(12) AND 42-35</p>	<p>Update the definition of "Volatile Organic Compound" in the air pollution control regulations to be consistent with the federal definition. Create a central list of consistent definitions for 15-20 terms used in several APC regulations and remove the definitions of those terms (including VOC) from individual APC regulations.</p>	<p>Ensure consistency amongst multiple sets of air quality regulations, and where appropriate, make state definitions consistent with federal definitions. Minimize the need to amend multiple sets of regulations when definitions used in more than one set of regulations change.</p>	<p>Businesses, industry and other entities subject to RI APC regulations.</p>	<p>Barbara Morin, Office of Air Resources, 222-2808, ext. 7012.</p>

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<p><u>CONTROL OF EMISSIONS FROM ORGANIC SOLVENT CLEANERS (APC REGULATION NO. 36)</u></p> <p>LEGAL BASIS: 23-23-5(12) AND 42-35</p>	<p>Make minor revisions to APC Regulation No. 36, "Control of Emissions from Organic Solvent Cleaners," to make the regulation consistent with the Ozone Transport Commission (OTC) model rule for this source category, where applicable, and clarify ambiguities in current regulatory language.</p>	<p>Provide for more reductions in emissions from solvent degreasers, dryers and cold cleaners, and promote regulatory consistency with neighboring states.</p>	<p>Businesses with solvent degreasers, dry and/or cold cleaners.</p>	<p>Barbara Morin, Office of Air Resources, 222-2808, ext. 7012.</p>
<p><u>CONTROL OF VOCs FROM AUTOMOTIVE REFINISHING OPERATIONS (APC REGULATION NO. 30)</u></p> <p>LEGAL BASIS: 23-23-5(12) AND 42-35</p>	<p>Make minor revisions to APC Regulation No. 30, "Control of Volatile Organic Compounds from Automotive Refinishing Operations," to clarify ambiguities in existing regulatory language and ensure consistency with the OTC model rule.</p>	<p>Provide for more reductions in emissions from automotive refinishing operations, and promote regulatory consistency with neighboring states.</p>	<p>Automobile refinishing industry and related businesses.</p>	<p>Barbara Morin, Office of Air Resources, 222-2808, ext. 7012.</p>
<p><u>PORTABLE FUEL CONTAINER SPILLAGE CONTROLS</u></p> <p>LEGAL BASIS: 23-23-5(12) AND 42-35</p>	<p>Establish new portable fuel container spillage control regulations consistent with those in the OTC model rule.</p>	<p>Provide for reductions in VOC emissions and gasoline spillage from portable fuel containers, and promote regulatory consistency with neighboring states.</p>	<p>Businesses that manufacture and/or sell portable fuel containers, consumers of portable fuel containers.</p>	<p>Barbara Morin, Office of Air Resources, 222-2808, ext. 7012.</p>
<p><u>CONTROL OF VOCs FROM COMMERCIAL AND CONSUMER PRODUCTS (APC REGULATION NO. 31)</u></p> <p>LEGAL BASIS: 23-23-5(12) AND 42-35</p>	<p>Amend APC Regulation No. 31, "Control of Volatile Organic Compound Emissions from Commercial and Consumer Products," to: 1) convert it from a contingency regulation to an active regulation; and 2) update the list of regulated products & VOC limits to ensure consistency with those in the OTC model rule.</p>	<p>Reduce emissions of VOCs from commercial/consumer products, and promote regulatory consistency with neighboring states.</p>	<p>Businesses that manufacture and/or sell commercial and consumer products that emit VOCs and consumers of such products.</p>	<p>Barbara Morin, Office of Air Resources, 222-2808, ext. 7012.</p>

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<p><u>CONTROL OF VOCs FROM ARCHITECTURAL COATINGS AND INDUSTRIAL MAINTENANCES COATINGS (APC REGULATION NO. 33)</u></p> <p>LEGAL BASIS: 23-23-5(12) AND 42-35</p>	<p>Amend APC Regulation No. 33, "Control of Volatile Organic Compounds (VOCs) from Architectural and Industrial Maintenance Coatings," to: 1) convert it from a contingency regulation to an active regulation; and 2) update the list of regulated products & VOC limits to ensure consistency with those in the OTC model rule.</p>	<p>Reduce emissions of VOCs from architectural and industrial maintenance coatings, and promote regulatory consistency with neighboring states.</p>	<p>Businesses that manufacture and/or sell architectural and industrial maintenance coatings, consumers of architectural and industrial maintenance coatings.</p>	<p>Barbara Morin, Office of Air Resources, 222-2808, ext. 7012.</p>
<p><u>CHEMICAL ACCIDENTAL RELEASE PREVENTION PROGRAM (APC REGULATION NO. 40)</u></p> <p>LEGAL BASIS: 23-23(5)12 AND 42-35</p>	<p>Implement state planning requirements for accidental release prevention. Similar to federal requirements, but will respond to state-specific issues.</p>	<p>Minimize the potential for accidental releases of toxic and flammable substances, and minimize the harmful effects of releases that do occur.</p>	<p>Industrial facilities that store toxic or flammable substances, members of the public who reside near such facilities, and administrators of schools, hospitals, etc. in the vicinity of such industrial facilities.</p>	<p>Gina Friedman, Office of Air Resources, 222-4700 x7016.</p>
<p><u>CALIFORNIA MOTOR VEHICLE EMISSION STANDARDS</u></p> <p>LEGAL BASIS: 23-23 (5) 12 AND 42-35</p>	<p>Adopt motor vehicle emission standards identical to the California motor vehicle emission standards.</p>	<p>Reduce emissions from new motor vehicles and assure zero emission vehicles are delivered to Rhode Island.</p>	<p>Automobile manufacturers, automobile dealers, and environmental groups.</p>	<p>Stephen Majkut, Office of Air Resources, 222-4700 x7010.</p>
<p><u>CONTROL OF NITROGEN OXIDES EMISSIONS (APC REGULATION NO. 27)</u></p> <p>LEGAL BASIS: 23-23 (5)12 AND 42-35</p>	<p>Amend APC Regulation No. 27 to change the requirement that all stack testing at facilities must be observed by DEM's Office of Air Resources (OAR) or an authorized representative, and reduce the requirement for stack testing on all fuels combusted in the regulated process on an annual basis.</p>	<p>The amendments would reduce the burden on the OAR to observe all tests, which in turn would increase the efficiency of the OAR by providing more flexibility in the performance of our duties without decreasing regulatory compliance, and would provide regulated sources more flexibility in scheduling and conducting the stack tests.</p>	<p>Businesses, industry and other entities that emit nitrogen oxides, the EPA and the general public.</p>	<p>Ted Burns, Office of Air Resources, 222-2808, x7013</p>

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<p><u>INSPECTIONS OF DAMS AND RESERVOIRS [DAM SAFETY]</u></p> <p>LEGAL BASIS: 46-19, 42-17.1 AND 42-35</p>	<p>Establish a regulatory framework for several of the major provisions of the state's current dam safety law. Rhode Island currently does not have any rules governing standards for dam inspections and repairs even though the Department, since its inception, has administered a dam safety program.</p>	<p>Identify minimum requirements for maintenance of a dam, registration of a dam, and responsibilities of the department and dam owners in inspecting and repairing dams; improve public information through adoption of a formal hazard classification for dams; improve regulatory oversight of dams.</p>	<p>Dam owners, cities and towns, property owners adjacent to and downstream of open water bodies created by a dam, and the general public that use open water bodies created by a dam for recreational purposes.</p>	<p>David Chopy, Office of Compliance and Inspection, 222-4700 extension 7257.</p>
<p><u>USED OIL RECYCLING</u></p> <p>LEGAL BASIS: 23-19.1, 42-17.1, 46-12, 23-23, 23-18.9 AND 42-35</p>	<p>Establish management and handling standards for generators, transporters, and facilities dealing with used oil to facilitate the recycling of used oil rather than disposing as a hazardous waste.</p>	<p>Manage used oil in a manner similar to the storage and handling of hazardous waste but less restrictively so as to facilitate recycling rather than disposal as a hazardous waste. Protect the environment and the public's safety while encouraging recycling.</p>	<p>Businesses, industry, municipalities, and state agencies that generate, transport, or deal with used oil.</p>	<p>Dean Albro, Office of Compliance & Inspection, 222-1360, ext. 7400. Sean Carney, Office of Compliance & Inspection, 222-1360, ext. 7411.</p>
<p><u>UNDERGROUND STORAGE TANKS</u></p> <p>LEGAL BASIS: 42-17.1-2 AND 42-35</p>	<p>Increase inspection frequency of underground storage tank (UST) systems. Evaluate possible third party inspection options as part of a public stakeholder process this spring.</p>	<p>Increase inspections of UST systems throughout the state.</p>	<p>Underground storage tank owners, and environmental consultants</p>	<p>Leo Hellested, Office of Waste Management, 222-4700, ext. 7502. Ron Gagnon, Office of Customer and Technical Assistance, 222-4700, ext. 7500.</p>
<p><u>SOLID WASTE MANAGEMENT PILOT PROJECTS</u></p> <p>LEGAL BASIS: 23-18.9, 42-17.1 AND 42-35</p>	<p>Amend solid waste regulations to allow DEM to approve solid waste management pilot projects proposed by municipalities pursuant to new statutory provisions enacted in 2003.</p>	<p>Encourage the development of safe, alternative waste management techniques in Rhode Island.</p>	<p>RI cities and towns and solid waste management community.</p>	<p>Leo Hellested, Office of Waste Management, 222-4700, ext. 7502. Laurie Grandchamp, Office of Waste Management, 222-4700, ext. 7143.</p>
<p><u>STATE PILOTAGE COMMISSION</u></p> <p>LEGAL BASIS: 46-9 AND 42-35</p>	<p>Amend state regulations governing licensed pilots operating in RI waters.</p>	<p>Provide for an annual cost of living rate increase for RI pilots for the next three years.</p>	<p>RI licensed pilots and shipping agents.</p>	<p>Mike Scanlon, Boating Safety Program Coordinator, Division of Enforcement, 222-2284; Don McGovern, Division of Coastal Resources, 783-5551</p>

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<p><u>PURCHASE OF DEVELOPMENT RIGHTS TO FARMLAND</u></p> <p>LEGAL BASIS: 42-82 AND 42-35</p>	<p>Update and revise the existing rules governing the operating procedures of the Agricultural Land Preservation Commission regarding administration of bond funds to purchase development rights to farmland to reflect current state objectives and the comprehensive planning statute.</p>	<p>Update procedures and standards to reflect current state objectives and statutes (no significant impact on operation or outcome of the program).</p>	<p>Farmers.</p>	<p>Judy Bailey, Chairman, Agricultural Land Preservation Commission, 884-2862. Ken Ayars, RI DEM Division of Agriculture, 222-2781 ext. 4500.</p>
<p><u>IMPORTATION OF ANIMALS</u></p> <p>LEGAL BASIS: 4-19 AND 42-35</p>	<p>Update and revise the regulations governing the importation of animals, particularly with regard to the required import permits, certificates of veterinary inspection, and disease-free certification.</p>	<p>Protect public health, animal health, wildlife, and related industries by ensuring that animals imported into the state are healthy and disease free.</p>	<p>General public, health professions, animal industry, animal welfare groups, veterinarians, agriculture, and animal wildlife groups.</p>	<p>Chris H. Hannafin, D.V.M., RI State Public Health Veterinarian, Division of Agriculture, 222-4700, ext. 4503.</p>
<p><u>IMPORTATION AND POSSESSION OF WILD AND EXOTIC ANIMALS</u></p> <p>LEGAL BASIS: 4-19 AND 42-35</p>	<p>Update and revise the regulations (including increasing permits fees) concerning the importation of, possession of, and standards of care for exotic and wild animals.</p>	<p>Limits the possession of wild and exotic animals to qualified individuals participating in bonafide educational, research, and nonprofit usage.</p>	<p>Zoos, researchers, exhibitors, veterinarians, animal welfare groups.</p>	<p>Chris H. Hannafin, D.V.M., RI State Public Health Veterinarian, Division of Agriculture, 222-4700, ext. 4503.</p>
<p><u>CULTURAL PRACTICES FOR BRANDING PRODUCTS OF THE FARM (ORGANIC CERTIFICATION)</u></p> <p>LEGAL BASIS: 21-20, 42-17.1 AND 42-35</p>	<p>Maintain USDA accreditation of RI's organic certification program.</p>	<p>Clarify and streamline the certification process regarding organic farm products.</p>	<p>Organic farmers and food processors, and the Northeast Organic farming Association/RI Chapter.</p>	<p>Dan Lawton, Division of Agriculture, 222-2781, ext. 4516</p>

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<p><u>REGULATIONS GOVERNING ANIMAL CARE</u></p> <p>LEGAL BASIS: 4-19 AND 42-35</p>	<p>Establish comprehensive animal care regulations. Include new licensure requirements, procedures and protocols for the intake, relinquishment, sheltering, transfer and adoption of animals to and from the public.</p>	<p>Protect the owners of dogs and cats from the sale or use of stolen pets; insure that all warm-blooded vertebrate animals, used in commerce, are provided humane care and treatment by regulating the transportation, sale, purchase, housing, care, and treatment of these animals by persons or organizations transporting, buying, or selling them for commercial use; insure that animals confined in pet shops, kennels, animal shelters, and pounds are provided humane care and treatment; release for sale, trade, or adoption only those animals which appear to be free of communicable disease or abnormalities, unless veterinary care subsequent to release is assured; ensure the spaying and neutering of dogs/cats adopted from a releasing agency; and, require licensure and standards for organizations and individuals who participate in the adoption of animals.</p>	<p>Animal welfare groups, animal control agencies, animals volunteer groups, pet shops, kennels, pounds, auction markets, and veterinarians.</p>	<p>Peter B. Belinsky, V.M.D. Rhode Island State Public Health Veterinarian, Division of Agriculture, 222-4700, ext. 4908.</p> <p>Chris H. Hannafin, D.V.M., RI State Public Health Veterinarian, Division of Agriculture, 222-4700, ext. 4503.</p>
<p><u>REGULATIONS GOVERNING THE IMPORTATION OF EQUINE FROM CONTAGIOUS EQUINE METRITIS (CEM) AFFECTED COUNTRIES</u></p> <p>LEGAL BASIS: 4-4.1 AND 42-35</p>	<p>Update of the regulations governing importation of horses from countries where Contagious Equine Metritis (CEM) exists. Clarify quarantine protocols and establish specific permit fees.</p>	<p>Protect public health and animal health by ensuring that imported equines are healthy and disease free.</p>	<p>Licensed CEM quarantine stations.</p>	<p>Chris H. Hannafin, D.V.M., RI State Public Health Veterinarian, Division of Agriculture, 222-4700, ext. 4503.</p>
<p><u>REGULATIONS RELATIVE TO FOREST FIRE PERSONNEL AND FOREST FIRES AND PREVENTION</u></p> <p>LEGAL BASIS: 2-12.5, 42-17.1, AND 42-35</p>	<p>Amend regulations governing designation of forest fire districts, rates of compensation for forest fires, patrols during drought, and restrictions on open-air fires.</p>	<p>Change rate of compensation for fire vehicles, eliminate payment for crawler tractors, and define fire vehicles and expendable supplies.</p>	<p>Fire districts, fire chiefs.</p>	<p>Tom Bourn, Division of Forest Environment, 647-3367.</p>

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<p><u>REGULATIONS GOVERNING WOODS OPERATOR REGISTRATION AND INTENT TO CUT NOTICES</u></p> <p>LEGAL BASIS: 2-10-3.1, 2-15 AND 42-35</p>	<p>Eliminate incremental payments for woods operators registrations and increase intent to cut or saw notification from \$20.00 to \$25.00.</p>	<p>Establish a consistent fee structure for woods operators and intent to cut notices.</p>	<p>Loggers and foresters.</p>	<p>Tom Bourn, Division of Forest Environment, 647-3367.</p>
<p><u>MANAGEMENT OF THE NARRAGANSETT BAY NATIONAL ESTUARINE RESEARCH RESERVE</u></p> <p>LEGAL BASIS: 42-17.1 AND 42-35</p>	<p>Establish management regulations for the Narragansett Bay National Estuarine Research Reserve (separate and distinct from DEM's Management Area regulations) to facilitate effective management of activities conducted within the land boundaries of the reserve.</p>	<p>Provide for a systematic regulatory mechanism to support Bay research, ecological monitoring, education, resource stewardship, and recreational use at the Reserve.</p>	<p>Researchers, conservation organizations, boaters, and those who use the Reserve for recreational purposes.</p>	<p>Roger Greene, Narragansett Bay National Estuarine Research Reserve, 683-6780.</p>
<p><u>WATER QUALITY REGULATIONS</u></p> <p>LEGAL BASIS: 46-12 AND 42-35</p>	<p>Update and revise regulations in response to DEM's triennial review of the water quality regulations as required by the federal Clean Water Act.</p>	<p>Establish consistency with recent changes to federal water quality criteria; streamline the public notice/comment/hearing processes for water quality certifications.</p>	<p>Wastewater treatment facilities, industries that discharge to surface waters, and applicants for water quality certifications.</p>	<p>Connie Carey, Office of Water Resources, 222-3961, ext. 7239.</p>
<p><u>FRESHWATER WETLANDS</u></p> <p>LEGAL BASIS: 2-1 AND 42-35</p>	<p>Amend wetland regulations, in accordance with Chapter 2-1, based on the recommendations of the Wetlands Task Force and other recommendations identified by the Department.</p>	<p>Establish a simplified permit fee schedule; establish a reorganized, clearer rule format; remove barriers to pre-application meetings with wetlands program staff; and address dam reconstruction projects.</p>	<p>Developers, property owners, environmental community.</p>	<p>Carol Murphy, Office of Water Resources, 222-3961, ext. 7208.</p>
<p><u>PRETREATMENT REGULATIONS</u></p> <p>LEGAL BASIS: 46-12 AND 42-35</p>	<p>Amend state pretreatment regulations to conform to recent changes made to federal pretreatment regulations.</p>	<p>Clarify/streamline procedures that municipalities and industries must follow to implement changes to their pretreatment programs.</p>	<p>Municipalities and industries with pretreatment programs</p>	<p>Eric Beck, Office of Water Resources, 222-3961, ext. 7202.</p>

Subject Area	Purpose	Effect	Interested Parties	Contact
<p><u>GROUNDWATER QUALITY</u></p> <p>LEGAL BASIS: 46-13-1 AND 42-35</p>	<p>Update and simplify the rules governing groundwater protection.</p>	<p>Update the statewide classification map and designation of wellhead protection areas; promote consistency with respect to site remediation activities; and clarify certain siting restrictions regarding Class V Underground Injection Control Sites.</p>	<p>Developers/contractors involved in site remediation activities and parties interested in drinking water issues.</p>	<p>Ernest Panciera, Office of Water Resources, 222-3961, ext. 7603.</p>
<p><u>UNDERGROUND INJECTION CONTROL</u></p> <p>LEGAL BASIS: 42-17.1, 46-12, AND 42-35</p>	<p>Revise underground injection control rules in response to federal requirements for Class V subsurface discharges to allow Rhode Island to support an application to maintain federal delegation (primacy) for implementation of the UIC program in the state.</p>	<p>Significant changes will include a ban on large-capacity cesspools and motor vehicle waste disposal wells.</p>	<p>A small number of large-scale cesspool and motor vehicle related facility owners.</p>	<p>Terry Simpson, Office of Water Resources, 222-3961, ext. 7602.</p>
<p><u>REGULATIONS ESTABLISHING MINIMUM STANDARDS RELATING TO LOCATION, DESIGN, CONSTRUCTION, AND MAINTENANCE OF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS (ISDS)</u></p> <p>LEGAL BASIS: 23-19.5, 5-56.1, 42-17.1 AND 42-35</p>	<p>Update technical standards and streamline administrative requirements.</p>	<p>Substantially update the technical and protective standards for septic systems including septic tanks, grease traps, leachfields and other components of an ISDS; clarify and streamline administrative requirements; provide a comprehensive recompilation of the ISDS rule to enhance readability and incorporate all previous amendments; and, if needed, incorporate all necessary changes relating to cesspool phase-outs pursuant to legislation enacted by the RI General Assembly in 2004 and/or recommendations of the Governor's Bay Commission.</p>	<p>ISDS designers, engineers, homeowners, and those in the development industry.</p>	<p>Ernest Panciera, Office of Water Resources, 222-3961, ext. 7603.</p>

Subject Area	Purpose	Effect	Interested Parties	Contact
<p><u>RULES AND REGULATIONS GOVERNING THE ENFORCEMENT OF CHAPTER 46-13.2 RELATING TO THE DRILLING OF DRINKING WATER WELLS</u></p> <p>LEGAL BASIS: 46-13.2-4 AND 42-35</p>	<p>Institute a new fee (if authorized by the RI General Assembly in 2004) and implement a streamlined variance procedure.</p>	<p>Limit DEM review of variances to those that raise significant siting issues and allow drillers more flexibility with respect to certain siting standards.</p>	<p>Department of Health, Department of Administration (RI Contractors Board and Building Codes Commission), Department of Labor and Training (including Plumbers Board), Well Drilling Board, Well Drilling and Pump Installation Contractors, Municipal Building Officials, and general public living in communities lacking public water service.</p>	<p>Susan Kiernan, Office of Water Resources, 222-4700, x7600</p>
<p><u>FY2005 PROJECT PRIORITY LIST (PPL)</u></p> <p>LEGAL BASIS: 42-17.1, 46-12, 46-12.2 AND 42-35</p>	<p>Publish the FY2005 Project Priority List as a technical amendment to establish the universe of projects that potentially could receive funding from the State Revolving Loan Fund (SRF) Program.</p>	<p>Establish eligibility for below-market rate interest loans for selected water pollution abatement projects.</p>	<p>Municipalities, quasi-state agencies and other local governmental units.</p>	<p>Jay Manning, Office of Water Resources, 222-4700 ext. 7254.</p>
<p><u>RULES AND REGULATIONS GOVERNING THE ESTABLISHMENT OF VARIOUS FEES, FEES SCHEDULE</u></p> <p>LEGAL BASIS: 46-12, 42-17.1 AND 42-35</p>	<p>Establish new fees for several permitting programs pursuant to Fiscal Fitness recommendations and, if applicable, the FY 2005 budget.</p>	<p>Implement new fees for the following programs: Underground Injection Control, Water Quality Certification, Groundwater Quality Certification and Well Drilling (set back variances).</p>	<p>Developers, commercial and industrial facilities, municipalities, and well drillers.</p>	<p>Ernest Panciera, Office of Water Resources, 222-3961, ext. 7603.</p>

*** The Department may need to recommend additional regulatory changes in response to various legislative proposals and recommended fee increases included in the FY 2005 budget currently pending before the RI General Assembly.*