

AMENDMENTS TO REGULATIONS
FOR
RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

The following regulations under the enabling legal authority requires amendment in the following regulations in order to comply with the statutory “Uniform Appeal Period: § 42-17.7-9 of the Rhode Island General Laws.

Draft Amendment to Administrative Rules of Practice and Procedure for the Administrative Adjudication
Division for Environmental Matters

Rule 7.00(a) **Delete: in its entirety**

Replace with:

- a) Request for Hearing. Any person having a right to request an adjudicatory hearing shall follow the procedures and timelines set forth in R.I.G.L. § 42-17.7-9 and other applicable statutes and regulations. Such requests shall be filed directly with the Administrative Adjudication Division for Environmental Matters.

Explanation:

This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed as well as other applicable statutes and regulations. This broad language is needed because some appeals may have additional requirements established by statute or regulation (such as a hearing deposit in FWW or ISDS permit appeals).

Draft Amendment to Administrative Penalties for Environmental Regulations
For the Department of Environmental Management

Rule 7(b)(5)(ii) **Delete:** ten (10) days

Replace with: twenty (20) days

Explanation:

This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Rule 12(a) **Delete:** ten (10) days

Replace with: twenty (20) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Draft Amendment to the Rules and Regulations Establishing Minimum Standards
Relating To Location, Design, Construction and Maintenance of Individual Sewage Disposal Systems

Rule 25.05(h)

Delete: ten (10) days

Replace with: thirty (30) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Draft Amendment to the Rules and Regulations for Composting Facilities
And Solid Waste Management Facilities

Rule 1.11.03 **Delete:** ten (10) days

Replace with: twenty (20) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Draft Amendment to the Rules and Regulations Governing the Administration
And Enforcement of the Freshwater Wetlands Act

Rule 9.05(E)(4) **Delete:** ten (10) days

Replace with: thirty (30) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Rule 15.06(f) **Delete:** . ten (10) days

Replace with: twenty (20) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Rule 15.10(a)(1) **Delete:** ten (10) days

Replace with: twenty (20) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Rule 15.10(b)(1) **Delete:** ten (10) days

Replace with: twenty (20) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Draft Amendment to Rules and Regulations for the Treatment, Disposal, Utilization and Transportation of Sewage Sludge

Rule 24 C (1) **Delete:** ten (10) days

Replace with: twenty (20) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Draft Amendment to the Water Quality Regulations for The Department of Environmental Management

Rule 21C(1) **Delete:** ten (10)days

Replace with: twenty (20) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Draft Amendment to the Newport and Galilee Fishing Port Operations Regulations for the Department of Environmental Management

Rule 41(c)(1) **Delete:** ten (10) days

Replace with: thirty (30) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Draft Amendment to the Rules and Regulations Governing the Suspension/Revocation of Commercial Marine Fisheries, Shellfish Buyer, Lobster Dealer, Finfish Dealer, and Multi-Purpose Dealer, Licenses Issued Pursuant to Title 20 of R.I.G.L, "Fish and Wildlife"

Rule 6.1 **Delete:** ten (10) days

Replace with: thirty (30) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Rule 6.2 **Delete:** ten (10) days

Replace with: twenty (20) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Rule 6.4 **Delete:** ten (10) days

Replace with: twenty (20) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Draft Amendment to the Rules and Regulations
for
The Division of Fish and Wildlife

Rule V.C.(1) **Delete:** ten (10) days

Replace with: twenty (20) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Draft Amendment to the Rules and Regulations Governing
Wildlife Rehabilitation

Rule 8.C **Delete:** ten (10) days

Replace with: thirty (30) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.

Draft Amendment to the Rules and Regulations Governing
Importation and Possession of
Native Wildlife

Rule 9.C **Delete:** ten (10) days

Replace with: thirty (30) days

Explanation: This language advises the regulated community that newly enacted R. I.G.L § 42-17.7-9 must be followed in times specified for appeal: Twenty (20) days for an Enforcement Appeal and thirty (30) days for denial of a permit and/or application.