

**Rhode Island Department of Environmental Management
Regulatory Agenda – January 15, 2015**

PART I - Rules Promulgated June 16, 2014 through January 16, 2015

ERLID	Type Filing	Title	Effective Date
7847	Amendment	Part III – Marine Fisheries Council	6/26/2014
7853	Amendment	Part III – Marine Fisheries Council	7/11/2014
7860	Amendment	Part III – Marine Fisheries Council	7/25/2014
7835	Adoption	RIMFR - Shellfish	8/11/2014
7882	Amendment	Part III – Marine Fisheries Council	8/14/2014
7674	Amendment	Part XI – Commercial Fisheries	8/19/2014
7889	Amendment	Part III – Marine Fisheries Council	8/19/2014
7901	Amendment	Part III – Marine Fisheries Council	9/10/2014
7909	Amendment	Part III – Marine Fisheries Council	9/25/2014
7916	Amendment	Part III – Marine Fisheries Council	10/3/2014
7924	Amendment	Part III – Marine Fisheries Council	10/15/2014
7891	Adoption	2015 Finfish Sector Management Plan	10/23/2014
7892	Adoption	2015 Shellfish Sector Management Plan	10/23/2014
7893	Adoption	2015 Crustacean Sector Management Plan	10/23/2014
7894	Amendment	Commercial and Recreational Saltwater Fishing Licensing Regulations	10/23/2014
7929	Amendment	RIMFR - Shellfish	10/23/2014
7930	Amendment	Part III – Marine Fisheries Council	10/23/2014
7932	Amendment	Part III – Marine Fisheries Council	10/23/2014
7938	Amendment	Part III – Marine Fisheries Council	10/23/2014
7940	Amendment	Part III – Marine Fisheries Council	10/23/2014
7945	Amendment	Part III – Marine Fisheries Council	11/26/2014
7947	Amendment	Part III – Marine Fisheries Council	12/2/2014
7948	Amendment	RIMFR - Shellfish	12/9/2014
7974	Amendment	Part III – Marine Fisheries Council	12/17/2014
7979	Amendment	Part III – Marine Fisheries Council	12/18/2014
7984	Amendment	Part III – Marine Fisheries Council	12/23/2014
7760	Adoption	Freshwater & Anadromous Fishing Regulations for the 2015 – 2016 Season	8/21/2014
7761	Adoption	Hunting Regulations for the 2014 – 2015 Season	8/21/2014
7762	Adoption	Park and Management Area Rules and Regulations	8/21/2014
7863	Adoption	Rhode Island Regulations for the Waterfowl Season 2014 – 2015	10/1/2014
7864	Adoption	2014 – 2015 Falconry Regulations	10/1/2014

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7751	Repeal	Air Pollution Control Regulation No. 41-NOx Budget Trading Program	7/29/2014
7750	Repeal	Air Pollution Control Regulation No. 42-Heavy-Duty Diesel Engine Standards	7/29/2014
7810	Amendment	Rules & Regulations Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems.	6/26/2014
7811	Amendment	Rules & Regulations for Governing the Administration and Enforcement of the Freshwater Wetlands Act	7/16/2014
7854	Amendment	Priority Determination System for Federal & State Assistance to Local Governmental Units for Construction of Water Pollution Abatement Projects	9/22/2014
7943	Amendment	Rules for the Discharge of Non-Sanitary Wastewater and other Fluid to or Below the Ground Surface	11/21/2014

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PART II - Expected Rulemaking Activity January 16, 2015 through June 16, 2015

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	RI Marine Fisheries Regulations – Part VII - Finfish	Amend recreational regulations for the 2015 season for Summer flounder, Scup, Black sea bass, Tautog; and commercial regulations for Tautog.	RIGL Chapters 42-17.1, 42-17.6, and 42-17.7	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Mark Gibson, Marine Fisheries 423-1935	Recreational and commercial fishermen; bait & tackle shop owners; fish dealers
Amendment	RI Marine Fisheries Regulations – Part XII - Striped Bass	Amend recreational and commercial regulations for Striped Bass for the 2015 season.	RIGL Chapters 42-17.1, 42-17.6, and 42-17.7	DEM expects to begin the rule making process during the 1 st quarter of 2015..	Mark Gibson, Marine Fisheries 423-1935	Recreational and commercial fishermen; bait & tackle shop owners; fish dealers
Amendment	RI Marine Fisheries Regulations – Shellfish	Amend regulations to include federally mandated requirements regarding Vibrio; and general housekeeping.	RIGL Chapters 42-17.1, 42-17.6, and 42-17.7	2 filings: DEM expects to begin the rule making process during the 1 st and 2 nd quarters of 2015.Rules	Mark Gibson, Marine Fisheries 423-1935	Recreational and commercial fishermen; bait & tackle shop owners; fish dealers
Amendment	RI Marine Fisheries Statutes & Regulations – Part XI – Commercial Fisheries	Amend regulations to include addition of closed fishing areas for artificial reef site development.	RIGL Chapters 42-17.1, 42-17.6, and 42-17.7	DEM expects to complete rulemaking process during the 2 nd quarter of 2015.	Mark Gibson, Marine Fisheries 423-1935	Recreational and commercial fishermen; bait & tackle shop owners; fish dealers

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Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	RI Marine Fisheries Statutes & Regulations – Part XV – Lobsters, Other Crustaceans, and Horseshoe Crabs	Amend regulations for general housekeeping.	RIGL Chapters 42-17.1, 42-17.6, and 42-17.7	DEM expects to complete rulemaking process during the 2 nd quarter of 2015.	Mark Gibson, Marine Fisheries 423-1935	Recreational and commercial fishermen; bait & tackle shop owners; fish dealers
Amendment	Air Pollution Control Regulations No. 9, “Air Pollution Control Permits”	Revise permitting thresholds so that it is clearer when permits are necessary. Add major source requirements for PM-2.5. Update reference to modeling guidelines.	RIGL Chapters 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015..	Doug McVay, Office of Air Resources, 222-4700 x 7011	USEPA, small businesses required to obtain air permits, environmental groups
Amendment	Air Pollution Control Regulations No. 9, “Air Pollution Control Permits” and No. 22, “Air Toxics”	Update Acceptable Ambient Levels & Minimum Quantity Thresholds consistent w/ current toxicological data. Update references to modeling guidelines.	RIGL Chapters 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Barbara Morin, Office of Air Resources, 222-4700 x 7012	Sources emitting toxic air pollutants & consultants conducting modeling for those sources
Amendment	Air Pollution Control Regulation No. 12, “Incinerators”	Incorporate Federal requirements for sewage sludge incinerators by reference.	RIGL Chapters 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015..	Gina Friedman, Office of Air Resources, 222-4700 x 7016	Sewage sludge incinerators

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Amendment	Air Pollution Control Regulation No. 19, “Control of Volatile Organic Compounds from Surface Coating Operations”	Revisions to the registration section to make the requirements consistent with APC Regulation No. 14.	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Barbara Morin, Office of Air Resources, 222-4700 x 7012	None- not a substantive change
Amendment	Air Pollution Control Regulation No. 19, “Control of Volatile Organic Compounds from Surface Coating Operations” and No. 44, “Control of Volatile Organic Compounds from Adhesives and Sealants”	Correct technical errors and change applicability and exemption specifications so there is no overlap in the operations regulated by the two regulations.	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Barbara Morin, Office of Air Resources, 222-4700 x 7012	Sources with operations that apply industrial adhesives and sealants.
Amendment	Air Pollution Control Regulation No. 27, “Control of Nitrogen Oxide Emissions.”	For stationary sources that are subject to the regulation and are required to conduct annual stack testing reduce the frequency of the required testing.	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015..	Karen Peltier, Office of Air Resources, 222-2808 x 7136	Stationary sources that emit greater than 50 tons of nitrogen oxides per year.

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Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	Air Pollution Control Regulation No. 35, “Control of Volatile Organic Compounds and Volatile Hazardous Air Pollutants from Wood Products Manufacturing Operations”	Modify applicability specifications to exempt major sources of Hazardous Air Pollutants (HAP) that have minimal HAP emissions from wood products manufacturing operations.	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Barbara Morin, Office of Air Resources, 222-4700 x 7012	Boat builders and other major HAP sources with small wood products manufacturing operations.
Amendment	Air Pollution Control Regulation No. 36, “Control of Emissions from Organic Solvent Cleaning”	Modify the regulation to include potential alternative control technologies and add a de minimis solvent use exemption for degreasing equipment.	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Ted Burns, Office of Air Resources, 222-4700, x-7013	Miscellaneous sources conducting cleaning using organic solvents
Amendment	Air Pollution Control Regulation No. 8, “Sulfur Content of Fuels”	Technical revisions to correct errors	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Doug McVay, Office of Air Resources, 222-4700 x 7011	None- not a substantive change
Amendment	Air Pollution Control Regulation No. 15, “Control of Organic Solvent Emissions”	Technical revisions to correct errors	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Barbara Morin, Office of Air Resources, 222-4700 x 7012	None- not a substantive change

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Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	Air Pollution Control Regulation No. 23, “Control of Perchloroethylene Emissions from Dry Cleaning Operations”	Technical revisions to correct errors	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Barbara Morin, Office of Air Resources, 222-4700 x 7012	None- not a substantive change
Amendment	Air Pollution Control Regulation No. 26, “Control of Organic Solvent Emissions from Manufacturers of Synthesized Pharmaceutical Products”	Technical revisions to correct errors	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Ruth Gold, Office of Air Resources, 222-4700 x 7110	None- not a substantive change
Amendment	Air Pollution Control Regulation No. 29, “Operating Permits”	Technical revisions to correct errors	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Ruth Gold, Office of Air Resources, 222-4700 x 7110	None- not a substantive change
Amendment	Air Pollution Control Regulation No. 32, “Control of Volatile Organic Compounds from Marine Vessel Loading Operations”	Technical revisions to correct errors	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Barbara Morin, Office of Air Resources, 222-4700 x 7012	None- not a substantive change

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Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	Air Pollution Control Regulation No. 44, “Control of Volatile Organic Compounds from Adhesives and Sealants”	Technical revisions to correct errors	RIGL 42-17.1-2(19) & 23-23	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Barbara Morin, Office of Air Resources, 222-4700 x 7012	None- not a substantive change
Amendment	Groundwater Quality Rules	Update Groundwater Classification and Wellhead Protection Area maps. Minor language updates.	RIGL 46-12, 46-13.1, 23-18.9, & 23-19.1	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Ernie Panciera, Office of Water Resources, 222-4700 x 7603	Developers, property owners, municipal officials, water suppliers, state agencies and environmental community
Amendment	Stormwater Design and Installation Standards Manual – Amendments to Minimum Standard 10 and elimination of Appendix A from the Rule.	Minimum Standard 10 is being revised in order establish soil erosion and sediment control standards that are consistent with the Performance Criteria established in the 2014 RI SESC Handbook. Removing Appendix A will make the checklist more flexible with the intent of improving the permit application process for the general public.	RIGL Chapters 2-1-20.1, 42-17.1, 45-61.2 & 46-12	DEM expects to begin the rule making process during the 1 st quarter of 2015.	Brian Moore, Office of Water Resources, 222-4700, x7700 and Brian Lafaille, Office of Water Resources, 222-4700, x7731	Developers, builders, property owners, consultants, municipal officials, state agencies, and the environmental community.

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Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	Narragansett Bay and Watershed Restoration Bond Fund	Amend rules to administer funds related to flood prevention authorized by a 2014 bond issue.	RIGL Chapters 42-17.1-2(s), 46-12-24,& 46-12-24.1	DEM expects to complete rulemaking process during the 2 nd quarter of 2015.	Sue Kiernan, Office of Water Resources, 222-4700 x7600	Municipalities, non-governmental watershed organizations, Emergency Management Agencies (EMA, local).
Amendment	Drilling of Drinking Water Wells	The purpose is to repeal rules in coordination with the Department of Administration pursuant to revised State law.	RIGL Chapter 46-13.2	DEM expects to complete rulemaking process during the 2 nd quarter of 2015.	Ernie Panciera, Office of Water Resources, 222-4700 x 7603	Well Drilling Contractors, DOA, DOH, Municipalities (Building Officials)
Amendment	Governing the Importation of Animals	Have not significantly been updated for decades.	RIGL Chapters 42-17.1 & 4-4-23	DEM expects to complete rulemaking process during the 2 nd quarter of 2015.	Scott Marshall, DVM, Division of Agriculture 222-4700 x 4503	Livestock producers, farmers, dealers, transporters
New	Governing Animal Care Facilities	New; addresses care of animals in licensed animal care facilities	RIGL Chapters 42-17.1 42-17.1, & 4-19-13	DEM expects to complete rulemaking process during the 2 nd quarter of 2015.	Scott Marshall, DVM, Division of Agriculture 222-4700 x 4503	Owners and operators of kennels, pounds, shelters, rescues, pet shops

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PART III - Expected Rule-making Activity June 16, 2015 through January 16, 2016

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Adoption	Freshwater & Anadromous Fishing Regulations for the 2016 – 2017 Season	To establish season bag limits and methods of take.	RIGL Chapter 20-1-13	DEM expects to complete the rule making process during the 3 rd quarter of 2015.	Ashley Schipritt, Division of Fish & Wildlife 782-3720	Recreational anglers, bait & tackle shops
Adoption	Hunting Regulations for the 2015 – 2016 Season	To establish season bag limits and methods of take for the State of Rhode Island Hunting Regulations.	RIGL Chapter 20-1-13	DEM expects to complete the rule making process during the 3 rd quarter of 2015.	Ashley Schipritt, Division of Fish & Wildlife 782-3720	Hunters & Sporting goods stores
Adoption	Park Management Rules and Regulations	To establish Rules and Regulations for the State of Rhode State owned parks and management areas.	RIGL Chapter 20-1-13	DEM expects to complete the rule making process during the 3 rd quarter of 2015.	Ashley Schipritt, Division of Fish & Wildlife 782-3720	General Public & Hunters
Adoption	Rhode Island Regulations for the Waterfowl Season 2015 – 2016	To establish season bag limits and methods of take for the State of Rhode Island Hunting Regulations	RIGL Chapter 20-1-13	DEM expects to complete the rule making process during the 3 rd quarter of 2015.	Ashley Schipritt, Division of Fish & Wildlife 782-3720	Hunters & Sporting goods stores

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Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Adoption	Rules and Regulations Governing Nuisance Wildlife Control Specialist	To establish rules and regulations for the handling of nuisance wildlife.	RIGL Chapter 20-1-13	DEM expects to complete the rule making process during the 3 rd quarter of 2015.	Ashley Schipritt, Division of Fish & Wildlife 782-3720	Nuisance Wildlife Control Specialist and suppliers of products
Adoption	2015 – 2016 Falconry Regulations	To establish season bag limits and methods of take for the State of Rhode Island Falconry Regulations	RIGL Chapter 20-1-13	DEM expects to complete the rule making process during the 3 rd quarter of 2015.	Ashley Schipritt, Division of Fish & Wildlife 782-3720	Falconers & Suppliers of products
Amendment	Rules and Regulations for Operators of Wastewater Treatment Facilities	Update regulations to revise administrative language to match board policy	RIGL Chapter 42-17.4	DEM expects to complete rulemaking process during the 4 th quarter of 2015.	Bill Patenaude Office of Water Resource, 222-4700 x7264	Wastewater operators, other licensed wastewater professions, training organizations, state and federal partners
New	Wild Animal Importation and Possession	To combine exotic wild animal and native wild animal regulations to achieve consistency between the two documents	RIGL Chapters 42-17.1-2(19) and Chapters 4-18, 20-1-18, 20-1-22, and 20-37-3	DEM expects to complete rulemaking process during the 4 th quarter of 2015.	Scott Marshall, DVM	People seeking to import and possess native and exotic wild animals

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Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amend	Importation of Equines from Contagious Equine Metritis Affected Countries	Update regulations that have not been updated for decades	RIGL Chapter 42-17.1, & Chapter 42-17.6□	DEM expects to complete rulemaking process during the 4 th quarter of 2015	Scott Marshall, DVM	People seeking to import horses from countries affected with CEM, veterinarians, quarantine farms
Amendment	Recycling regulations, Composting & Solid Waste Management Facilities	Updates to recycling requirements, requirements for facilities that manage composting, construction & demolition debris, & solid waste.	RIGL 23-18.9, 42-17.1, & 42-35	DEM expects to complete the rule making process in 2015.	Laurie Grandchamp, Office of Waste Management, 222-2797 x 7143	Owners of solid waste management facilities, composters, & commercial recyclers.