

**Rhode Island Department of Environmental Management
Regulatory Agenda– January 15, 2010**

PART I - Rules Promulgated June 16, 2010 through January 16 2011.

ERLID	Type Filing	Title	Effective Date
5869	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part V – Bay Scallops	8/31/2010
5903	Amendment	Medical Waste Regulations	10/10/2010
5953	Amendment	Rules & Regulations for hazardous Waste Management	6/7/2010
6033	Amendment	State Pilotage Commission Rules & Regulations	8/26/2010
6067	Amendment	Rules Establishing Minimum Standards Relating to Location, Design, Construction & Maintenance of Onsite Wastewater Treatment Systems	8/4/2010
6069	Amendment	Groundwater Quality Rules	7/26/2010
6078	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part IV – Shellfish	7/1/2010
6102	Adoption	Freshwater & Anadromous Fishing Regulations for the 2011 – 2012 Season	8/26/2010
6103	Adoption	Hunting Regulations for the 2010 -2011 Season	8/6/2010
6104	Amendment	Park & Management Area Rules & Regulations	8/26/2010
6120	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	6/7/2010
6127	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	6/15/2010
6158	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	6/24/2010
6167	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part VII – Minimum Sizes for Fish/Shellfish	8/20/2010
6168	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part VII – Minimum Sizes for Fish/Shellfish	6/29/2010
6178	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	7/6/2010
6179	Amendment	Rules & Regulations for Dredging & the Management of Dredged Materials	10/5/10
6204	Amendment	Rhode Island Air Pollution Control General Definitions Regulation	9/29/10
6205	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	7/23/2010
6207	Adoption	RI Hunting Regulations for the Waterfowl Season 2010 - 2011	10/6/2010
6207	Adoption	RI Hunting Regulations for the Waterfowl Season 2010 - 2011	10/6/2010
6214	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	8/4/2010
6220	Emergency Amendment	RI Marine Fisheries Statutes & regulations – Part IV – Shellfish	8/13/2010
6222	Amendment/Adoption	Stormwater Design & Installation Standards Manual	12/28/10
6223	Amendment	Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands	12/28/10
6224	Amendment	Rules and Regulations Governing the Administration of Water Quality Regulations	12/28/10
6225	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	8/20/2010
6231	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	8/27/2010
6232	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part IV – Shellfish	8/31/2010

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6233	Emergency Amendment	RI Marine Fisheries Statutes & Regulations – Part IV – Shellfish	9/20/2010
6238	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	9/2/2010
6246	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	9/3/2010
6250	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	9/15/2010
6252	Amendment	Fiscal Year 2011 Project Priority List	10/10/2010
6253	Adoption	Commercial Fishing Licensing Regulations	01/18/2011
6258	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part XIV – Fish Traps	01/18/2011
6259	Adoption	Rules & Regulations Governing the Preservation & Protection of State Open Space	12/2/2010
6263	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	9/24/2010
6265	Technical Revision	RI Marine Fisheries Statutes & Regulations – Part V – Bay Scallops	9/20/2010
6267	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	9/30/2010
6269	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part VII – Minimum Sizes for Fish/Shellfish	12/10/2010
6270	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	10/8/2010
6272	Technical Revision	Hunting Regulations for the 2011 – 2012 Season	8/26/2010
6273	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	10/15/2010
6292	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	10/22/2010
6293	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	10/27/2010
6295	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	10/29/2010
6298	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	11/3/2010
6324	Amendment	RI Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	12/2/2010
6304	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	11/8/2010
6309	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	11/16/2010
6317	Amendment	Rhode Island Marine Statutes & Regulations – Part IV – Shellfish	12/14/2010
6318	Emergency Amendment	RI Marine Fisheries Statutes & Regulations – Part IV - Shellfish	12/14/2010
6324	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	12/02/2010
6326	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	12/06/2010
6353	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	12/15/2010
6365	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part III – Marine Fisheries Council	12/29/2010
6366	Amendment	Rhode Island Marine Fisheries Statutes & Regulations – Part IV – Shellfish	01/18/2011

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PART II - Expected Rulemaking Activity January 16, 2011 through June 16, 2011.

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
New	Animal Care Regulations	Establish regulations governing the care of animals and minimum standards for their care	RIGL 4-19-13	Unknown, very complicated to write all encompassing regulations	Scott Marshall, DVM	All animal owners, particularly licensed facilities
Amendment	RI APC Regulation No. 9 “Air Pollution Control Permits”	Amend regulation to address EPA’s recently adopted permitting requirements for sources of greenhouse gas emissions.	RIGL Chapters: 42-17.1-2(19) and 23-23	Public Notice published 11/12/10. DEM expects to complete the rule making process during January 2011	Doug McVay, Office of Air Resources, 222-4700, x-7011	USEPA, Environmental groups, electric generating facilities, large fuel burning sources.
Amendment	RI APC Regulation No. 28 “Operating Permits Fees”	Amend regulation to ensure consistent use of the term "regulated air pollutant" throughout the regulation.	RIGL Chapters: 42-17.1-2(19) and 23-23	Public Notice published 11/12/10. DEM expects to complete the rule making process during January 2011	Doug McVay, Office of Air Resources, 222-4700, x-7011	USEPA, Environmental groups, electric generating facilities, large fuel burning sources.
Amendment	RI APC Regulation No. 29 “Operating Permits”	Amend regulation to address EPA’s recently adopted permitting requirements for sources of greenhouse gas emissions.	RIGL Chapters: 42-17.1-2(19) and 23-23	Public Notice published 11/12/10. DEM expects to complete the rule making process during January 2011	Doug McVay, Office of Air Resources, 222-4700, x-7011	USEPA, Environmental groups, electric generating facilities, large fuel burning sources.

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New Regulation	RI APC Regulation No. 48 “Outdoor Wood Boilers”	Limit the sale of outdoor wood boilers in RI to units that meet EPA Phase 2 standards	RIGL Chapters: 42-17.1-2(19) and 23-23	Public Hearing held 5/20/10. DEM expects to complete the rule making process during the 1st quarter 2011.	Doug McVay, Office of Air Resources, 222-4700, x-7011	Outdoor wood boiler manufacturers, Outdoor wood boiler retailers, consumers, municipalities
New	Air Pollution Control Regulation No. 49 – Rhode Island Transportation Conformity State Implementation Plan	Regulation to outline state procedures to be used to determine the conformity of transportation plans, programs and projects to the state implementation plan (SIP). Also to satisfy EPA requirement.	RIGL Chapters 42-17.1-2(19) & 23-23	DEM expects to complete the rule making process during the 2 nd quarter 2011	Frank Stevenson, Office of Air Resources, 222-4700, x-7021	RIDOT, Office of Statewide Planning (MPO)
Amendment	Air Pollution Control Regulation No. 41 – NOx Budget Trading Program	Eliminate the provisions of the rule applicable to the former EPA NOx Budget program	RIGL Chapters 42-17.1-2(19) & 23-23	DEM expects to complete the rule making process during the 2 nd quarter 2011	Doug McVay, Office of Air Resources, 222-4700, x-7011	Electric Generating Facilities
Amendment	RI APC Regulation No. 19, “Control of VOC from Surface Coating Operations”	Update requirements for limiting VOC emissions from surface coaters to be consistent with revised EPA Control Technology Guidelines	RIGL Chapters: 42-17.1-2(19) and 23-23	DEM expects to publish Public Notice by 3/31/11 and complete rulemaking by 5/30/11.	Barbara Morin, Office of Air Resources, 222-4700, x-7012	Surface coaters coating flat wood paneling, paper, film, foil, metal furniture and large appliances
Amendment	RI APC Regulation No. 21, “Control of VOC from Printing Operations:	Update requirements for limiting VOC emissions from printing operations to be consistent with revised EPA Control Technology Guidelines	RIGL Chapters: 42-17.1-2(19) and 23-23	DEM expects to publish Public Notice by 3/31/11 and complete rulemaking by 5/30/11.	Barbara Morin, Office of Air Resources, 222-4700, x-7012	Lithographic, letterpress and flexible package printing operations

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Amendment	Underground Storage Tank Regulations	Operator training requirements	RIGL Chapters 42-17.1-2 & 42-35	June 2011	Kevin Gillen, Office of Waste Management, 222-4700, ext. 7116	Owners/Operators of Underground Storage Tank facilities
Amendment	Remediation Regulations	Incorporate Legislative Commission on Arsenic recommendations; and new outreach requirements for Environmental Justice areas.	RIGL Chapters 23-19.1, 23-19.14, 42-17.1-2, 46-12 & 46-13.1 & 42-35	June 2011	Tracee Lewis, Office of Waste Management 222-2797	Environmental Justice advocates, Consultants, Housing groups, Small Business owners, Navy, other Responsible Parties.
Amendment	Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems	To implement RIGL 42-17.1-2.5: Tolling (2010) of expiration periods.	RIGL Chapters 42-35, 42-17.1, 5-56, 5-56.1, 23-19.5, 23-24.3 & 23.19.15-1	DEM expects to complete rulemaking process during the 1st quarter of 2011	Russ Chateaufneuf, Office of Water Resources, 222-4700 x 7700, Ernie Panciera & Gary Powers, DEM Legal, 222-4700 x 2308	Eligible permit holders and Developers, builders, property owners, municipal officials, state agencies, & environmental community
Amendment	Underground Injection Control Program	Major revision and update of all aspects of the Rules, and update for consistency with the Stormwater Manual	RIGL Chapters 42-35, 42-17.1 & 42-12, 46-13.1	DEM expects to complete the rule making process during the 1st quarter of 2011.	Ernie Panciera, Office of Water Resources, 222-4700, x 7603	Commercial and industrial property owners, consultants.
Amendment	Rules & Regulations for the Treatment, Disposal, Utilization & Transportation of Sewage Sludge	The purpose is to clarify ambiguous sections of the rules & regulations and to consolidate the format of the regulations	RIGL Chapters 42-17, 42-17.6, 46-12, 23-18.9, 23-19.1, 42-35	DEM expects to complete the rule making process during the 1st quarter of 2011	Alex Pinto, Office of Water Resources, 222-4700, x. 7227	Municipalities (WWTFs), WWTF Contract Operators, Agriculture Industry, Landscaping Industry, & Fertilizer Industry

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Amendment	Marine Fisheries Statutes & Regulations – Part VII - Minimum Size of Fish/Shellfish	Establish Recreational Summer Flounder, Scup, and Black Sea Bass Regulations for 2011	RIGL Chapters 20-1-4, 20-1-5, 20-1-12, 20-1-13, 42-17.1, 42-17.16, & 42-35	DEM expects to complete the rule making process during the 2 nd quarter of 2011	Robert Ballou, Fish & Wildlife, Marine Fisheries 423-1926	Recreational fishers & Bait & tackle shop owners.
Amendment	Marine Fisheries Statutes & Regulations – Part XVI – Menhaden Regulations	Establish Commercial Menhaden Regulations for 2011	RIGL Chapters 42-17.1, 42-17.6, 20-1-2, 20-1-4, 20-3-2 thru 20-3-6, 20-4 thru 20-10, & 42-35	DEM expects to complete the rule making process during the 2 nd quarter of 2011	Robert Ballou, Fish & Wildlife, Marine Fisheries 423-1926	Commercial fishers & Fish Dealers
Amendment	Marine Fisheries Statutes & Regulations – Part VII - Minimum Size of Fish/Shellfish	Establish Recreational & Commercial Tautog Regulations for 2011	RIGL Chapters 20-1-4, 20-1-5, 20-1-12, 20-1-13, 42-17.1, 42-17.16, & 42-35	DEM expects to complete the rule making process during the 2 nd quarter of 2011	Robert Ballou, Fish & Wildlife, Marine Fisheries 423-1926	Recreational fishers & Bait & tackle shop owners & Commercial fishers
Amendment	Marine Fisheries Statutes & Regulations – Part XII – Striped Bass	Establish Recreational and Commercial Striped Bass Regulations for 2011	RIGL Chapters 20-1-4, 20-1-5, 20-1-12, 20-1-13, 42-17.1, 42-17.16, & 42-35	DEM expects to complete the rule making process during the 1 st quarter of 2011	Robert Ballou, Fish & Wildlife, Marine Fisheries 423-1926	Recreational & Commercial Fishers; Fish dealers; bait & tackle shop owners

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PART III - Expected Rule-making Activity June 16, 2011 through January 16, 2012:

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	RI APC Regulation No. 9 “Air Pollution Control Permits”	Add major source baseline date, minor source baseline date, ambient air increments and significant impact levels for PM-2.5.	RIGL Chapters 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 3rd quarter 2011	Doug McVay, Office of Air Resources, 222-4700, x-7011	USEPA, Environmental groups, electric generating facilities, large fuel burning sources.
Amendment	Air Pollution Control Regulation No. 8 – Sulfur Content of Fuels	Lower the allowable sulfur content of home heating oil and residual fuel oil.	RIGL Chapters 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 4th quarter 2011	Doug McVay, Office of Air Resources, 222-4700, x-7011	USEPA, Environmental groups, large fuel burning sources, American Petroleum Institute, Heating Oil suppliers.
Amendment	Air Pollution Control Regulation No. 37 – RI’s Low Emissions Vehicle Program	Amendments will address changes to the California Zero Emissions Vehicle regulation & other minor amendments to synchronize the two sets of regulations and address changes to the CA greenhouse gas standards.	RIGL Chapters 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 4th quarter 2011	Frank Stevenson, Office of Air Resources, 222-4700, x-7021	Automobile manufacturers, automobile dealers, consumers
Amendment	Priority Determination System for Federal & State Assistance to Local Governmental Units for Construction of Water Pollution Abatement Projects.	Publish FY 2012 Project Priority List	RIGL Chapters 46-12.2, 42-17.1 & 46.12	DEM expects to complete the rule making process during the 3 rd quarter of 2011	Jay Manning, Office of Water Resources, 222-3961, x 7254	Cities & Towns

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Amendment	Recycling regulations, Composting & Solid Waste Management Facilities	Updates to recycling requirements, requirements for facilities that manage construction & demolition debris, and solid waste.	RIGL Chapters 23-18.9, 42-17.1, & 42-35	December 2011	Laurie Grandchamp, Office of Waste Management, 222-2797, ext. 7143	Owners of solid waste management facilities, commercial recyclers.
Adoption	Hunting Regulations	Establish hunting regulations for 2011-2012	RIGL Chapters 20-1-4, 20-1-5, 20-1-12, 20-1-13, 20-2-35, 20-2-37, 42-17.1, 42-17.6 & 42-35	DEM expects to complete the rulemaking process during the 3rd quarter of 2011	Catherine Sparks, Fish & Wildlife, 647-3367	Hunters, & sporting goods stores.
Amendment	Parks & Management Area Regulations	Modify regulations for parks and management areas for 2011-2012	RIGL Chapters 20-1-4, 20-1-5, 20-1-12, 20-1-13, 20-2-35, 20-2-37, 42-17.1, 42-17.6 & 42-35	DEM expects to complete the rulemaking process during the 3 rd quarter of 2011	Catherine Sparks, Fish & Wildlife, 647-3367	Hunters, anglers, bait and tackle shops, sporting goods stores, & non-consumptive recreational users.
Adoption	Rules & regulations for Falconry	Establish falconry regulations for 2011-2012	RIGL Chapters 20-1-4, 20-1-5, 20-1-12, 20-1-13, 20-2-35, 20-2-37, 42-17.1, 42-17.6 & 42-35	DEM expects to complete the rulemaking process during the 3rd quarter of 2011	Catherine Sparks, Fish & Wildlife, 647-3367	Falconers, & suppliers of products
Adoption	Rules & regulations for Falconry	Establish falconry regulations for 2011-2012	RIGL Chapters 20-1-4, 20-1-5, 20-1-12, 20-1-13, 20-2-35, 20-2-37, 42-17.1, 42-17.6 & 42-35	DEM expects to complete the rulemaking process during the 3rd quarter of 2011	Catherine Sparks, Fish & Wildlife, 647-3367	Falconers, & suppliers of products

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Adoption	Rules & regulations for waterfowl hunting	Establish waterfowl hunting regulations for 2011-2012	RIGL Chapters 20-1-4, 20-1-5, 20-1-12, 20-1-13, 20-2-35, 20-2-37, 42-17.1, 42-17.6 & 42-35	DEM expects to complete the rulemaking process during the 3rd quarter of 2011	Catherine Sparks, Fish & Wildlife, 647-3367	Hunters, & sporting goods stores.
Adoption	Freshwater & Anadromous Fishing Regulations	Establish freshwater & anadromous fishing regulations for 2012-2013	RIGL Chapters 20-1-4, 20-1-5, 20-1-12, 20-1-13, 20-2-35, 20-2-37, 42-17.1, 42-17.6 & 42-35	DEM expects to complete the rule making process during the 3rd quarter of 2011.	Catherine Sparks, Fish & Wildlife, 647-3367	Recreational anglers, bait & tackle shops