



**Department of Environmental
Management**

Office of Compliance & Inspection

2011 Annual Report

Contents

Who We Are.....	3
What We Do.....	3
Staffing	4
Complaint Response	5
Compliance Monitoring	12
Enforcement Response	17
Informal Enforcement.....	17
Formal Enforcement	21
Administrative Penalties	25
Supplemental Environmental Projects (SEPs)	26
Consent Agreements	27
Superior Court Activity.....	28
Environmental Results	30
Training	44
Appendices	45

Cover: Aerial photograph of the Central landfill in Johnston, RI that was the source of major odors in late Fall and early Winter 2011

Photograph courtesy of Rhode Island Resource Recovery Corporation

Who We Are

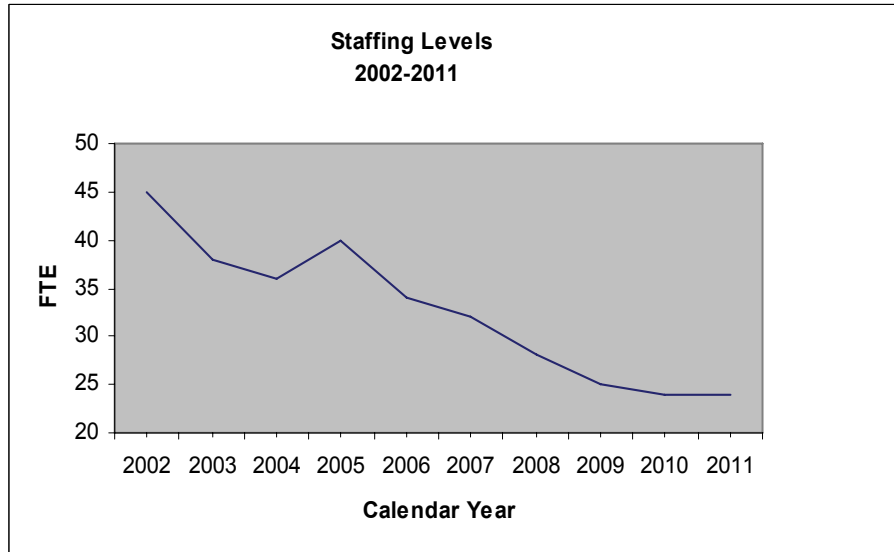
The Office of Compliance and Inspection (OC&I) is within the Rhode Island Department of Environmental Management (RIDEM) Bureau of Environmental Protection and is responsible for regulatory compliance and enforcement for the following programs: Air Pollution, Dam Safety, Freshwater Wetlands, Hazardous Waste, Onsite Wastewater Treatment Systems (i.e., Septic Systems), Solid and Medical Waste, Underground and Leaking Underground Storage Tanks, and Water Pollution.

What We Do

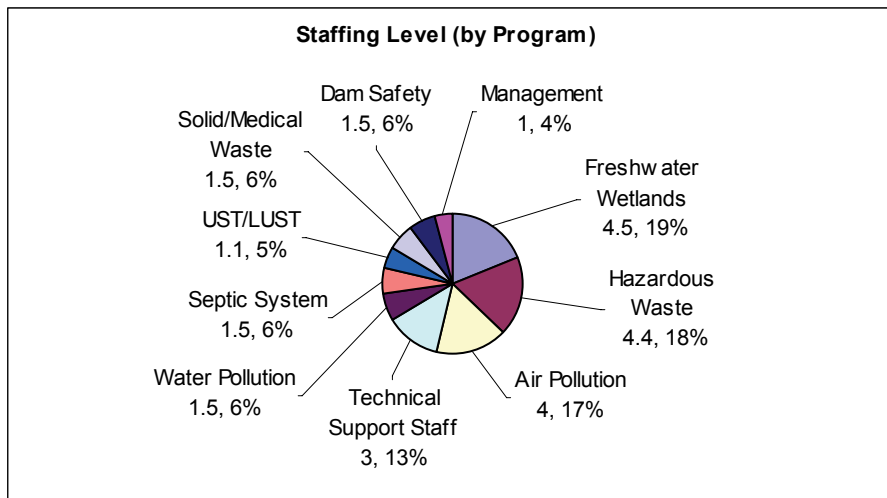
OC&I investigates citizens' complaints regarding alleged environmental violations and performs compliance monitoring inspections to determine compliance with environmental statutes and RIDEM regulations. OC&I issues informal or formal enforcement actions for violations that are identified and tracks compliance until environmental violations are corrected. **Informal enforcement** includes those actions that do not result in an enforceable order or assessment of a penalty. **Formal enforcement** is usually in the form of a Notice of Violation (NOV). Each NOV advises the responsible party of the alleged facts that support the violation, the statutes and regulations that are alleged to have been violated, the requirements to meet compliance and usually include an administrative penalty. The requirements to meet compliance are set forth in the order portion of the NOV. Not all OC&I programs focus on compliance and enforcement activities in the same way. For example, one program may spend considerable time on citizens' complaint response while another may spend most of its time on compliance monitoring. In fact, much of our compliance and enforcement effort is a team approach, either internally in the office or externally with other RIDEM divisions and offices. In many cases, our activities are coordinated with other offices at RIDEM including the Offices of Air Resources, Emergency Response, Water Resources, Waste Management and Legal Services and Division of Law Enforcement. Under some circumstances, we support the Office of Criminal Investigation and assist them with sampling, regulatory interpretation, and expert witness testimony. In many cases, we are in close communication with the Environmental Protection Agency (EPA) since RIDEM has specific authority delegated under federal regulations regarding air, water, underground and leaking underground storage tanks and hazardous waste.

Staffing

The OC&I had a working staff of 24 full time equivalents (FTEs) throughout 2011. The staffing level from 2002 through 2011 is illustrated by the graph below¹.



The FTEs assigned to each program (by number and percentage) at the end of 2011 is illustrated by the chart below.

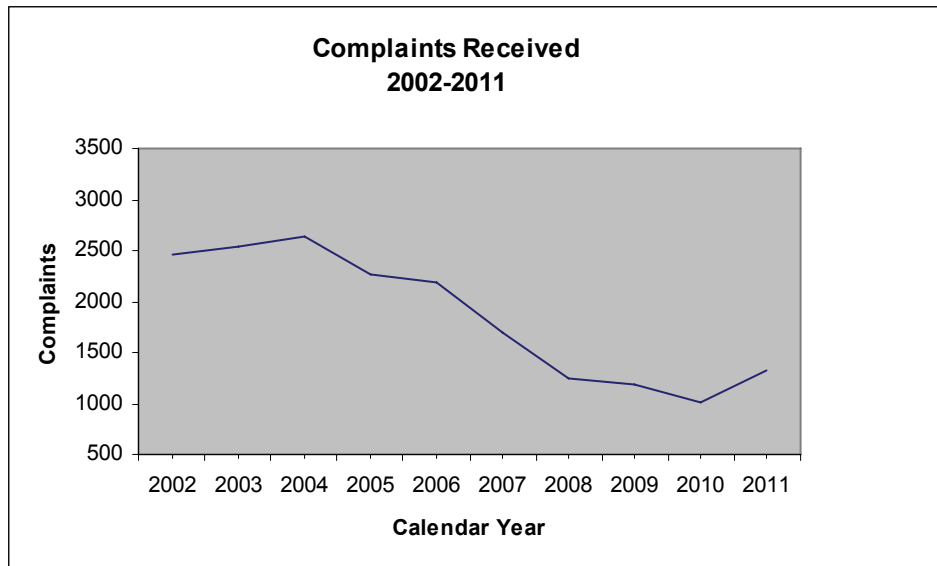


¹ In 2006 5 FTEs responsible for responding to releases of petroleum, hazardous materials and hazardous waste were formally transferred from OC&I to a newly created Office of Emergency Response.

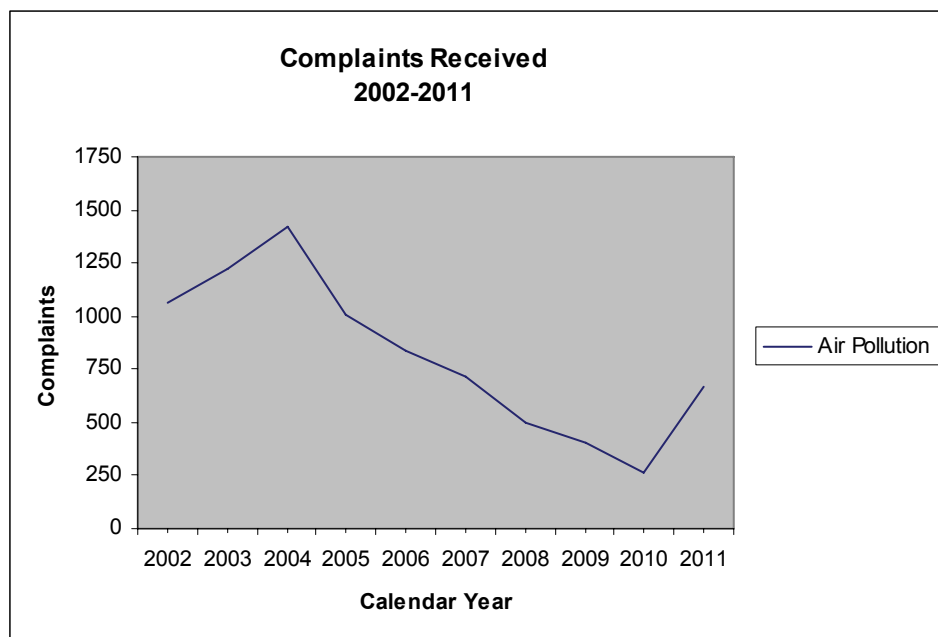
Complaint Response

As noted earlier, OC&I is involved in extensive citizens' complaint related work. In 2011 OC&I received **1332** citizens' complaints. This is an increase of **330** from the **1002** citizens' complaints received in 2010 and reverses a downward trend that began in 2004, as illustrated by the graph below.

The increase is largely due to a sharp increase in odor complaints concerning the Central Landfill in Johnston. In 2011 OC&I received **241** complaints solely involving odors at the landfill. The issues with the landfill are discussed in more detail later in the report.

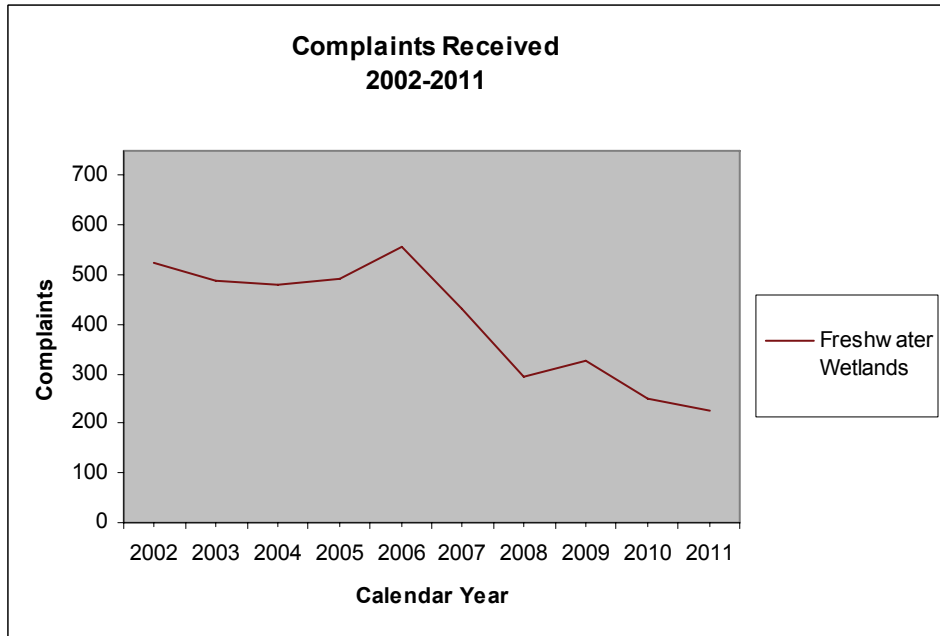


The air pollution program had the largest increase in complaints received, as illustrated by the graph below. The number of complaints increased from **265** in 2010 to **667** in 2011, a 151% increase.

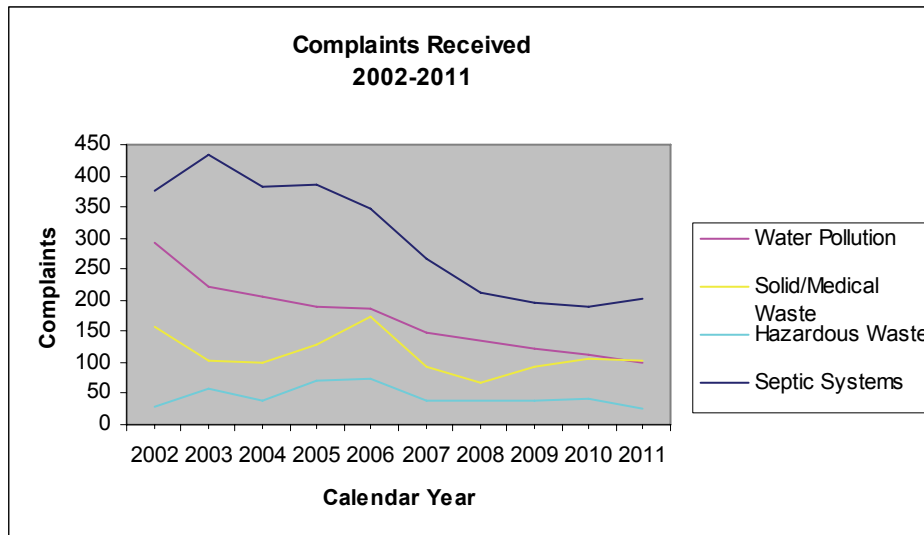


As noted earlier, most of the increase is due to complaints concerning the Central Landfill. OC&I also received **89** odor complaints concerning an asphalt company in Johnston.

The freshwater wetlands program continued its trend of decreased complaints, as illustrated by the graph on the following page. The number of complaints dropped from **249** in 2010 to **226** in 2011.



The septic system, water pollution, solid waste/medical waste, and hazardous waste programs received a comparable number of complaints in 2011 compared to 2010, as illustrated by the graph below.



A summary of the complaints investigated by OC&I in 2011 (by program), excluding the dam safety program, is as follows:

Air Pollution – The program responds to complaints involving visible emissions, odors, fugitive dust, and exterior lead paint removal. The program received **667** complaints and conducted **329** inspections. Of the complaints investigated², **595** were unfounded (i.e., a violation could not be verified), **2** were closed as no action (i.e., a violation was identified but a decision was made to close the case with no enforcement action taken) and **18** were referred to another program, department or agency. Not all complaints could be investigated due to time delays from receipt of the complaint or other factors including lack of resources. The program did not investigate **27** complaints, which is an increase from the **12** complaints that the program did not investigate in 2010.

Freshwater Wetlands – The program responds to complaints involving unauthorized alterations to freshwater wetlands such as filling, excavating, grading, clearing, or construction. The program received **226** complaints and conducted **367** inspections. Of the complaints investigated², **84** were unfounded, **67** were closed as no action, and **0** were referred to another program, department or agency. The program did not investigate **3** complaints because no one was present to allow access. Complaint investigation in this program is time consuming and complex due to the varied nature of wetlands, land conditions, land ownership and regulatory requirements.

Hazardous Waste –The program responds to complaints involving illegal disposal or mismanagement of hazardous waste. The program received **25** complaints and conducted **36** inspections. Of the complaints investigated², **22** were determined to be secondary violations, **14** were unfounded, **0** were closed as no action and **0** were referred to another program, department or agency.

²Not all the complaints investigated in 2011 correspond to complaints received in that year. The statistics include complaints investigated and resolved that were received prior to 2011.

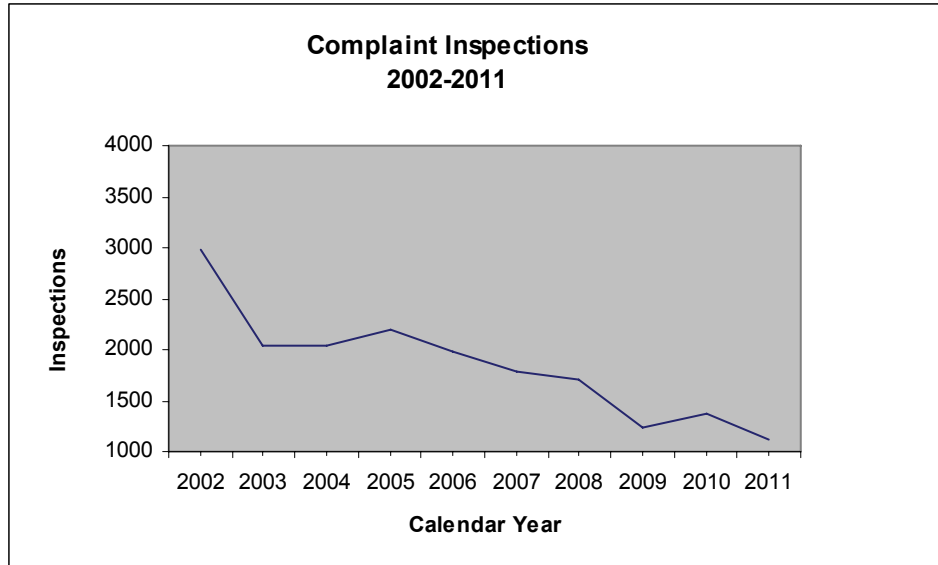
On-Site Wastewater Treatment System (OWTS or Septic System) – The program responds to complaints involving septic system overflows or failures, septic odors, laundry discharges, illegal repairs, and renovations to dwellings without prior review by RIDEM to determine if the system is adequate for the proposed use. The program received **205** complaints and conducted **184** inspections. Of the complaints investigated², **89** were unfounded, **10** were closed as no action, and **1** was referred to another program, department or agency. The program did not investigate **22** complaints due to an inability to obtain permission from the property owner to conduct the inspection.

Underground Storage Tanks (UST)/Leaking Underground Storage Tanks (LUST) – The program responds to complaints involving underground storage tanks such as leaking or abandoned tanks. The program received **3** complaints and conducted **3** inspections. Of the complaints investigated², **1** was unfounded and **2** were closed as no action. The program did not investigate **1** complaint.

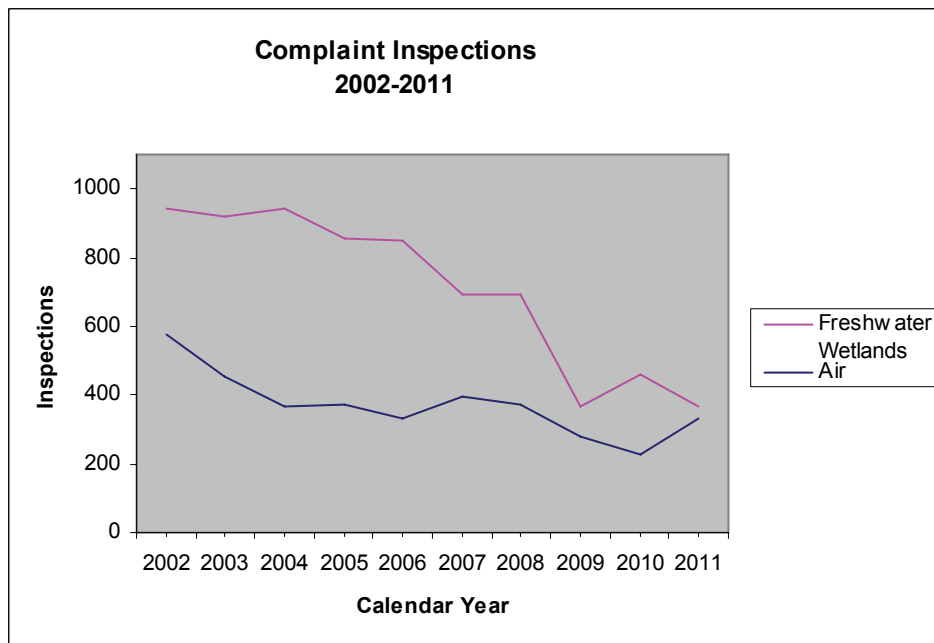
Solid Waste/Medical Waste – The program responds to complaints involving illegal disposal of solid waste and operation of unlicensed facilities handling solid waste, construction & demolition debris, compost or other forms of solid waste. The program received **103** complaints and conducted **153** inspections. Of the complaints investigated², **41** were unfounded, **11** were closed as no action, and **15** were referred to another program, department or agency. The program did not investigate **5** complaints due to an inability to obtain permission from the property owner to conduct the inspection.

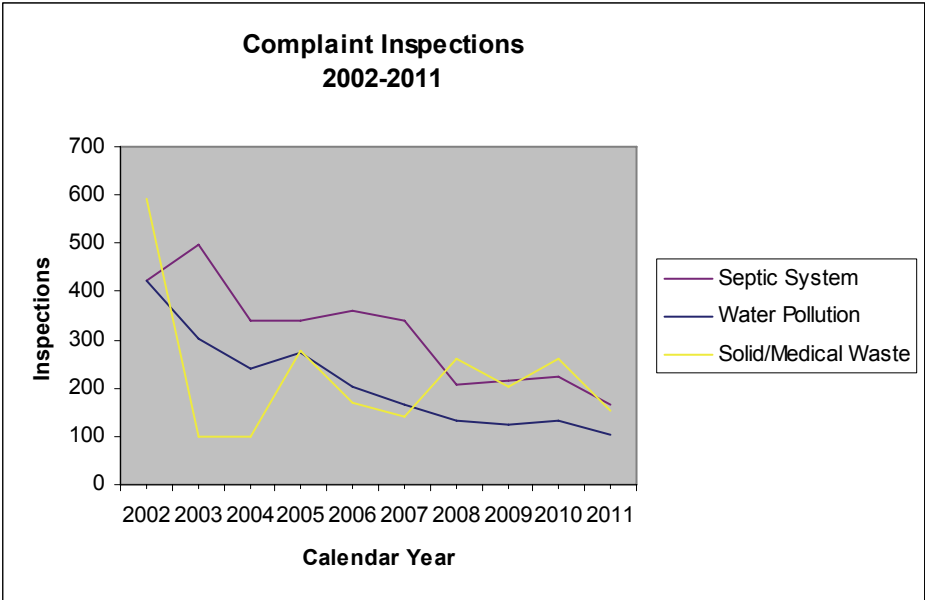
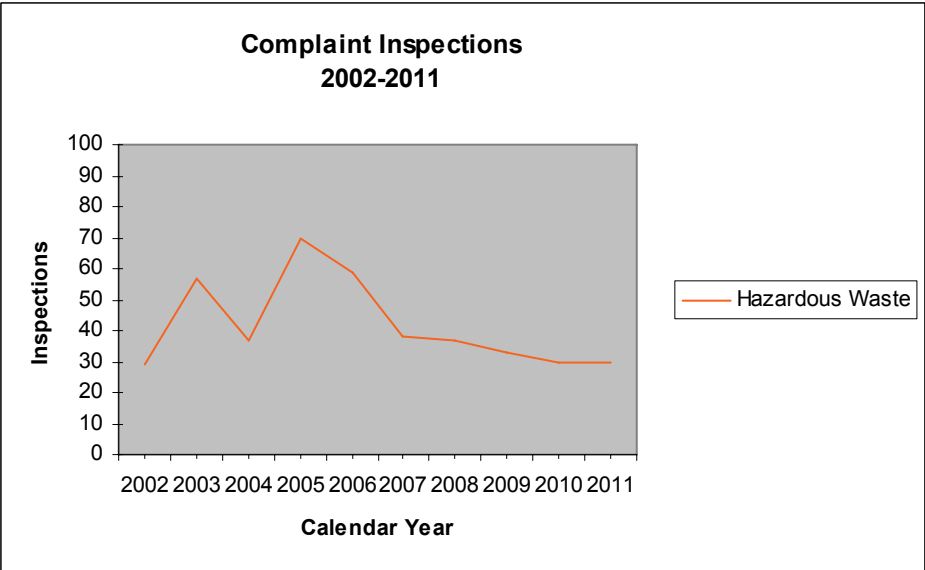
Water Pollution – The program responds to complaints involving discharges of pollutants to surface waters or ground waters or in a location likely to enter such waters. The program received **101** complaints and conducted **110** inspections. Of the complaints investigated², **62** were unfounded, **8** were closed as no action, and **5** were referred to another program, department or agency.

In 2011 OC&I conducted **1176** complaint inspections. This is a decrease of **197** inspections from the **1373** complaint inspections conducted in 2010. The following graph shows the numbers of complaint inspections completed from 2002 through 2011.

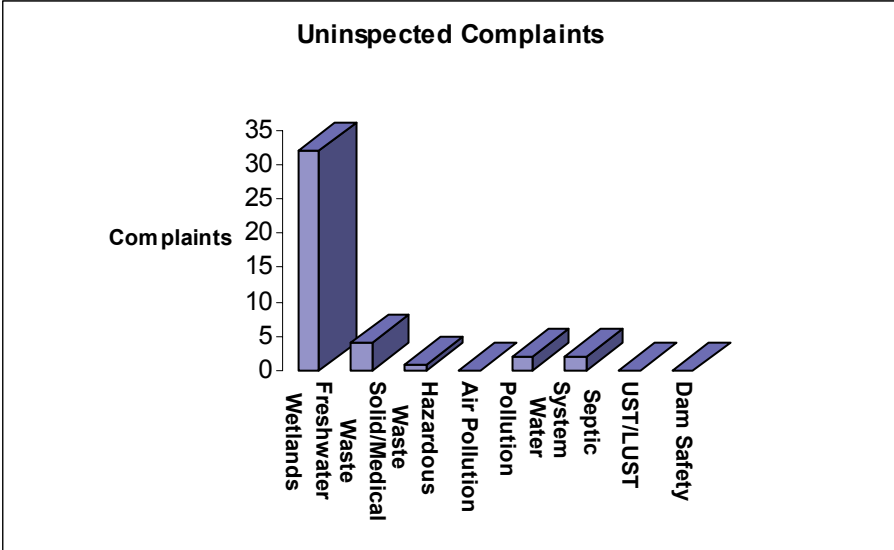


The number of complaint inspections completed from 2002 to 2011 for the air pollution, freshwater wetlands, septic system, water pollution, solid waste/medical waste, and hazardous waste programs is illustrated on the graphs below.





With the exception of the freshwater wetlands program, all of the programs ended 2011 with a small number of uninspected complaints, as shown by the graph below. The backlog of uninspected complaints in the freshwater wetlands program decreased from **80** in 2010 to **32** in 2011. While still high, this reduction reflects the results of the performance improvement strategy described in the 2010 Annual Report.

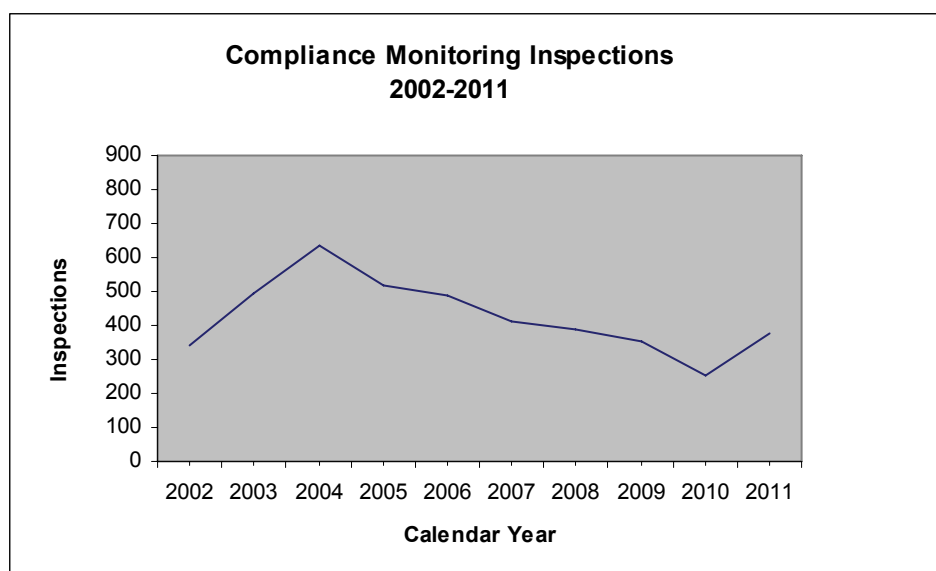


Compliance Monitoring

Compliance monitoring refers to efforts by RIDEM to oversee closely regulated businesses and facilities. In many cases, State laws require businesses and facilities to be licensed by RIDEM or to obtain specific detailed conditional approvals. Such businesses and facilities are not allowed to operate unless they obtain these licenses or approvals in advance. In other cases, businesses and facilities may operate provided they are in compliance with specific regulations that set forth criteria that must be met. The businesses and facilities are not generally required to obtain a permit or license to operate. RIDEM’s Offices of Air Resources, Water Resources and Waste Management perform most compliance monitoring. OC&I’s compliance monitoring involves air pollution, dam safety, hazardous waste management, and UST/LUST facilities. OC&I generally targets a portion of the regulated community and conducts compliance evaluation inspections to determine whether compliance is being met. Since RIDEM is delegated regulatory authority and given grant money by EPA for air pollution, hazardous waste management and UST/LUST

facilities, RIDEM and EPA coordinate their efforts regarding types and numbers of inspections to be conducted. In many cases, EPA provides federal guidance for such inspections and for appropriate and timely enforcement response if compliance is not being met.

In 2011 OC&I conducted **376** compliance monitoring inspections. This is an increase from the **252** compliance monitoring inspections conducted in 2010 and reverses a downward trend that began in 2004, as illustrated by the graph below.



The increase in 2011 from 2010 occurred primarily in two programs: hazardous waste and UST. In the hazardous waste program, 136 inspections were performed in 2011 compared to 62 in 2010. In the UST program, 118 inspections were performed in 2011 compared to 62 inspections in 2010.

A summary of the compliance monitoring inspections conducted by OC&I in 2011 (by program) is as follows:

Air Pollution – The program is responsible for ensuring that the State’s businesses and facilities are being operated in a manner to prevent impacts to human health and the environment in compliance with RIDEM’s *Air Pollution Control Regulations*. The program seeks to meet that responsibility by performing compliance inspections and issuing enforcement actions. The majority of compliance monitoring inspections are conducted to verify compliance at businesses, facilities or sites with historic violations or potential violations. The program conducted **75** inspections of such businesses, facilities or sites to determine compliance. Of the inspections conducted, no violations were documented.

A list of the businesses, facilities or sites inspected is shown in Appendix A.

Dam Safety – The program is responsible for ensuring that the State’s **97** high hazard dams and **83** significant hazard dams are maintained in a safe condition in compliance with RIDEM’s *Rules and Regulations for Dam Safety*. The program seeks to meet that responsibility by performing compliance inspections, investigating complaints and issuing enforcement actions. The program conducted **47** inspections of such dams.

A comprehensive report on the activities of the program can be found at <http://www.dem.ri.gov/programs/benviron/compinsp/pdf/damrpt11.pdf>.

Hazardous Waste Management – The program is responsible for ensuring that the State’s thousands of hazardous waste generators are managing hazardous waste in a manner to prevent impacts to human health and the environment in compliance with the RIDEM’s *Rules and Regulations for Hazardous Waste Management*. The program seeks to meet that responsibility by performing compliance inspections, investigating complaints and issuing enforcement actions. Federal guidelines require states to inspect

at least 20% of the Large Quantity Generators (LQG) during the federal fiscal year. OC&I has followed EPA's target for the last few years to monitor the management of hazardous waste at facilities generating large volumes of waste on a regular basis. Given the current number of LQGs in Rhode Island, this equates to inspections at least once every three years at each facility. In addition to the target of 20% of known LQGs operating in Rhode Island, OC&I targeted any newly reporting LQGs and those that did not previously notify the RIDEM that they fall into this category.

The program inspected **16** LQGs (**15** in the 2011 federal fiscal year). Of those, **1** was determined to be in significant noncompliance, **15** were found to have secondary violations, and **0** were determined to have no violations.

For Small Quantity Generators (SQGs), the program's inspection efforts in 2011 did not concentrate on one particular manufacturing sector. Inspection targets involved companies that were identified during a database screening project, auto salvage companies that failed to submit a self certification checklist and companies that requested a temporary identification number but failed to apply for a permanent identification number. OC&I inspected **52** known or suspected SQGs. Of those, **0** were determined to be in significant noncompliance, **50** were found to have secondary violations, and **2** were determined to have minor violations that were resolved immediately or were found to have no violations. Overall, the program completed **136** inspections of known or suspected hazardous waste generators to ensure that compliance with the regulations was being met.

A list of the businesses and facilities inspected is shown in Appendix B.

The following are the 5 violations most frequently observed in 2011:

- waste not properly characterized as hazardous waste (determined) by the generator
- labeling violations (lack of a required label on hazardous waste containers or containers not properly labeled)
- mismanagement of universal hazardous waste (mercury containing devices, batteries, certain electronic wastes)
- no hazardous waste training for employees on managing hazardous waste
- contingency plan violations (in case of a release or spill of hazardous waste)

Underground Storage Tanks (UST)/Leaking Underground Storage Tanks (LUST) –

The program coordinated with RIDEM's Office of Waste Management (OWM) to carry out its responsibilities for ensuring that the State's thousands of USTs and LUSTs used for petroleum products and hazardous materials are being operated and maintained in a manner to prevent impacts to human health and the environment in compliance with the RIDEM's *Rules and Regulations for Underground Storage Facilities Used for Petroleum Products and Hazardous Materials*. The program seeks to meet that responsibility by performing compliance inspections, investigating complaints and issuing enforcement actions against owners and operators that are out of compliance with the regulations.

The program performed inspections at **110** UST facilities. **309** USTs are installed at these facilities. Of the inspections conducted, **33** UST facilities were found to be in violation (enforcement action was deemed to be warranted). Overall, the program completed **118** inspections of UST facilities to ensure that compliance with the regulations was being met.

A list of the facilities inspected is shown in Appendix C.

The following are the 5 violations most frequently observed in 2011 (listed by frequency from highest to lowest):

- Failure to maintain spill containment basins, tank top sumps and dispenser sumps free of liquids and/or solid debris.
- Failure to test leak detection equipment as required.
- Failure to compile and maintain inventory control records in accordance with the UST Regulations.
- Failure to properly operate and maintain leak detection equipment.
- Failure to procure the services of a licensed tightness tester to perform tightness testing of tanks and/or product pipelines.

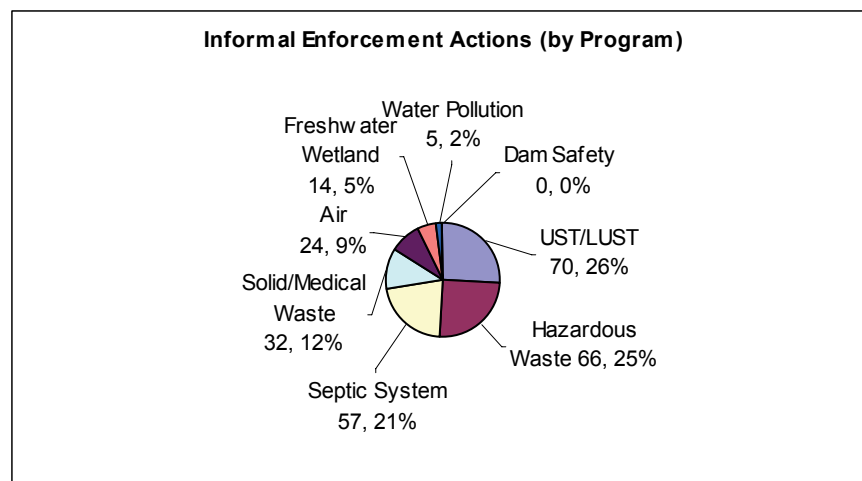
Enforcement Response

A large component of OC&I's activities for the year include an enforcement response to bring violators into compliance with environmental statutes and regulations. As described on page 3, our response to noncompliance discovered through complaint inspections, compliance monitoring, or other channels can take several forms, but, for the most part, can be described as either **informal** or **formal** enforcement. **Informal enforcement** includes those actions that do not result in an enforceable order or assessment of a penalty. These actions include correspondence such as Letters of Deficiency, Warning Letters, Letters of Noncompliance and Notices of Intent to Enforce. All of these types of actions are taken to allow violators to resolve noncompliance voluntarily and as quickly as possible, including repairing any environmental damage that may have resulted due to non-compliance.

Informal Enforcement

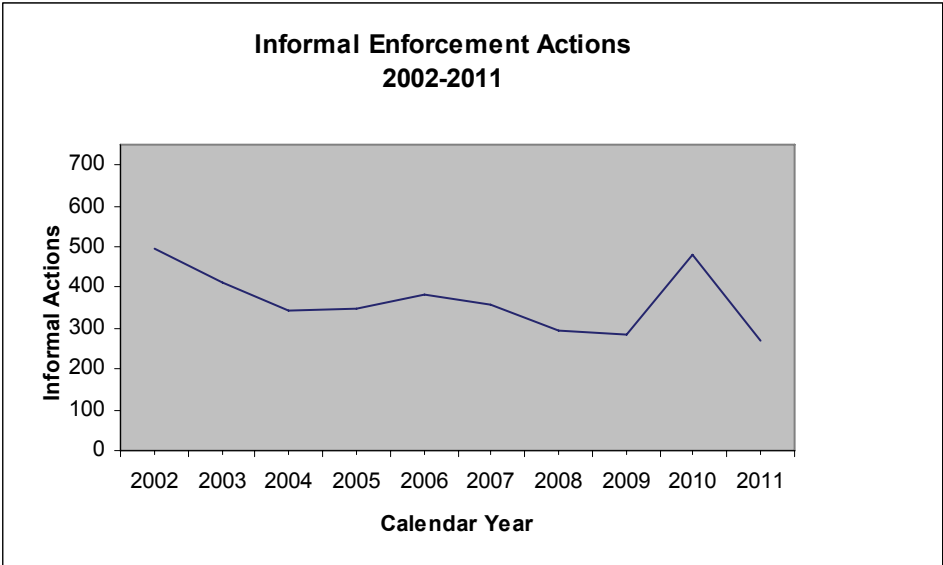
In 2011, OC&I issued **268** informal enforcement actions. Of the actions issued, **24** were for air violations, **14** were for freshwater wetland violations, **66** were for hazardous waste violations, **57** were for septic system violations, **32** were for solid waste violations, **70** were for UST/LUST violations, and **5** were for water pollution violations. Where performance is required, these informal enforcement actions include deadlines within which the owner or operator is expected to meet compliance.

The informal enforcement actions issued by each program in 2011 (by number and percentage) are illustrated in the chart below.

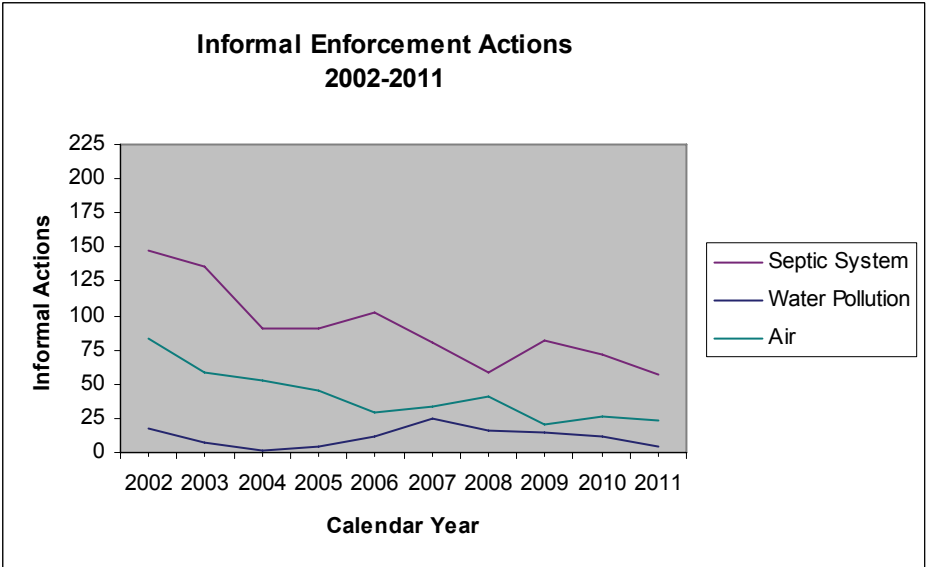
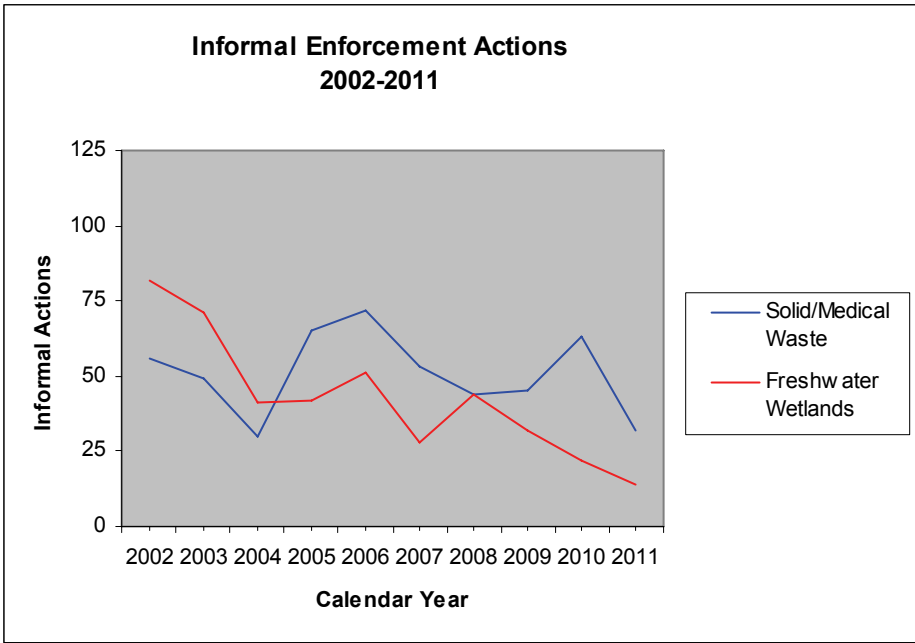


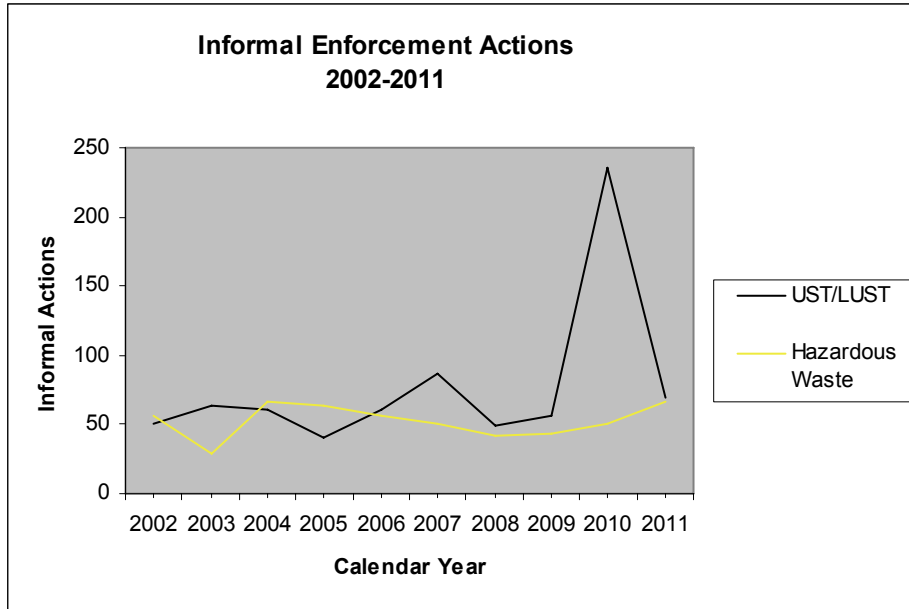
The **268** informal enforcement actions is a sharp reduction from the **483** informal enforcement actions issued in 2010. This decrease is attributable to the UST self certification program. Under the program, UST owners/operators are required to submit self certification forms to RIDEM every 2 years. OC&I issued **188** informal enforcement actions in 2010 as a result of the owners/operators failure to submit the self certification forms by the deadline. Excluding the UST self certification informal enforcement actions, **27** fewer informal enforcement actions were issued in 2011 compared to 2010.

The number of informal enforcement actions issued in 2011 is the lowest in the last 10 years, almost half as many as in 2002, as illustrated by the graph below.



The number of informal enforcement actions issued from 2002 to 2011 for the air pollution, freshwater wetlands, septic system, water pollution, solid waste/medical waste, UST/LUST and hazardous waste programs is illustrated on the graphs on the following pages.





OC&I obtains varied success with informal enforcement actions depending upon the program and the ability to issue formal enforcement actions. Overall, **449** informal enforcement actions were resolved in 2011 without formal enforcement.

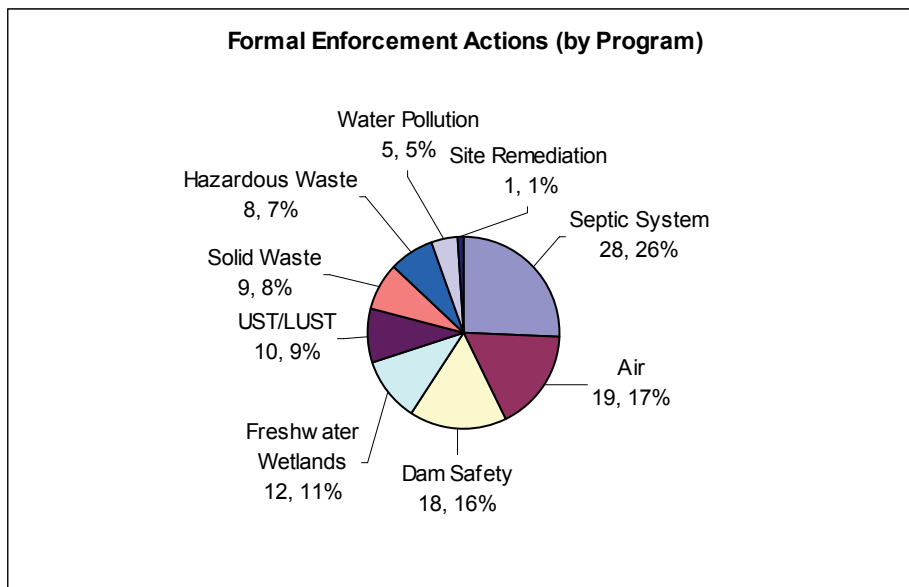
Formal Enforcement

In the event that compliance with informal enforcement actions is not met, or RIDEM determines that violations identified at a site or facility represents significant noncompliance, OC&I will issue a formal enforcement action to ensure compliance.

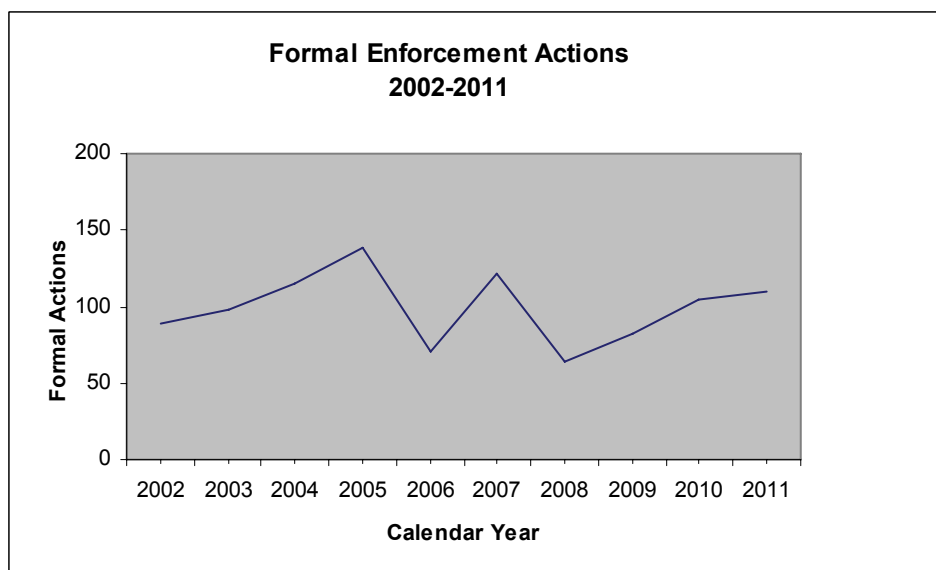
Formal enforcement is usually in the form of a Notice of Violation (NOV). Each NOV advises the respondent of the alleged facts that support the violation, the statutes and regulations that are alleged to have been violated, the requirements to meet compliance and usually include an administrative penalty. The requirements to meet compliance are set forth in the order portion of the NOV. The assessed penalty is developed in accordance with RIDEM's *Rules and Regulations for the Assessment of Administrative Penalties*, and the NOV includes worksheets providing information on how the penalty was determined. The maximum penalty for violations is derived from the legislative statute providing RIDEM with the authority to assess a penalty for civil (non-criminal) violations of laws or regulations. Since formal enforcement actions contain enforceable orders and assessments of penalties, such actions are subject to appeal with the RIDEM's Administrative Adjudication Division (AAD). Respondent/s have **20** days to appeal the NOV to the AAD. OC&I and the respondent/s may finalize a settlement of the outstanding enforcement action prior to, or even after a hearing commences. Upon completion of a hearing, the hearing officer issues a Final Decision and Order. Respondent/s or OC&I may file an appeal to contest the Final Decision and Order to Superior Court. In the event that an administrative hearing is not requested, the NOV becomes a final order of the Director and is enforceable in Superior Court.

In 2011, OC&I issued **110** formal enforcement actions. Each formal enforcement action can involve more than one program. Of the actions issued, **6** involved violations in more than one program. Overall, **19** were for air violations, **18** were for dam safety violations, **12** were for freshwater wetland violations, **8** were for hazardous waste violations (which includes site remediation and commercial oil pollution violations), **28** were for septic system violations, **9** were for solid waste violations, **10** were for UST violations, **5** were for water pollution violations (which includes residential oil pollution violations), and **1** was for site remediation violations.

The formal enforcement actions issued by each program in 2011 (by number and percentage) are illustrated in the chart below.



The **110** formal enforcement actions is a slight increase over the **105** formal enforcement actions issued in 2010, as illustrated by the graph below.

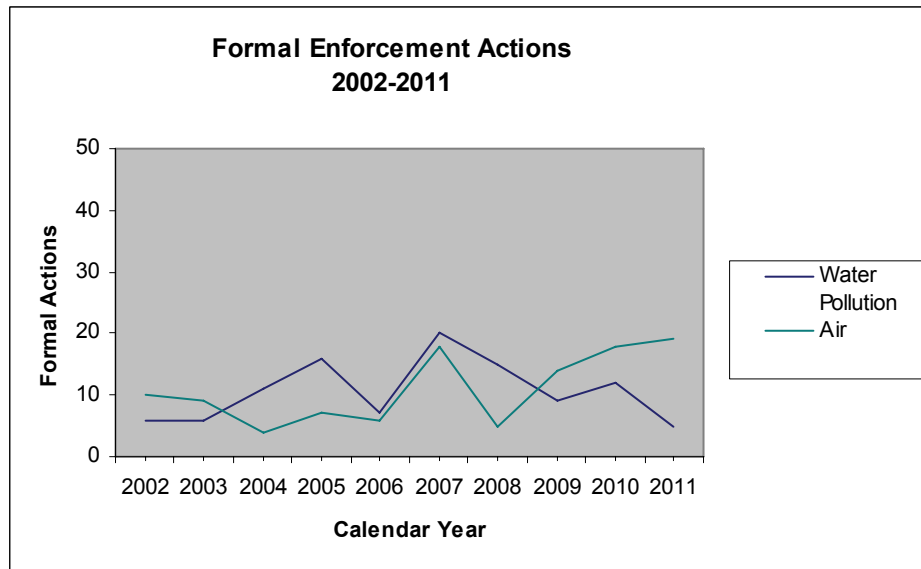
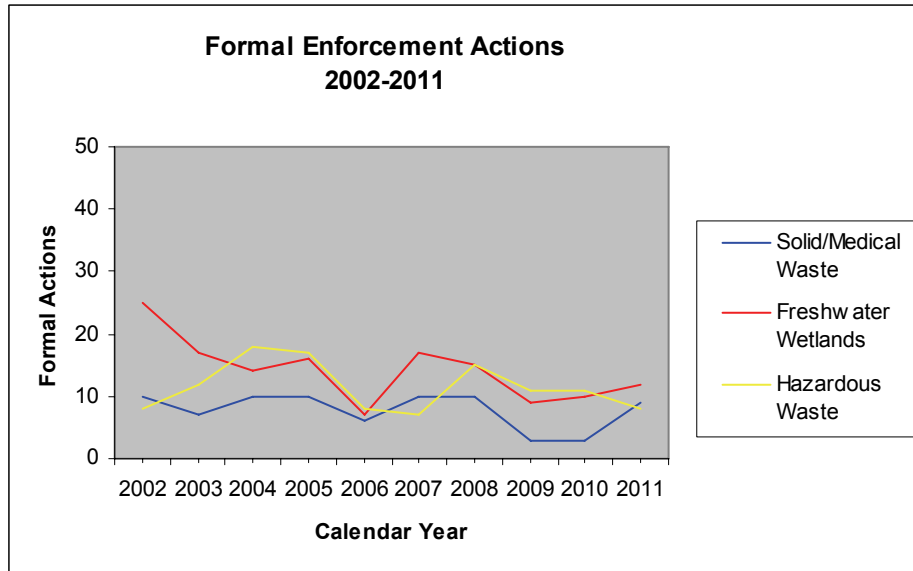


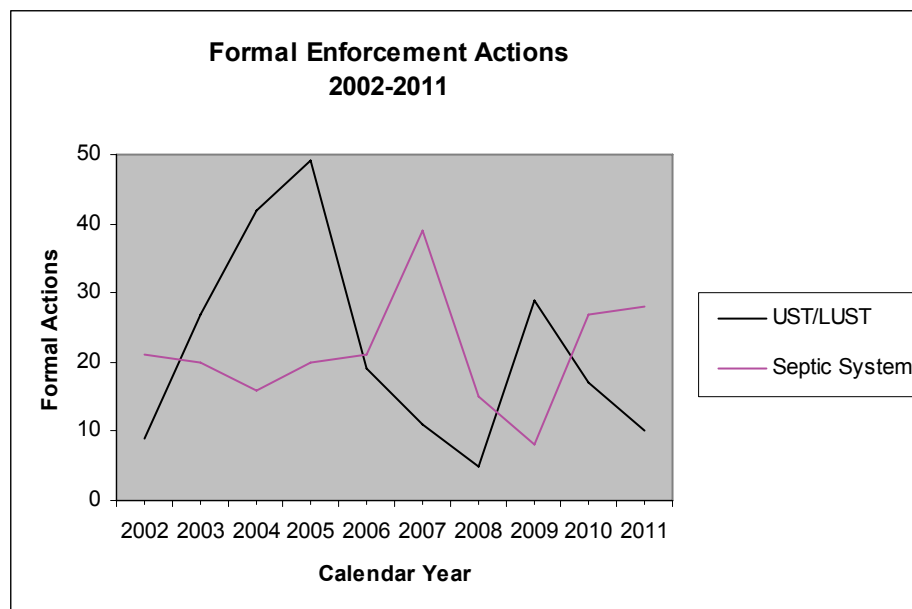
As the graph shows, sharp reductions occurred from 2005 to 2006 and from 2007 to 2008.

The sharp reduction from 2005 to 2006 was primarily the result of a reduction in the formal enforcement actions issued in the UST/LUST program from **49** in 2005 to **19** in 2006. As a result of revisions to the UST regulations adopted in 2005, owners/operators are now required to submit self certification forms to RIDEM every 2 years that evaluate the facility's compliance with the UST regulations and certify that the facility is in compliance, or if not, includes a plan to return to compliance. OC&I issued **21** formal enforcement actions in December 2005 as a result of the owners/operators failure to submit the self certification forms by the August 2005 deadline.

The sharp reduction from 2007 to 2008 was primarily the result of a reduction in the formal enforcement actions issued in the UST/LUST and the septic system programs. From 2001 to 2006 the UST/LUST program issued on average **22** formal enforcement actions per year (excluding the violations for failing to submit the self certification forms). In 2008 the program issued **5** formal enforcement actions. The reason for the reduction was a regulatory interpretation by the RIDEM Office of Legal Services (OLS) in 2007 that precluded OC&I from enforcing past noncompliance at UST facilities. The reduction in the septic system program is the result of a concerted effort in 2007 to reduce the backlog of formal enforcement cases pending issuance. The OLS agreed to forego reviewing formal enforcement actions for septic system violations based upon the extensive experience in OC&I in preparing these actions and the straightforward nature of the violations. As a result of this effort, OC&I was able to eliminate its backlog of formal enforcement actions in 2007. In 2008 the septic system program issued **15** formal enforcement actions, which is consistent with the average of **18** formal enforcement actions per year achieved from 2001 to 2006.

The number of formal enforcement actions issued from 2002 to 2011 for the air pollution, freshwater wetlands, septic system, water pollution, solid waste/medical waste, UST/LUST and hazardous waste programs are illustrated on the graphs below.



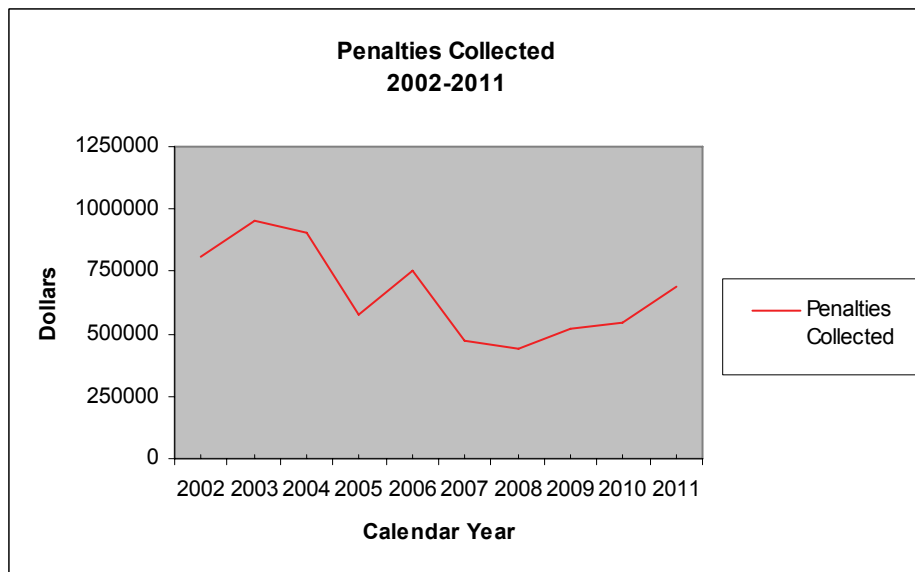
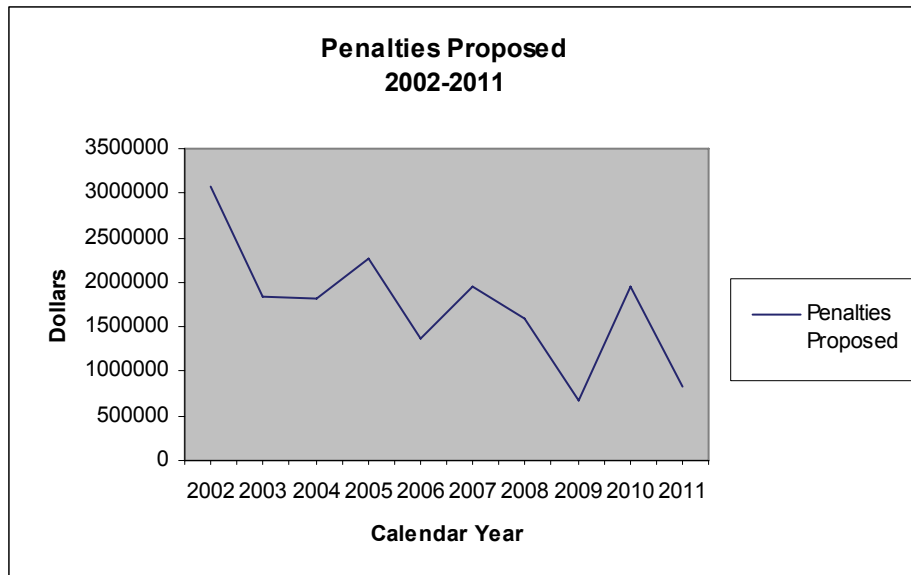


Overall, **64** formal enforcement actions were resolved and closed in 2011.

Administrative Penalties

As part of the **110** formal enforcement actions issued in 2011, OC&I proposed total penalties of **\$837,361**. As a result of efforts to settle or to resolve formal enforcement actions issued over the last year or in previous years, respondent/s agreed to pay **\$375,690** in penalties in the form of cash and OC&I collected **\$694,389**.

The following graphs show the penalties proposed and collected from 2002 through 2011. The penalties proposed in 2011 is a sharp decrease from 2010. The penalties collected in 2011 is slightly higher than in 2010.



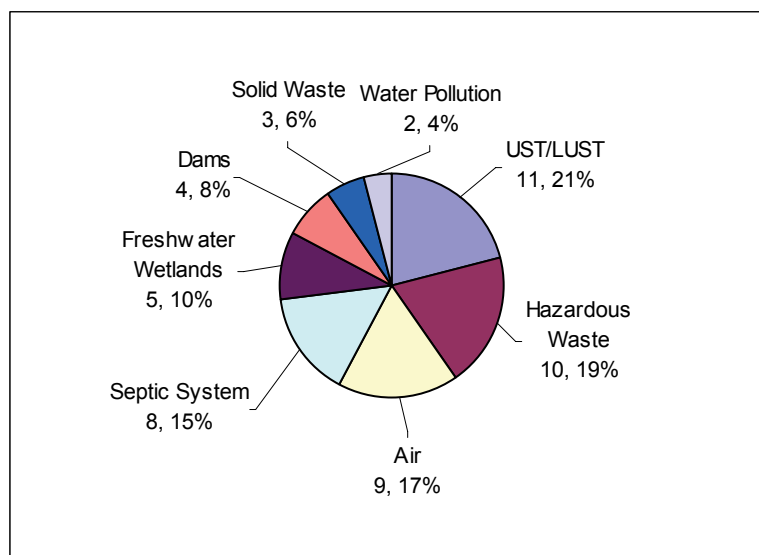
OC&I also agreed to settle **1** enforcement case by having the respondent/s conduct a **Supplemental Environmental Project (SEP)**. SEPs are environmentally beneficial projects that a respondent proposes to undertake in settlement of an enforcement action but is not otherwise legally required to perform. The SEP agreed to in 2011 had an estimated value of **\$6,500.00**. For more details regarding SEPs, you can refer to RIDEM's *Policy on Supplemental Environmental Projects* in effect since April 5, 1996 and revised on July 15, 2004. The SEP agreed to in 2011 is described in Appendix D.

Consent Agreements

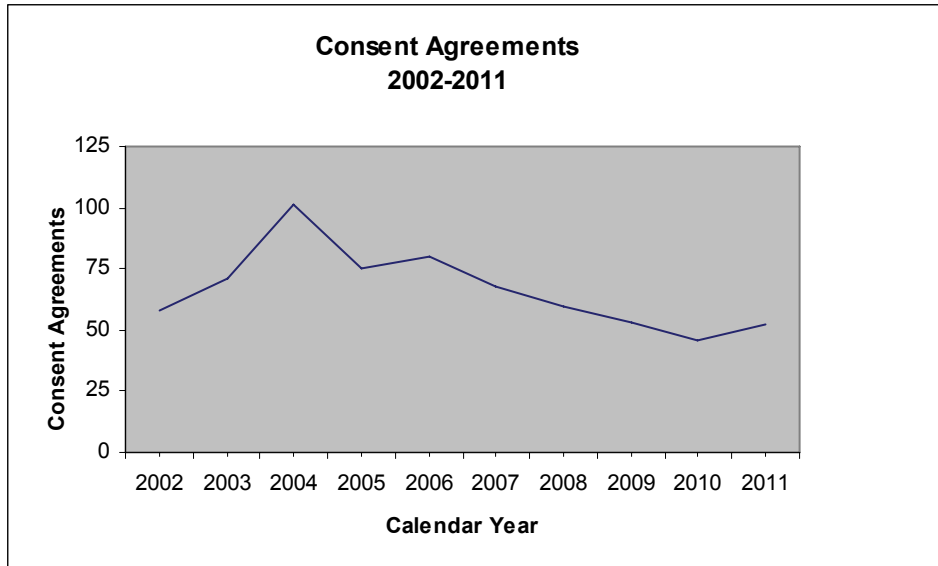
To resolve formal enforcement actions, OC&I often executes consent agreements with respondents. The purpose of such agreements is to have a document that is legally enforceable in court that sets forth how the formal enforcement action was resolved. Such documents identify what performance is required to comply with the RIDEM regulations and under what timelines the performance will be completed. Consent agreements also identify how the penalty assessed in the formal enforcement action was resolved and include a timeframe for payment of the penalty if necessary. In the event that a consent agreement requires performance, OC&I tracks the progress towards compliance.

In 2011, OC&I executed **52** consent agreements to resolve formal enforcement actions. Of the agreements executed, **9** were for air violations, **5** were for freshwater wetland violations, **10** were for hazardous waste violations (which includes site remediation and commercial oil pollution violations), **8** were for septic system violations, **3** were for solid waste violations, **11** were for UST violations, and **2** were for water pollution violations (which includes residential oil pollution violations).

The consent agreements executed by each program in 2011 (by number and percentage) are illustrated in the chart below.



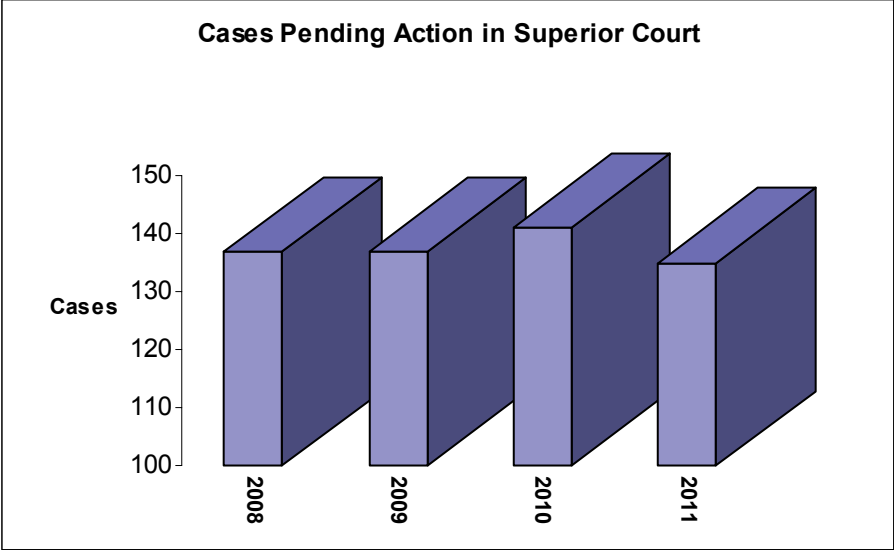
The **52** consent agreements executed is a slight increase from the **46** consent agreements executed in 2010, as illustrated by the graph below.



Superior Court Activity

At the beginning of 2011 RIDEM had a backlog of **141** cases that were pending court action. To further the effort that began in 2009 to address the backlog, OC&I developed a top 10 list of the most egregious cases. This list is updated each month and provided to RIDEM's attorneys. The Office of Attorney General continued to provide assistance to RIDEM in 2011 to address the backlog. RIDEM's attorneys filed **9** cases in court and settled or resolved **2** cases.

Some progress was made in reducing the backlog, as we ended 2011 with **135** cases. This case backlog is essentially unchanged since 2008, as shown by the graph below.



A summary of each formal enforcement action issued or resolved and Superior Court case issued or resolved since April 2000 is available at <http://www.dem.ri.gov/programs/benviron/compinsp/enfact/index.htm>.

Environmental Results

So, what environmental results did the Office of Compliance and Inspection achieve in 2011?

Overall

Air Pollution – The efforts of the program resulted in the closure of **46** air pollution violations (**17** exterior lead paint removal sites cleaned of lead paint chips and debris, **2** fugitive dust problems rectified, **2** objectionable odor cases resolved, **1** opacity problem remedied, and **24** other violations corrected).

2011 Highlight: Rhode Island Resource Recovery Corporation

In August OC&I began receiving complaints of objectionable rotten egg odors coming from the Rhode Island Resource Recovery Corporation (RIRRC) landfill in Johnston. The odor complaints continued into September and spiked dramatically in October. On October 12th OC&I detected odors determined to be objectionable emanating beyond the property line of the landfill. This violation, combined with an objectionable odor detected by the Office of Waste Management, resulted in the issuance of a Letter of Noncompliance to RIRRC on October 19th citing violations of Air Pollution Control Regulation No. 17 entitled, *Objectionable Odors*. OC&I later confirmed 5 additional objectionable odors emanating beyond the property line of the landfill in 2011. All told, OC&I conducted 47 inspections addressing 243 odor complaints, with 213 of the complaints received in October, November and December 2011. The efforts undertaken by RIRRC and Broadrock Gas Services (the owner and operator of the gas collection system at the landfill) in late 2011 resulted in a cessation of the odors at the landfill in early 2012. The violations, along with the failure to report a flare outage, resulted in the issuance of a Notice of Violation jointly to RIRRC and BroadRock Gas Services in early 2012 that included an administrative penalty and orders to permanently rectify the issues that led to the odor problems.

Dam Safety – A comprehensive report on the program accomplishments can be found at <http://www.dem.ri.gov/programs/benviron/compinsp/pdf/damrpt11.pdf>.

Freshwater Wetlands – The efforts of the program resulted in the completion of **15** wetland restorations (**9.8** acres of biological wetland and **13** acres of regulated upland adjacent to biological wetlands). Restoration included removal of fill and unauthorized structures, re-grading, seeding unstable soils, and replanting trees and shrubs to recreate wildlife habitat. In some cases where clearing was the only unauthorized activity, restoration also would include the landowner's agreement to allow the cleared area to re-vegetate to a natural condition.

2011 Highlight: Ronald Acciardo, George Allen Road, Gloucester. Violations that began as far back as May 1975 were successfully resolved in 2011, when the owners of private property completed the restoration of approximately **1.1** acres of biological wetland (swamp, stream, and forested wetland) and **4.2** acres of regulated upland adjacent to biological wetland. These activities had occurred over a number of years. The numerous alterations involved excavation, filling, clearing, grading, and construction of a gravel roadway in various wetlands (Forested Wetland, Bog wetland complex, Swamp). Also, several streams were piped or redirected and a gravel roadway was constructed over the streams. In addition, the owners cleared, filled, installed fencing, constructed a gravel roadway, constructed a barn/garage and other smaller structure within regulated buffer areas adjacent to the Bog, Swamp, and Streams (50-foot Perimeter Wetland and 100-foot Riverbank Wetlands). In the 70's and 80's, several attempts were made to resolve the long-standing violations until final resolution was reached through the pending sale of the property to the Providence Water Supply Board. A Consent Agreement was entered between the landowners, the Providence Public Buildings Authority, and the RIDEM in April 2010. By September 2011 the owners completed the restoration of more than 90% of all unauthorized alterations.

Hazardous Waste Management – The efforts of the program resulted in **19** Large Quantity Generators of hazardous waste and **60** Small Quantity Generators of hazardous waste being brought into compliance with the regulations.

2011 Highlight: Review of 1,000 Records in National Database to Identify Targets for Inspection and Remove Companies that No Longer Generate Hazardous Waste

OC&I analyzed the Federal database named RCRA Info which contains a listing of all the hazardous waste generators that operate within Rhode Island. A company is placed on this list when it registers as a hazardous waste generator to fulfill a requirement of the hazardous waste regulations. If a company terminates its business or discontinues the process which generated hazardous waste, the company should notify OC&I to deactivate its EPA identification number so that the list of active generators in RCRA Info database is accurate. Unfortunately, many companies fail to do so which results in a discrepancy between the list of generators in the database and the actual number of companies that are generating hazardous waste. To update the list OC&I researched 1,000 generators in RCRA Info looking for inactive companies. OC&I also reviewed companies that had deactivated their EPA identification number to look for signs that the company may be generating hazardous waste without a valid number. OC&I identified numerous companies that had deactivated their identification number but were in fact still in full operation and placed the companies on the 2012 inspection target list. The end result of the project was the removal of over 100 companies from the active generator list and the identification of 34 companies with deactivated identification numbers for inspection during the year 2012.

On-Site Wastewater Treatment System (OWTS or Septic System) – The efforts of the program resulted in the correction of **44** septic system violations (**35** sewage overflows, **5** laundry discharges, **2** illegally installed septic systems, and **3** other violations).

2011 Highlight: Sewage Discharges into the Branch River from Multi-Family Residential Dwellings, North Smithfield.

OC&I investigated a complaint of raw sewage entering the Branch River in North Smithfield. The investigation revealed that four very old multi-family homes located on Andrews Terrace are connected to two pipes that discharge untreated sewage to the banks of the Branch River. It is believed that, due to their age, these homes never had septic systems of any type since their construction.

Due to the unauthorized discharge of the sewage, OC&I issued notices to the owners of the homes requiring that they eliminate the sewage discharges by installation of a proper septic system or connection of the dwellings to public sewers. Unfortunately, due to the extremely limited yard space available to these older homes and the location of the private drinking water wells, siting septic systems in these yards is very difficult, if not, impossible. Additionally, there currently are no public sewers available to the residents. The residents have been working with the Town to extend public sewers to Andrews Terrace and eliminate the sewage discharges, and the Town Council has given its initial approval to do so.

Solid Waste/Medical Waste – The efforts of the program resulted in the correction of **25** solid waste violations (approximately **46,919** cubic yards of solid waste and **400** used tires were removed from the environment and properly disposed).

2011 Highlight: Resolution of Long Standing Violation

OC&I issued a Notice of Violation (NOV) on January 12, 2005 that included violations involving the disposal of approximately 1,800 cubic yards of solid waste in the form of white goods, painted and treated wood waste, abandoned trailers filled with tires, and other mixed solid waste and operating a solid waste management facility without a license from the RIDEM. Some of the solid waste was dumped into adjacent freshwater wetlands. A review of historic information revealed that a portion of the property was previously used as a solid waste landfill. The NOV was issued to Emanuel and Irene Torti, who requested a hearing on the NOV. Irene Torti passed away, and the property was later sold to West Russe Realty LLC. Prior to an administrative hearing on the NOV, the OC&I and Emanuel Torti and West Russe Realty, LLC executed a Consent Agreement to resolve the NOV. The parties agreed to restore the freshwater wetlands by October 15, 2010 (in accordance with a plan submitted to OC&I on April 17, 2009) and remove and properly dispose of all solid waste on the property to a licensed solid waste management facility. Over the course of 1 year, all the solid waste that was disposed on the property was properly removed and disposed of at a licensed solid waste management facility.

Underground Storage Tanks (UST)/Leaking Underground Storage Tanks (LUST) –
The efforts of the program resulted in **59** UST facilities (approximately **145** individual USTs) brought into compliance with the regulations and **4** individual USTs permanently closed.

2011 Highlight: Pro-Active Efforts to Prevent a Release of Petroleum to the Environment

Inspections of three facilities revealed issues associated with product pipelines and cathodic protection devices.

A UPS facility and Ryder Truck Rental facility, both located in Warwick, had secondary lines that were not tight. The owners of both facilities decided to replace the product pipelines as a result of the test failures. Both of these facilities are high volume sites with a combined storage capacity of 76,000 gallons of gasoline and diesel fuel. In both cases, a threat was identified and eliminated before a petroleum release occurred.

Ernie's Auto Repair in Lincoln had inadequate cathodic protection. The owner installed supplemental anodes around the USTs to ensure that the tanks were adequately protected. Failure to test and maintain corrosion protection systems could lead to corrosion of steel USTs and a petroleum release. In this case also, a problem was identified and repairs were made to the system before a corrosion failure led to a petroleum release.

Water Pollution – The efforts of the program resulted in the correction of **16** water pollution violations (involving discharges of soil/sediment, sewage, storm water, and other pollutants).

2011 Highlight: Unauthorized Wastewater Discharge from Clariant Corporation facility, Washington Street, Coventry

OC&I received an enforcement referral from RIDEM's Office of Water Resources for the Clariant Corporation facility located at 500 Washington Street in the town of Coventry. The property includes a wastewater treatment facility formerly used to treat sanitary and industrial process wastewater generated from manufacturing operations at the property. The company had been previously issued a Rhode Island Pollutant Discharge Elimination System (RIPDES) permit. The permit authorized the company to discharge treated wastewater from the facility to the Pawtuxet River in strict accordance with specific limitations.

The referral alleged violations pertaining to the company's failure to comply with its permit and its approved Operation and Maintenance Manual. Specifically, RIDEM identified the following violations:

- An emergency holding tank was being used to store sewage from the facility without approval from RIDEM.
- Approximately 103 million gallons of wastewater was discharged to the Pawtuxet River without complete and proper treatment (aeration).
- Approximately 350,000 gallons of partially treated wastewater was discharged from the wastewater treatment facility (primary and secondary aeration tanks) to the Pawtuxet River in violation of the permit and RIDEM regulations.
- Approximately 146.2 million gallons of river water from the Pawtuxet River was diverted through the wastewater treatment system to dilute the wastewater in violation of the permit.

OC&I issued a Notice of Violation (NOV) that ordered the company to submit a proposal for a permanent solution to the violations and assessed an administrative penalty of \$112,200.00. The company requested an administrative hearing to contest the NOV while at the same time working cooperatively with RIDEM towards settlement of the case. There are no manufacturing activities currently being conducted at the property.

Around the State

OC&I's activities in 2011 occurred in every city and town. One case from each city and town has been highlighted to give the reader a sense of the types of activities that OC&I regulates.

Barrington: In February OC&I resolved a freshwater wetland violation on property on County Road. The inspector identified a violation involving clearing of vegetation within swamp and associated buffer wetlands. At the time of the inspection, the owner agreed that he would allow the wetlands to revert to a natural condition, thereby resolving the violation.

Bristol: In June OC&I resolved an air pollution violation at C&C Fiberglass Components, LLC on Ballou Boulevard. The violation involved the failure to comply with its air permit, specifically, its failure to use coating products and spray gun equipment that complied with the permit. The Office of Air Resources agreed to revise the permit to reflect new limits and the company paid an administrative penalty to resolve the violation.

Burrillville: In August OC&I resolved a solid waste violation on property located on Hill Road. The solid waste consisted of 14 cubic yards of grass clippings, used tires, metal waste and other mixed solid waste. The owner properly disposed of the waste to resolve the violation.

Central Falls: In February OC&I resolved a hazardous waste violation at Osram Sylvania Products, Inc. on Broad Street. A compliance monitoring inspection revealed a violation involving the failure to properly label containers holding used oil that was quickly corrected.

Charlestown: In January OC&I closed a long standing septic system violation on property located on Third Street. The violation involved a pipe discharging sewage to the ground surface. The owner installed a new system that resolved the violation.

Coventry: In December OC&I resolved a long-standing freshwater wetland violation on property located on Northup Plat Road. The violation involved filling within Flat River Reservoir and the adjacent perimeter wetland. The owners obtained a permit from RIDEM and paid an administrative penalty to resolve the violation.

Cranston: In May OC&I resolved an air pollution violation at the Cranston Water Pollution Control Facility on Pontiac Avenue. The violation involved the failure to obtain a permit prior to installing a fuel oil fired emergency generator in June 2010. The city and Veolia Water North America—Northeast, LLC, the company that operates the facility for the city, self reported the violation, submitted an application to the Office of Air Resources, and paid an administrative penalty to resolve the violation.

Cumberland: In January OC&I resolved a freshwater wetland violation on property on Lippitt Avenue. The violation involved clearing, filling and grading within a pond and associated perimeter wetland. The owner restored the altered wetlands to resolve the violation.

East Greenwich: In June OC&I resolved a water pollution violation involving the RI Army National Guard's Camp Fogarty Training Center on South County Trail. The violation involved the discharge of sediment into freshwater wetlands. The Guard installed sediment controls to resolve the violation.

East Providence: In December OC&I resolved UST violations at a Gulf station on Pawtucket Avenue. A compliance monitoring inspection revealed violations involving leak detection and spill containment basins that were quickly corrected.

Exeter: In September OC&I resolved a long standing septic system violation on property located on Tripps Corner Road. The violation involved an overflow of sewage to the ground surface from a septic system. The owner resolved the violation by repairing the failed system and paying an administrative penalty.

Foster: In January OC&I resolved a long standing solid waste violation on property located on Plainfield Pike. The solid waste consisted of 476 cubic yards of appliances, junk autos, boats, metal equipment, wood, scrap metal, tires, and other mixed solid waste. The owner properly disposed of the waste to resolve the violation.

Glocester: In May OC&I resolved a hazardous waste violation at FM Global Research Campus on Reynolds Road. A compliance monitoring inspection revealed violations involving improper storage and labeling of E-waste and the failure to submit to the RIDEM a list of agents authorized to manage hazardous waste. The company quickly corrected the violations.

Hopkinton: In January OC&I resolved a hazardous waste violation at American Kuhne, Inc. on Main Street. A compliance monitoring inspection revealed violations involving the failure to properly label containers and failure to submit to the RIDEM a list of agents authorized to manage hazardous waste. The violations were quickly corrected by the company.

Jamestown: In June OC&I investigated a complaint of a reported sewer line break on Conanicus Avenue. The investigation revealed that the Jamestown P.D. had an officer respond and that a contractor was on site making the necessary repairs. As the violation was being corrected, no further action was taken.

Johnston: In September OC&I resolved a solid waste violation on property on Mill Street. The solid waste consisted of 30 cubic yards of asbestos containing material that had been transferred to a roll-off container and temporarily stored on the property. The company that was responsible had the roll off container removed.

Lincoln: In June OC&I inspected a property on Arnold Street in response to a complaint about improper removal of lead paint from a house. The inspector identified a violation and required the owner to clean the property. The property was cleaned up within 1 day.

Little Compton: In November OC&I investigated a complaint of petroleum contamination to a pond on Long Highway from a nearby gravel business. The inspection revealed no evidence of any water pollution to the pond and the complaint was closed as unfounded.

Middletown: In May OC&I resolved UST violations at West Main Mobil on West Main Road. A compliance monitoring inspection revealed violations involving leak detection and spill containment basins that were quickly corrected.

Narragansett: In January OC&I resolved a hazardous waste violation at the University of Rhode Island Bay Campus on South Ferry Road. A compliance monitoring inspection revealed numerous violations involving improper container management, labeling, and waste determination and a lack of contingency plans and list of agents authorized to manage hazardous waste. The university quickly resolved the violations.

Newport: In January OC&I resolved UST violations at Coffey's Service Station on Touro Street. A compliance monitoring inspection revealed violations involving leak detection and sumps that were quickly corrected.

New Shoreham: In December OC&I resolved UST violations at Block Island Power Company on Ocean Avenue. A compliance monitoring inspection revealed violations involving leak detection that were corrected.

North Kingstown: In September OC&I resolved a water pollution violation involving the RI Army National Guard aviation support facility on Airport Street. The violation involved the failure to comply with its stormwater construction permit, specifically, the failure to conduct weekly inspections and properly document the inspections. The Guard paid an administrative penalty to resolve the violation.

North Providence: In April OC&I resolved a hazardous waste violation at Brennan Oil & Heating Co., Inc. on Tag Drive. A compliance monitoring inspection revealed violations involving improper labeling, container storage, spill reporting, and manifests. The company quickly resolved the violations.

North Smithfield: In September OC&I resolved UST violations at Crosson Express Lube on Great Road. A compliance monitoring inspection revealed violations involving leak detection, spill containment basins and groundwater well monitoring that were quickly corrected.

Pawtucket: In June OC&I inspected a property on Newport Avenue in response to a complaint about improper removal of lead paint from a house. The inspector identified a violation and required the contractor to clean the property. The property was cleaned up within 1 day.

Portsmouth: In December OC&I resolved a hazardous waste violation at the Raytheon Company on West Main Road. A compliance monitoring inspection revealed numerous violations involving improper labeling, inspections and waste determination. The company quickly resolved the violations.

Providence: In August OC&I resolved a solid waste violation on property on a right-of-way on Eastwood Avenue that is owned by the RI Department of Transportation. The DOT removed and properly disposed of 22 cubic yards of solid waste deposited on the ground in the form of construction and demolition debris, plastic waste, metal waste, white goods, yard waste, lawn furniture and other mixed solid waste.

Richmond: In March OC&I resolved an air pollution violation at Oldcastle Lawn & Garden, Inc. on Stilson Road. The violation involved the company's failure to comply with its air permit, specifically, its failure to use diesel fuel with a sulfur content less than 15 parts per million in its emergency generator, and its failure to obtain a permit prior to installing an emergency generator in September 2007 and a new generator in February 2010 to replace the generator that was installed in September 2007. The company submitted an application for the emergency generator and paid an administrative penalty to resolve the violation.

Scituate: In May OC&I resolved UST violations at Round's Service Station on Hartford Avenue. A compliance monitoring inspection revealed violations involving leak detection and spill containment basins that were quickly corrected.

Smithfield: In June OC&I resolved a septic system violation on property located on Brayton Road. The violation involved an overflow of sewage to the ground surface from a septic system. The owner resolved the violation by replacing leaking toilets. A subsequent evaluation of the system by a licensed septic system designer determined that the system was functioning properly.

South Kingstown: In December OC&I resolved a hazardous waste violation at Narragansett Yacht Repair, Inc. on Sherman Avenue. A compliance monitoring inspection revealed that the company failed to submit a notification form to the RIDEM that ownership of the company had changed. The company did not submit the required form, however, OC&I updated the Federal database to reflect this change to resolve the violation.

Tiverton: In September OC&I resolved a septic system violation on property on East James Beardsworth Road. The violation involved an overflow of sewage to the ground surface from a septic system. The owner resolved the violation by repairing the failed septic system.

Warren: In September OC&I resolved UST violations at Ammouri Gas on Main Street. A compliance monitoring inspection revealed violations involving leak detection, inventory recordkeeping, improper labeling and spill containment basins that were quickly corrected.

Warwick: In November OC&I resolved a septic system violation at a dry cleansing business on Tollgate Road owned by Security Cleansers Inc. The violation involved an overflow of sewage to the ground surface from a septic system. The owner resolved the violation by connecting the plumbing for the building to the city sewerage system.

West Greenwich: In November OC&I resolved a water pollution violation at a sand and gravel pit located on New London Turnpike. The violation involved the discharge of sediment into freshwater wetlands. The owner restored the altered wetlands to resolve the violation.

Westerly: In May OC&I inspected a property on Granite Street in response to a complaint about improper removal of lead paint from a house. The inspector identified a violation and required the owner to clean the property. The property was cleaned up within 1 day.

West Warwick: In January OC&I resolved a solid waste violation on property located on Canna Street. The solid waste consisted of 245 cubic yards of grass clippings, shrub trimmings, yard waste, metal waste, a partially-disassembled motor home and other mixed solid waste. The owner properly disposed of the waste to resolve the violation.

Woonsocket: In July OC&I resolved a hazardous waste violation at Duralectra-CHN, LLC on Shorr Court. A compliance monitoring inspection revealed that the company failed to submit a list of agents authorized to manage hazardous waste. The violation was quickly corrected.

Training

OC&I staff attended **18** separate training courses in 2011. The courses were provided by the Rhode Island Department of Administration Office of Training and Development (OTD), the Northeast Environmental Enforcement Project (NEEP), the Rhode Island Fire Academy, the Rhode Island Emergency Management Agency (RIEMA), the New England Interstate Water Pollution Control Commission (NEIWPCC), Eastern Technical Associates (ETA), the Environmental Protection Agency (EPA), the Federal Emergency Management Agency (FEMA), the Association of State Dam Safety Officials (ASDSO), the New England Consortium, and the Northeast Waste Management Officials Association (NEWMOA) . A list of the courses and number of staff who attended each course is shown in Appendix E.

Questions

Questions on this report or information regarding overall enforcement activity by the Office of Compliance & Inspection should be referred to the Chief of the Office of Compliance & Inspection (telephone: 401.222.1360 ext. 7400).

Appendix A: Facilities Inspected for Compliance Monitoring—Air Pollution Program

Facility Name/Site/Address	City/Town	Fully Compliant at the Time of the Inspection
Area of 460 Sowams Road	Barrington	Yes
City of Cranston WWTF 140 Pettaconsett	Cranston	Yes
North Eastern Tree Service 1000 Pontiac Avenue	Cranston	Yes
Yardworks 301 Warwick Avenue	Cranston	Yes
Pasteryak Asphalt 75 Airport Road	Coventry	Yes
T. Miozzi 75 Airport Road	Coventry	Yes
Berkeley Commons 500 Mendon Road	Cumberland	Yes
Millers Auto Body 1211 Mendon Road	Cumberland	Yes
PVR Windup 1 Dexter Road	East Providence	Yes
168 Wilson Avenue	East Providence	Yes
347-349 Bullocks Point Avenue	East Providence	Yes
801 Newport Avenue	East Providence	Yes
RI Resource Recovery Corp 65 Shun Pike	Johnston	Yes
Florida Power & Light 24 Shun Pike	Johnston	Yes
Parillo, GA Construction 14 Priscilla Lane	Johnston	Yes
Johnston Asphalt	Johnston	Yes
Briarcliff Manor 49 Old Pocasset Road	Johnston	Yes

Appendix A: Facilities Inspected for Compliance Monitoring—Air Pollution Program

Facility Name/Site/Address	City/Town	Fully Compliant at the Time of the Inspection
49 School Street	Lincoln	Yes
Area of Industrial Park Wellington Road	Lincoln	Yes
146 Arnold Street	Lincoln	Yes
JAM Construction 990 Aquidneck Avenue	Middletown	Yes
276 Green End Avenue	Middletown	Yes
71 Perry Street	Newport	Yes
City of Newport WWTF 250 J.T. Connell Road	Newport	Yes
35 Third Street	Newport	Yes
48 Kossuth Street	Pawtucket	Yes
21 Pallas Street	Providence	Yes
93-95 Dana Street	Providence	Yes

Appendix A: Facilities Inspected for Compliance Monitoring—Air Pollution Program

Facility Name/Site/Address	City/Town	Fully Compliant at the Time of the Inspection
Area of 72 Charlesfield Street	Providence	Yes
Area of Harris Avenue	Providence	Yes
Just In Time Jewelry 69 Silver Lake Avenue	Providence	Yes
Motiva 520 Allens Avenue	Providence	Yes
60 Royal Avenue	Providence	Yes
117 Eighth Street	Providence	Yes
125 Abbott Street	Providence	Yes
60-62 Duncan Avenue	Providence	Yes
21 Pallas Street	Providence	Yes
112 Summit Street	Providence	Yes
18 Lillian Avenue	Providence	Yes
22 Miller Street	Warren	Yes
749 Narragansett Parkway	Warwick	Yes
Advanced Chemical 105 Bellows Street	Warwick	Yes
Roger Williams Inn 59 Granite Street	Westerly	Yes
Carpenter Jenks Funeral Parlor 659 East Greenwich Avenue	West Warwick	Yes
Woonsocket WWTF/Synagro 11 Cumberland Hill Road	Woonsocket	Yes

Appendix B: Facilities Inspected for Compliance Monitoring—Hazardous Waste Program

Facility Name/Address	City/Town	LQG/SQG	Fully Compliant at the Time of the Inspection
Cove Haven Corp 101 Narragansett Avenue	Barrington	SQG	No
Covalence Specialty Adhesives 51 Ballou Boulevard	Bristol	SQG	No
Diversified Finishing LLC 281 Franklin Street	Bristol	SQG	No
Itchiban Yacht Painters 60 Ballou Boulevard	Bristol	SQG	No
Sal's Auto Body 6 Francis Street	Bristol	SQG	No
Sam's Cleaners 628 Metacom Avenue	Bristol	SQG	No
DATTCO Inc. 404 Main Street	Burrillville	SQG	No
Bruin Plastics Co. Inc. 61 Joslin Street	Burrillville	SQG	No
Arkwright Advanced Coating, Inc. 538 Main Street	Coventry	LQG	No
Coventry Auto Body 2340 Flat River Road	Coventry	SQG	No
Cal Supply Co. 259 Macklin Street	Cranston	SQG	No
GSM Metals Inc 40 Kenney Drive	Cranston	SQG	No
ESS Laboratory 185 Frances Street	Cranston	LQG	No
Technic Inc 1 Spectacle Drive	Cranston	LQG	No

Appendix B: Facilities Inspected for Compliance Monitoring—Hazardous Waste Program

Facility Name/Address	City/Town	LQG/SQG	Fully Compliant at the Time of the Inspection
Cabral's Auto Body & Sales 28 Chapel Avenue	Cumberland	SQG	No
Ronald Pratt Co. 10 Industrial Road	Cumberland	SQG	No
Oriental Cleaners 5627 Post Road	East Greenwich	SQG	No
Tahoe Jewelry 20 J Medeiros Way	East Providence	SQG	Yes
Foster Auto Parts 40 Mill Road	Foster	SQG	No
Foster Town Highway Garage Foster Center—Route 94	Foster	SQG	No
FM Global Research Campus 75 Reynolds Road	Glocester	LQG	No
Auto Body Concepts 44 Terry Lane	Glocester	SQG	No
Ashaway Line & Twine 9 Laurel Street	Hopkinton	LQG	No
Ashaway Line & Twine 24 Laurel Street	Hopkinton	LQG	No
L-3 Chesapeake Sciences Corp 15 Gray Lane Suite 202	Hopkinton	SQG	No
Providence Power LLC 65 Shun Pike	Johnston	LQG	No
Dominion Energy Manchester 5 Wellington Road	Lincoln	LQG	No
Materion Technical Materials, Inc 5 Wellington Road	Lincoln	LQG	No
Hinckley Yacht Services 305A Oliphant Lane	Middletown	SQG	No

Appendix B: Facilities Inspected for Compliance Monitoring—Hazardous Waste Program

Facility Name/Address	City/Town	LQG/SQG	Fully Compliant at the Time of the Inspection
KVH Industries Inc 50 Enterprise Center	Middletown	SQG	No
Viking Cleaners 698 Aquidneck Avenue	Middletown	SQG	No
Martone Painting 22 Sextant Lane	Narragansett	SQG	No
K & R Auto Salvage 950 Smithfield Road	North Providence	SQG	No
BB & S Treated Lumber Corp 61 Bonneau Drive	North Kingstown	SQG	No
Dartex Coatings 22 Steel Street	North Smithfield	SQG	No
Hometown Auto Body & Sales 73 Mt Pleasant Road	North Smithfield	SQG	No
Polytop Corp 110 Graham Drive	North Smithfield	SQG	No
Xtreme Restorations by Todd Lewis Inc 35 Railroad Street	North Smithfield	SQG	No
Cooley Incorporated 50 Esten Avenue	Pawtucket	LQG	No
Raytheon Seapower Capability Center 1847 West Main Road	Portsmouth	LQG	No
Mutual Metals 136 Corliss Street	Providence	LQG	No
Osram Sylvania 1193 Broad Street	Providence	LQG	No
Butcher Block Mill LLC 25 Eagle Street	Providence	SQG	Yes

Appendix B: Facilities Inspected for Compliance Monitoring—Hazardous Waste Program

Facility Name/Address	City/Town	LQG/SQG	Fully Compliant at the Time of the Inspection
Celebrity Cleaners 335 Manton Avenue	Providence	SQG	No
Classic Cabinetry & Woodworking 30 Martin Street, Suite 4A4	Providence	SQG	No
Cool Air Creations 10 Business Park Drive	Providence	SQG	No
Dominion Energy Manchester Street 40 Point Street	Providence	SQG	No
Enterprise Products LLC 25 Fields Point	Providence	SQG	No
Ron's Auto Service 12 Ainsworth Street	Providence	SQG	No
Fine Line Graphics Inc 90 Douglas Pike	Smithfield	LQG	No
LFI Inc 1 Industrial Dive	Smithfield	SQG	No
Modine Manufacturing Co 604 Liberty Lane	South Kingstown	SQG	No
Sodco Corp Indian Corner Road	South Kingstown	SQG	No
Choice Collision Center 2 New Industrial Way	Warren	SQG	No
Pearson Composites LLC 373 Market Street	Warren	SQG	No
Advanced Chemical Company 105 Bellows Street	Warwick	LQG	No

Appendix B: Facilities Inspected for Compliance Monitoring—Hazardous Waste Program

Facility Name/Address	City/Town	LQG/SQG	Fully Compliant at the Time of the Inspection
Advanced Chemical Company 131 Bellows Street	Warwick	SQG	No
Sherwin Williams 77 Walnut Street	Warwick	SQG	No
Wolverine Joining Technologies 235 Kilvert Street	Warwick	SQG	No
Guardian Energy & Fuel Systems 79 Old Hopkinton Road	Westerly	SQG	No
GTech Corp 55 Technology Way	West Greenwich	SQG	Yes
Porter Machine Inc 765 Victory Highway	West Greenwich	SQG	No
Original Bradford Soap 200 Providence Street	West Warwick	SQG	No
Amtrol Inc 1400 Division Street	West Warwick	LQG	No
Academy Bus 76 Industrial Lane	West Warwick	SQG	No
Aspen Auto Body, Inc 100 Railroad Street	Woonsocket	SQG	No
Duralectra—CHN LLC 1 Shorr Court	Woonsocket	SQG	No
Interstate Towing Corp 855 River Street	Woonsocket	SQG	No

Appendix C: Facilities Inspected for Compliance Monitoring—UST Program

Facility Name/Address	City/Town	Facility I.D. No.	Fully Compliant at the Time of the Inspection
Shell 579 Metacom Avenue	Bristol	920	Yes
Bristol Water Pollution Control Department 2 Plant Avenue	Bristol	2665	Yes
Bristol Water Pollution Control Department Annawamscutt Drive	Bristol	2949	Yes
Green Valley Oil #68010 1282 Hope Street	Bristol	2816	Yes
Eagle Motors 180 Chapel Street	Burrillville	3317	No
Cumberland Farms #3809 478 Broad Street	Central Falls	743	Yes
Bestway 1178 High Street	Cumberland	582	No
Bestway 302 Broad Street	Cumberland	609	No
Tony's Cumberland Market 290 Broad Street	Cumberland	764	Yes
Cumberland Department of Pub- lic Works 37 Blackstone Street	Cumberland	2969	No
Conway Bus Service 36 Nate Whipple Highway	Cumberland	261	Yes
BC Petroleum 3585 Mendon Road	Cumberland	1177	Yes
Sunoco #0006-0210 2093 Diamond Hill Road	Cumberland	632	Yes
Verizon RI #337307 6 Angell Road	Cumberland	1212	Yes
Hemisphere Gulf Express 1754 Mendon Road	Cumberland	18886	Yes
Diamond Hill Shell 2095 Diamond Hill Road	Cumberland	430	Yes

Appendix C: Facilities Inspected for Compliance Monitoring—UST Program

Facility Name/Address	City/Town	Facility I.D. No.	Fully Compliant at the Time of the Inspection
Green Valley Oil #68013 1170 Mendon Road	Cumberland	1838	Yes
Diamond Hill Mart 1400 Diamond Hill Road	Cumberland	3036	No
Green Valley Oil #68012 3333 South County Trail	East Greenwich	850	No
Gulf #119713/3878 2251 Pawtucket Avenue	East Providence	1058	No
Cumberland Farms #3864 215 Willett Avenue	East Providence	996	Yes
Cumberland Farms #3808 823 Smithfield Avenue	Lincoln	742	Yes
Ernie's Auto Repair 90 Winter Street	Lincoln	319	Yes
Premier Toyota of Newport 285 East Main Road	Middletown	3312	Yes
West Main Mobil 356 West Main Road	Middletown	2125	No
Middletown Mobil 753 East Main Road	Middletown	536	No
Getty #68009 795 West Main Road	Middletown	450	Yes
RI DOT Highway Garage 122 Wyatt Road	Middletown	1281	Yes
Cumberland Farms #3811 865 Point Judith Road	Narragansett	745	Yes
Bonnett Shell 1015 Boston Neck Road	Narragansett	440	No
Bannister's Wharf Company Bannister's Wharf	Newport	70	Yes

Appendix C: Facilities Inspected for Compliance Monitoring—UST Program

Facility Name/Address	City/Town	Facility I.D. No.	Fully Compliant at the Time of the Inspection
Newport Police Station 120 Broadway	Newport	3107	Yes
Broadway Sunoco 533 Broadway	Newport	644	No
Newport Hospital 11 Friendship Street	Newport	1608	Yes
Stop & Shop #731 199 JT Connell Memorial Road	Newport	18587	Yes
Navy Exchange Service Station Whipple Street	Newport	3251	Yes
Goat Island Marina 5 Marina Plaza	Newport	420	Yes
Block Island Power Company 100 Ocean Avenue	New Shoreham	47	Yes
Gas Plus 6155 Post Road	North Kingstown	614	Yes
LDD Petroleum #2546 6228 Post Road	North Kingstown	1515	Yes
Hess #39208 1820 Boston Neck Road	North Kingstown	301	Yes
Sunoco #0002-4976 1047 Eddie Dowling Highway	North Smithfield	633	No
Valero-Sam's #1050 948 Eddie Dowling Highway	North Smithfield	292	Yes
Crosson Express Lube 448 Great Road	North Smithfield	1501	Yes

Appendix C: Facilities Inspected for Compliance Monitoring—UST Program

Facility Name/Address	City/Town	Facility I.D. No.	Fully Compliant at the Time of the Inspection
Armistice Boulevard Gas & Auto 296 Armistice Boulevard	Pawtucket	706	Yes
Cumberland Farms #3825 711 East Avenue	Pawtucket	755	No
Cumberland Farms #3828 698 Broadway	Pawtucket	758	No
Oliveira's Garage 3279 East Main Road	Portsmouth	2644	Yes
Melville Xtra Mart 1568 West Main Road	Portsmouth	575	Yes
Brewer Sakonnet Marina 222 Narragansett Boulevard	Portsmouth	731	Yes
Green Valley Oil #68642 3381 East Main Road	Portsmouth	451	Yes
Raytheon Company 1847 West Main Road	Portsmouth	310	Yes
The Miriam Hospital 164 Summit Avenue	Providence	1479	Yes
We LLC 1344 Westminster Street	Providence	2686	Yes
East Side Service Center 1100 Hope Street	Providence	1390	Yes
Jerry's Service 1101 Hope Street	Providence	955	Yes

Appendix C: Facilities Inspected for Compliance Monitoring—UST Program

Facility Name/Address	City/Town	Facility I.D. No.	Fully Compliant at the Time of the Inspection
Kelly's Car Wash 200 Charles Street	Providence	616	No
Stop & Shop #729 Kingstown Road	Richmond	18383	Yes
Cumberland Farms #3875 1175 Main Street	Richmond	3753	Yes
Richmond Gas & Convenience #2548 1214 Main Street	Richmond	1017	Yes
Round's Service Station 53 Hartford Avenue	Scituate	404	Yes
Tower Hill Mobil 3079 Tower Hill Road	South Kingstown	1015	Yes
Green Valley Oil #68646 4087 Tower Hill Road	South Kingstown	455	Yes
Tiverton Sun 497 Main Road	Tiverton	639	Yes
Danny's Service Station 99 Crandall Road	Tiverton	3601	Yes
George's Gas 1215 Stafford Road	Tiverton	3617	Yes
Seaside Gas 1837 Main Road	Tiverton	453	No
Armand's Service Station 272 Market Street	Warren	312	Yes

Appendix C: Facilities Inspected for Compliance Monitoring—UST Program

Facility Name/Address	City/Town	Facility I.D. No.	Fully Compliant at the Time of the Inspection
Ammouri Gas 943 Main Street	Warren	2128	Yes
Bill's Towing & Auto Service 516 Child Street	Warren	384	Yes
Budget Rent-A-Car 55 Senator Street	Warwick	18836	No
Citizens Bank—JB West 443 Jefferson Boulevard	Warwick	3030	Yes
Kent Hospital 455 Tollgate Road	Warwick	1883	Yes
Brewer Greenwich Bay Marina South One Masthead Drive	Warwick	3357	No
North Star Aviation Hangar 544 Airport Road	Warwick	2874	Yes
CVS Corporation Hangar 560 Airport Road	Warwick	232	Yes
Textron, Inc. Aviation Hangar 566 Airport Road	Warwick	685	Yes
Cardi Corporation 400 Lincoln Avenue	Warwick	2188	No
Willie's Shell 5819 Post Road	Warwick	143	Yes
Lyttle Realty, Ltd 4184 Post Road	Warwick	416	Yes

Appendix C: Facilities Inspected for Compliance Monitoring—UST Program

Facility Name/Address	City/Town	Facility I.D. No.	Fully Compliant at the Time of the Inspection
Brewer Greenwich Bay Marina North 252 Second Point Road	Warwick	649	Yes
7-Eleven #33176 2078 West Shore Road	Warwick	18925	Yes
Herb's Towing & Service Center 2648 West Shore Road	Warwick	3138	Yes
Ocean Food Mart 4552 Post Road	Warwick	2087	Yes
Warwick Cove Marina 2 Seminole Street	Warwick	1414	Yes
Gas Speed Mart 1836 Warwick Avenue	Warwick	2986	No
Valero-Sam's #1051 1625 Post Road	Warwick	762	Yes
United Parcel Service, Inc. 150 Plan Way	Warwick	53	Yes
Kokila Arvind Mehta LLC 629 Bald Hill Road	Warwick	619	Yes
Federal Aviation Administration 464 Warwick Industrial Drive	Warwick	465	Yes
PG&B Gas Food Store 335 Providence Street	Warwick	553	No
Ponaug Marina 285 Arnold's Neck Drive	Warwick	2783	Yes

Appendix C: Facilities Inspected for Compliance Monitoring—UST Program

Facility Name/Address	City/Town	Facility I.D. No.	Fully Compliant at the Time of the Inspection
Ryder Truck Rental One Jefferson Boulevard	Warwick	1814	No
Natalizia Service 3002 West Shore Road	Warwick	435	No
Security Cleansers, Inc. 1060 Tollgate Road	Warwick	1759	No
Route 117 Gas & Car Wash 1710 West Shore Road	Warwick	2881	No
Hillsgrove Servicenter, Inc. 1965 Post Road	Warwick	1474	No
Carl Ferrucci 568 Warwick Avenue	Warwick	1137	No
Leviton Manufacturing Co., Inc. 745 Jefferson Boulevard	Warwick	115	Yes
Brookfield Hills Service Center 929 Providence Street	West Warwick	1263	No
West Warwick Food Mart 242 Cowesett Avenue	West Warwick	102	No
Cumberland Farms #3876 295 Legris Avenue	West Warwick	1057	Yes
Route 2 Associates, Ltd 425 Quaker Lane	West Warwick	626	No
Westerly Yacht Club One Watch Hill Road	Westerly	217	Yes

Appendix C: Facilities Inspected for Compliance Monitoring—UST Program

Facility Name/Address	City/Town	Facility I.D. No.	Fully Compliant at the Time of the Inspection
Westerly Petromart 249 Post Road	Westerly	1517	Yes
Supreme Dairy Farms Brand 171 St Augustine Street	Woonsocket	349	Yes
CVS One CVS Drive	Woonsocket	2681	Yes
Green Valley Oil #68005 1188 Cumberland Hill Road	Woonsocket	492	No
Fairlawn Oil Service 100 Privilege Street	Woonsocket	1633	No
Consumers Propane & Gas 139 Hamlet Avenue	Woonsocket	835	No

Appendix D: SEP Agreed to in 2011

James and Melissa Pelletier

The SEP pertains to efforts to minimize the impact of the Respondents' commercial business on Crandall Road in Tiverton to the neighboring properties. The SEP involves the following activities: reduction of truck traffic to and from the property; restriction of sales at the property; use of compost generated on the property solely on the property to reclaim lost topsoil and in conjunction with the growth and harvesting of nursery trees; creation of a 100 foot landscaped setback area from the street; and creation of a 75 foot buffer on all sides of the property. The total cost of the SEP was valued at \$6,500.00.

Appendix E: Training Completed by Staff in 2011

Month	Course Title	Number of Staff Attended	Trainer
January	Inspector Awareness Course	20	In House
	Automated Continuous Odor Measuring & Monitoring System	1	Odotech, Inc.
March	The Providence Managers & Supervisors Conference	1	US Department of Justice
April	Low Impact Development	1	Community College of Rhode Island
	Visible Emission Evaluator	2	ETA
May	Advanced Hazardous Waste Inspector Training	4	NEWMOA
	2011 Hurricane Conference	2	RIEMA
June	ICS 300 Intermediate Incident Command	1	RIEMA
	Wastewater Sampling	4	EPA
	ICS 400 Advanced Incident Command	1	RIEMA
	Advanced Hazardous Waste Inspector Training	3	EPA
July	Quality Systems Awareness Training	6	In House
September	Hazwoper 8 hour Refresher Course	11	RI Fire Academy
October	73rd NEEP Membership Meeting	1	NEEP
	Visible Emission Evaluator	2	ETA
	Dam Emergency Action Plan Workshop	4	Horsley Witten Group
November	Underground Storage Tank Inspector Training	1	CT Fire Academy
December	Administrative Assistants Conference	2	Skillpath Seminars

Appendix F: Enforcement Activity in 2011

Complaints	Air Pollution	Dam Safety	Freshwater Wetlands	Hazardous Waste
Received	667	2	226	25
Investigations Conducted ¹	632	1	198	25
Unable to Investigate	27	1	3	0
Unfounded	595	0	84	14
No Action	2	0	67	0
Inspections	329	0	367	36
Referred ²	18	0	0	0
Compliance Monitoring				
Inspections	75	47	---	136
Enforcement Actions				
Informals-issued	24	0	14	66
Informals-resolved	18	0	6	73
Formals-issued ³	19	18	12	9
Formals-closed	27	2	6	5
Consent Agreements executed	9	4	5	10
Penalties Proposed (NOVs)	\$115,695	\$0	\$127,250	\$313,623
Penalties Assessed (Consent Agreements)	\$50,320	\$0	\$30,140	\$113,940
Penalties Collected	\$219,388	---	\$22,340	\$161,713
SEP Agreed to	0	0	0	0
SEP Monetary Value	---	---	---	---
AAD Hearings Held	0	0	0	0
Superior Court Complaints Filed	0	0	1	0

¹ Complaint Investigations are counted only once even though one investigation may address multiple complaints received

² Referred to other program, department or agency

³ Multi-media NOVs issued=6, these are included in the program counts

Appendix F: Enforcement Activity in 2011

Complaints	OWTS	Solid/Medical Waste	UST/LUST	Water Pollution	Total
Received	205	103	3	101	1332
Investigations Conducted ¹	177	72	3	97	1205
Unable to Investigate	22	5	0	0	58
Unfounded	89	41	1	62	886
No Action	10	11	8	8	106
Inspections	184	153	3	110	1182
Referred ²	1	15	0	5	39
Compliance Monitoring					
Inspections	---	---	118	---	376
Enforcement Actions					
Informals-issued	57	32	70	5	268
Informals-resolved	267	24	50	11	449
Formals-issued ³	28	9	10	5	110
Formals-closed	13	2	1	8	64
Consent Agreements executed	8	3	11	2	52
Penalties Proposed (NOVs)	\$36,800	\$60,500	\$172,993	\$10,500	\$837,361
Penalties Assessed (Consent Agreements)	\$2,900	\$117,500	\$38,390	\$22,500	\$375,690
Penalties Collected	\$4,237	\$95,538	\$74,924	\$116,250	\$694,389
SEP Agreed to	0	1	0	0	1
SEP Monetary Value	---	\$6,500	---	---	\$6,500
AAD Hearings Held	0	2	0	1	3
Superior Court Complaints Filed	6	1	1	0	9

¹ Complaint Investigations are counted only once even though one investigation may address multiple complaints received

² Referred to other program, department or agency

³ Multi-media NOVs issued=6. These are included in the program counts.