



Department of Environmental Management

Annual Report Office of Compliance & Inspection

Calendar Year 2009



**Excavation of about 6.0 acres of a swamp/marsh/stream complex
and disposal of the spoils within the wetlands**

**Photograph taken in April 2009, Exeter, Rhode Island
by Bruce Ahern, Sr. Environmental Scientist, Wetland Enforcement Program**

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Who We Are

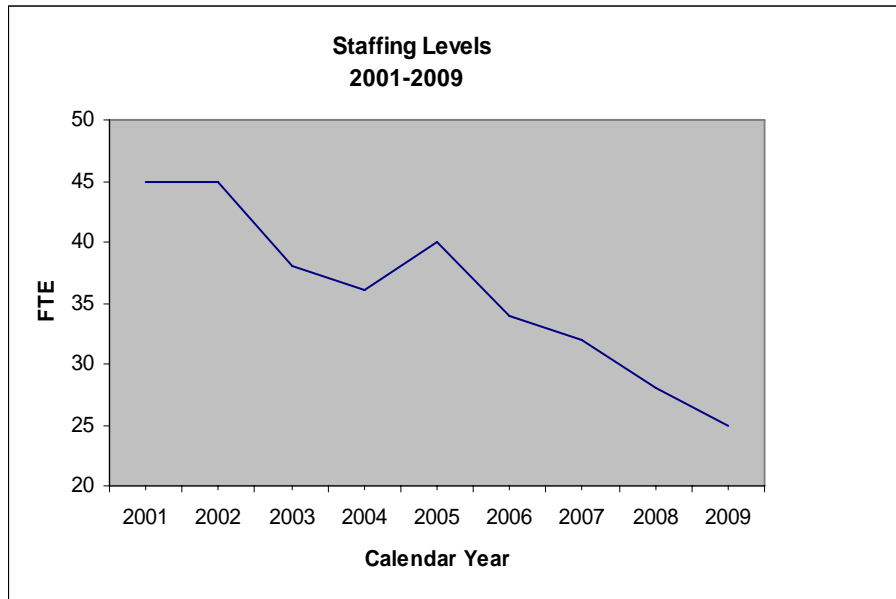
The Office of Compliance and Inspection (OC&I) is within the Rhode Island Department of Environmental Management (RIDEM) Bureau of Environmental Protection (BEP) and is responsible for regulatory compliance and enforcement for the following programs: air pollution, dam safety, freshwater wetlands, hazardous waste management, onsite wastewater treatment systems (i.e., septic systems), solid and medical waste, underground and leaking underground storage tanks, and water pollution.

What We Do

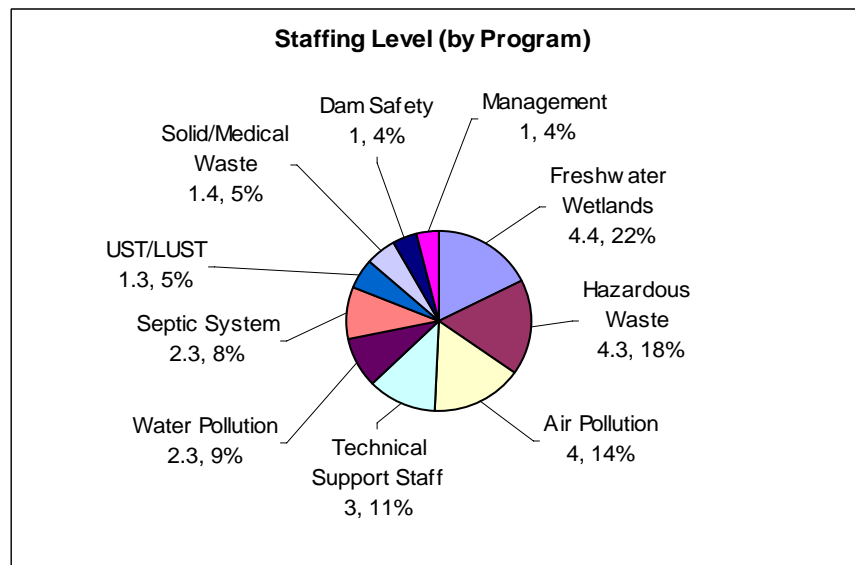
OC&I investigates citizen complaints regarding alleged environmental violations and performs compliance monitoring inspections to determine compliance with environmental statutes and RIDEM regulations. OC&I issues enforcement actions for violations that are identified, assesses administrative civil penalties and tracks compliance until environmental violations are corrected. Not all OC&I programs focus on compliance and enforcement activities in the same way. For example, one program may spend considerable time on citizen 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. 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

At the beginning of 2009, the OC&I had a working staff of 28 full time equivalents (FTEs). OC&I lost 3 FTEs during the year and ended 2009 with a working staff of 25 FTEs. The loss of the 3 FTEs continues a downward trend that began in 2002, as illustrated by the graph below¹.



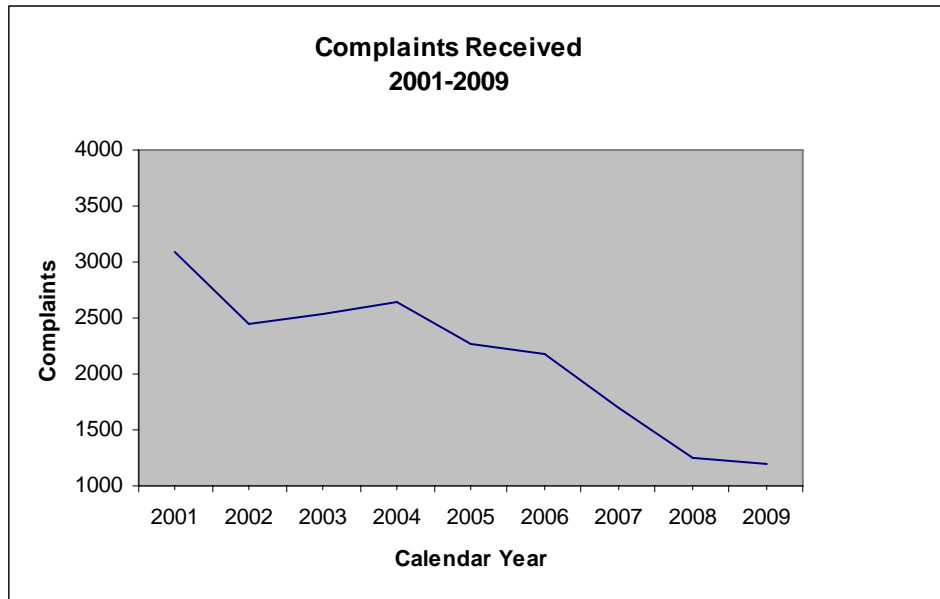
The FTEs assigned to each program (by number and percentage) at the end of 2009 is illustrated by the chart below.



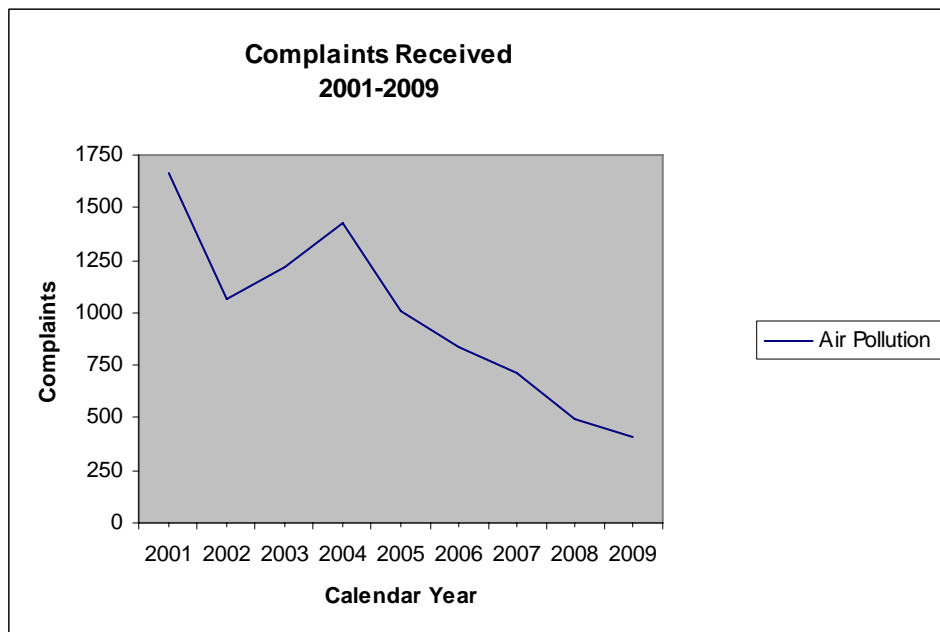
¹ In 2006 5 FTEs responsible for responding to releases of petroleum, hazardous materials and hazardous waste were formally transferred from OC&I to a newly created Office of Emergency Response.

Complaint Response

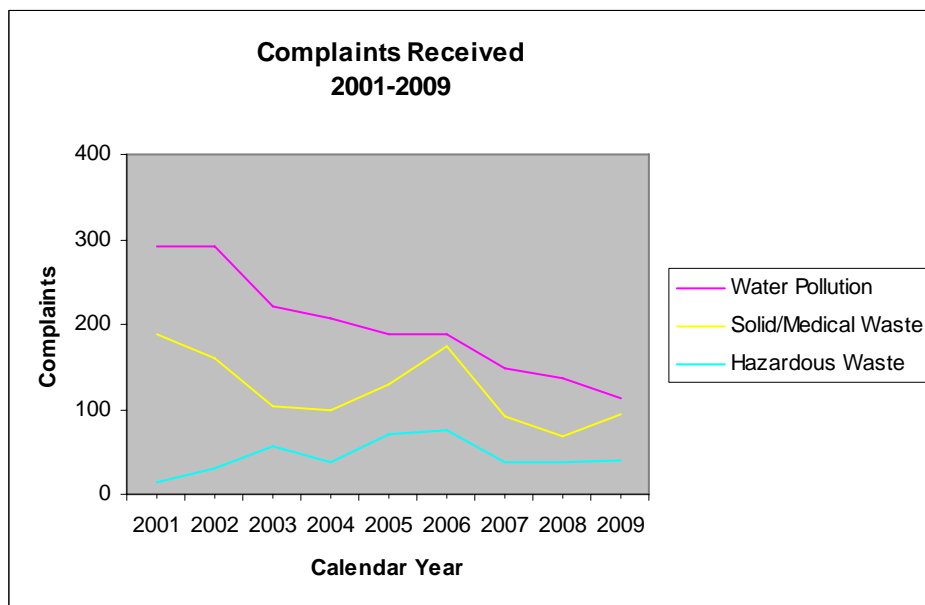
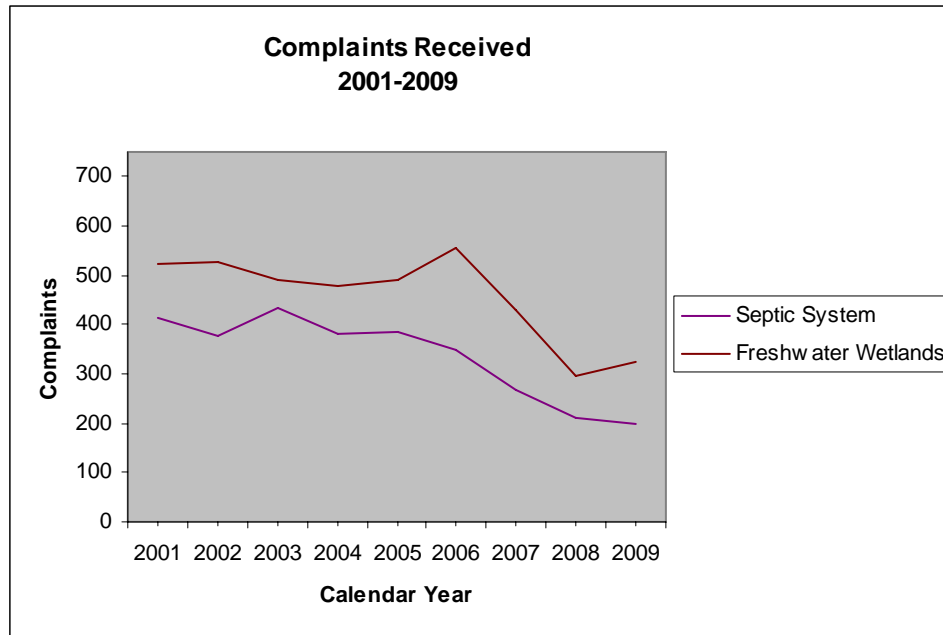
OC&I is involved in extensive citizen complaint related work. In 2009 OC&I received **1193** citizen complaints. This is a reduction from the **1246** citizen complaints received in 2008 and continues a downward trend that began in 2004, as illustrated by the graph below.



The air pollution program had the largest reduction in complaints received, as illustrated by the graph below.



The septic system, freshwater wetlands, water pollution, solid waste/medical waste, and hazardous waste programs also had substantial reductions beginning in 2005 or 2006, as illustrated by the graphs below.



A summary of the complaints investigated by OC&I in 2009 (by 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 **408** complaints and conducted **281** inspections. Of the complaints investigated², **360** were unfounded (i.e. a violation could not be verified), **4** 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 **10** 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 was unable to investigate **18** complaints; however, this was an improvement over 2008 when **25** complaints were not investigated. The reduction in complaints received may account for the program's ability to respond to more complaints.

Freshwater Wetlands – The program responds to complaints involving unauthorized alterations to freshwater wetlands such as filling, excavating, grading, clearing, or construction. The program received **326** complaints and conducted **369** inspections. Of the complaints investigated², **77** were unfounded and **31** were closed as no action. The program was unable to initially investigate a substantial number of complaints due to among other factors lack of resources. The program ended the year with **257** complaints uninspected. 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 Management –The program responds to complaints involving illegal disposal or mismanagement of hazardous waste. The program received **40** complaints and conducted **33** inspections. Of the complaints investigated², **14** were unfounded, **2** were closed as no action and **3** were referred to another program, department or agency. The program was unable to initially investigate **10** complaints due to an inability to obtain permission to conduct the inspection.

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 **197** complaints and conducted **217** inspections. Of the complaints investigated², **61** were unfounded and **3** were closed as no action. The program was unable to initially investigate **33** complaints due to an inability to obtain permission from the property owner to conduct the inspection.

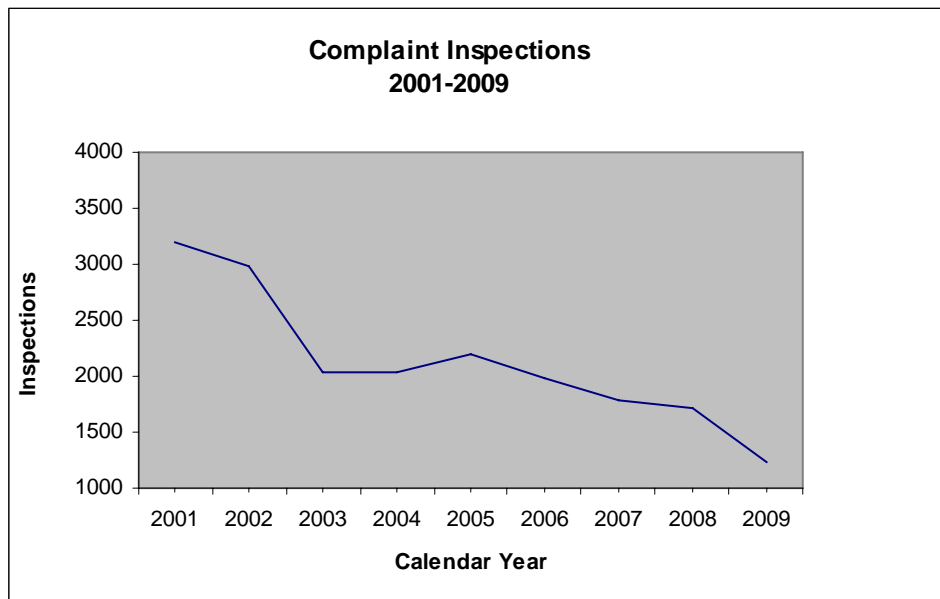
Underground Storage Tanks (UST)/Leaking Underground Storage Tanks (LUST) – The program responds to complaints involving underground storage tanks such as leaking or abandoned tanks. The program received **5** complaints and conducted **3** inspections. Of the complaints investigated², **0** were unfounded, **1** was closed as no action, and **1** was referred to another program, department or agency.

² Not all the complaints investigated in 2009 correspond to complaints received in that year. The statistics include complaints investigated and resolved that were received prior to 2009.

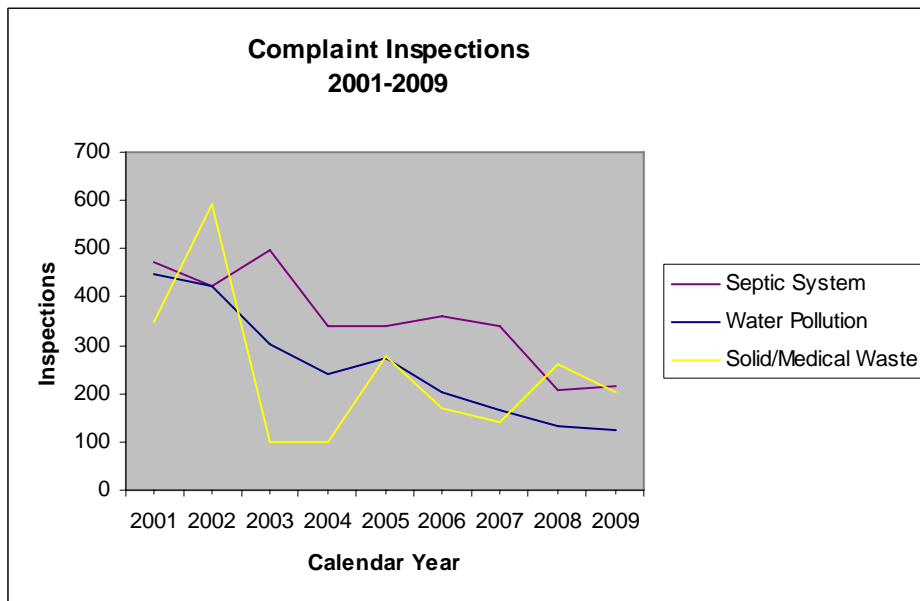
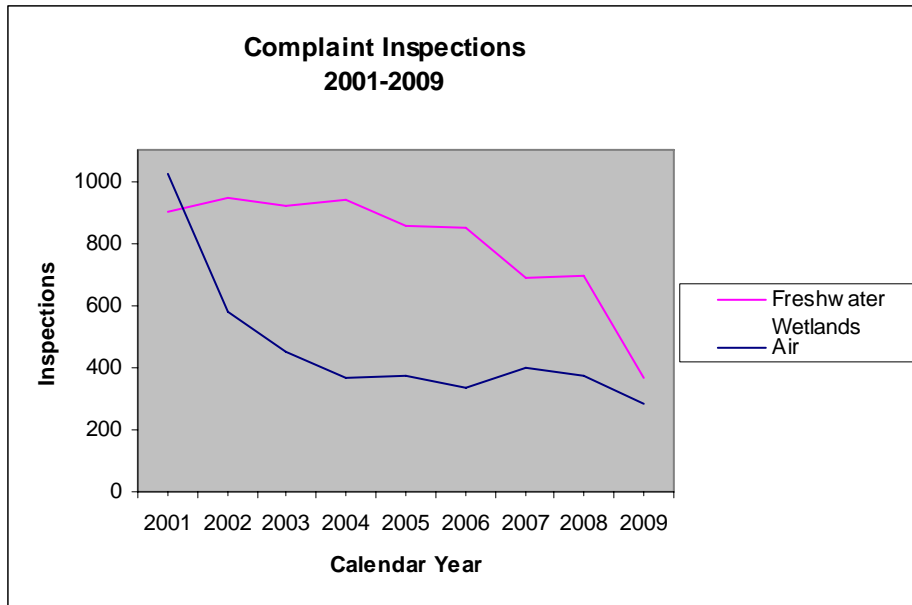
Solid Waste/Medical Waste – The program responds to complaints involving illegal disposal of solid waste and operation of unlicensed facilities handling solid waste, construction & demolition debris, compost or other forms of solid waste. The program received **93** complaints and conducted **203** inspections. Of the complaints investigated², **70** were unfounded, **7** were closed as no action, and **22** were referred to another program, department or agency. The program was unable to initially investigate **6** complaints due to an inability to obtain permission from the property owner to conduct the inspection. Also, not all complaints could be investigated due to among other factors lack of resources. The program ended the year with **29** complaints uninspected.

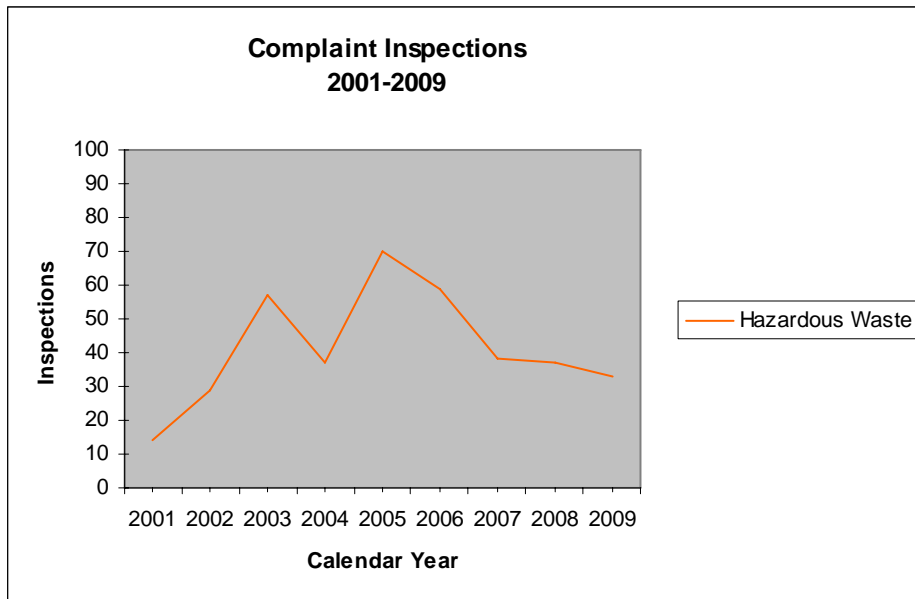
Water Pollution – The program responds to complaints involving discharges of pollutants to surface waters or ground waters or in a location likely to enter such waters. The program received **121** complaints and conducted **123** inspections. Of the complaints investigated², **61** were unfounded, **2** were closed as no action, and **1** was referred to another program, department or agency.

In 2009 OC&I conducted **1229** complaint inspections. This is a sharp reduction from the **1704** complaint inspections conducted in 2008. The following graph shows the numbers of complaint inspections completed from 2001 through 2009. The number of complaints received and staff levels have dropped substantially from 2003 to 2009; however, prior to 2009 the number of inspections completed remained relatively consistent. The sharp reduction in 2009 reflects a continued drop in complaints and loss of staff and the imposition of reduced work hours. The reduction is most pronounced in the freshwater wetlands program, where the number of inspections dropped from **694** in 2008 to **369** in 2009.

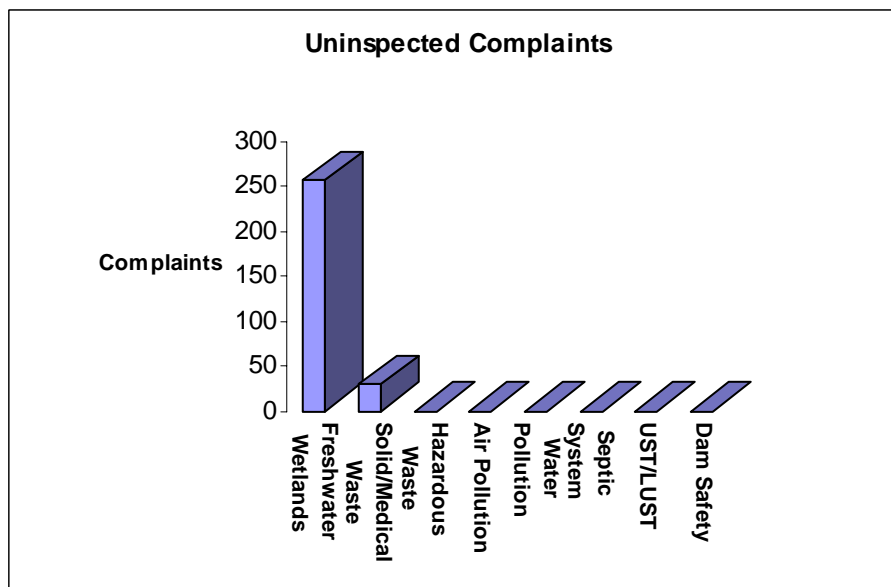


The number of complaint inspections completed from 2001 to 2009 for the air pollution, freshwater wetlands, septic system, water pollution, solid waste/medical waste, and hazardous waste programs is illustrated on the graphs below.





The freshwater wetlands and solid waste programs ended 2009 with a backlog of uninspected complaints as shown by the chart below. The backlog of uninspected complaints in the freshwater wetlands program has increased from **143** in 2008 to **257** in 2009 and the backlog of uninspected complaints in the solid waste program has increased from **17** in 2008 to **29** in 2009.

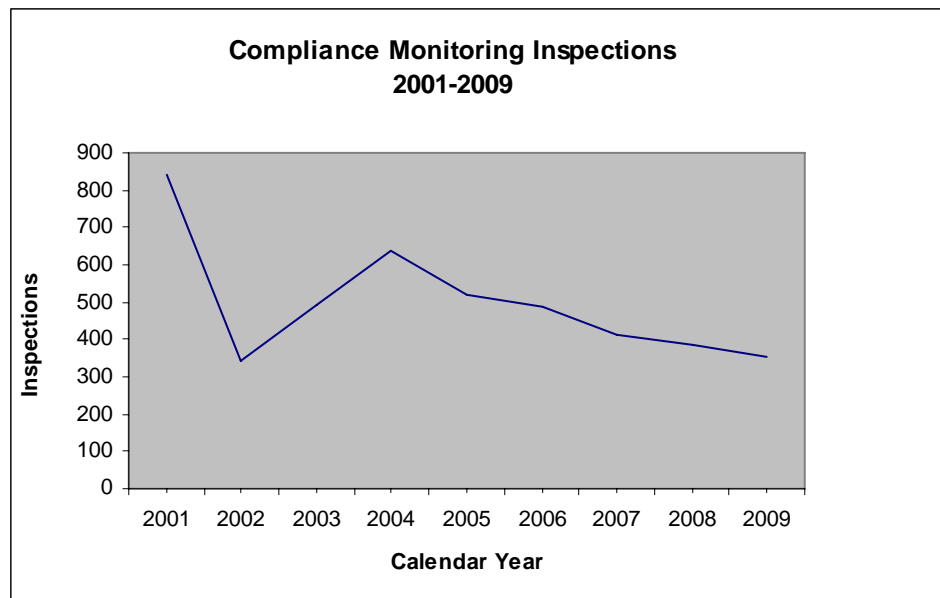


Compliance Monitoring

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.

Compliance monitoring may also refer to efforts by other OC&I programs that investigate compliance with RIDEM approvals; however, in most instances these investigations are complaint driven and are not subject to a prescribed target list for evaluation. Examples include OC&I's wetlands and septic system programs.

In 2009 OC&I conducted **355** compliance monitoring inspections. This is a reduction from the **388** compliance monitoring inspections conducted in 2008 and continues a downward trend that began in 2004, as illustrated by the graph below.



A summary of the compliance monitoring inspections conducted by OC&I in 2009 (by program) is as follows:

Air Pollution – The program is responsible for ensuring that the State's businesses and facilities with historic violations are being operated in a manner to prevent impacts to human health and the environment in compliance with RIDEM *Air Pollution Control Regulations*. The program seeks to meet that responsibility by performing compliance inspections and issuing enforcement actions. The program conducted **113** inspections of such businesses or facilities to determine compliance. Of the inspections conducted, **14** violations were documented at **7** businesses, facilities, or private residences. The violations observed in 2009 are listed below.

- 13 - improper lead paint removal
- 1 - fugitive dust

A list of the businesses and facilities 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 the RIDEM *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 **21** inspections of such dams, **19** of which were completed by an engineering firm retained by RIDEM.

A comprehensive report on the activities of the program can be found at <http://www.dem.ri.gov/programs/benviron/compinsp/pdf/damrpt09.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 *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 **21** LQGs (**21** in the 2009 federal fiscal year). Of those, **4** facilities were determined to be in significant noncompliance, **14** were found to have secondary violations, and **3** were determined to have no violations.

For Small Quantity Generators (SQGs), the program's inspection efforts in 2009 did not concentrate on one particular manufacturing sector. Inspection targets involved multiple business types. For 2009, OC&I inspected **50** known or suspected SQGs. Of those, **3** facilities or businesses were determined to be in significant noncompliance, **27** were found to have secondary violations, and **20** were determined to have minor violations that were resolved immediately or were found to have no violations. Overall, the program completed **103** 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 2009.

- 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 (containing mercury)
- 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 underground storage tanks (USTs) and leaking underground storage tanks (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 *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.

Inspection targets are determined based on a review of the UST Environmental Results Program (ERP). The UST ERP is a compliance assistance program administered by the RIDEM Office of Technical and Customer Assistance (OTCA). OTCA provides training workshops and plain language workbooks that clearly explain all of a facility's environmental obligations as well as proposed pollution prevention and health and safety practices. An owner/operator certifies every two years to OTCA that the facility is in compliance and will continue to be in compliance. If the facility is not in compliance, it must file a Return to Compliance Plan with a schedule for returning to compliance. Facilities that do not submit certifications or submit certifications that appear to be erroneous are targeted for inspection by OC&I and OWM.

The program performed inspections at **95** UST facilities. Approximately **241** USTs are installed at those facilities. Of the inspections conducted, **55** UST facilities were found to be in violation (enforcement action was deemed to be warranted).

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

The following are the 5 violations most frequently observed in 2009 (listed by frequency from highest to lowest).

- failure to maintain tank top sumps, dispenser sumps and/or spill containment basins free of liquid and/or solid debris
- failure to test leak monitoring devices, line leak detectors and/or shear valves on an annual basis
- failure to comply with the inventory control/inventory reconciliation record-keeping requirements
- failure to ensure that groundwater monitoring wells and tank field observation wells are constructed in conformance with the UST Regulations
- failure to procure the services of a licensed tightness tester to perform tank or product pipeline tightness testing as required

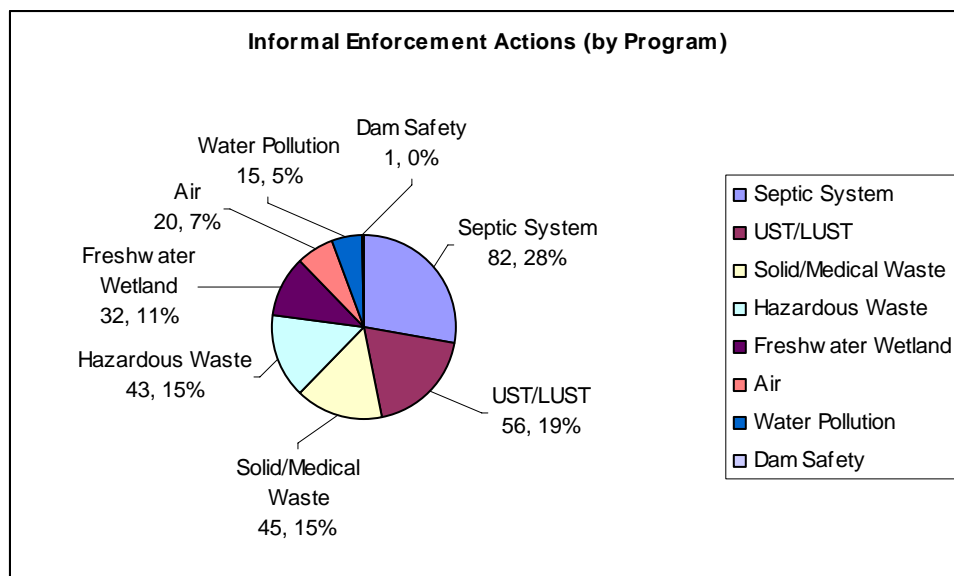
Enforcement Response

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. 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. For the most part, 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 noncompliance

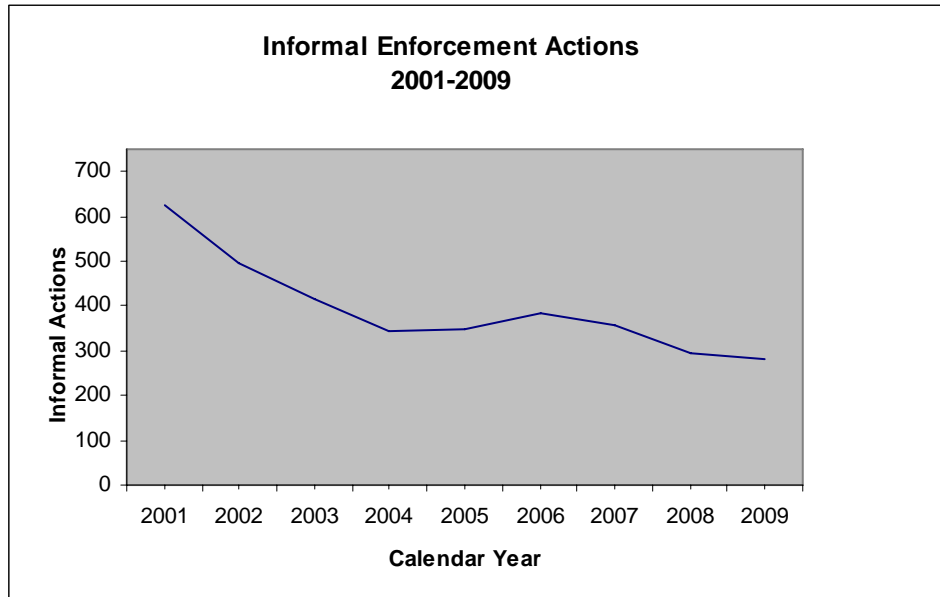
Informal Enforcement

In 2009, OC&I issued **294** informal enforcement actions. Of the actions issued, **20** were for air violations, **1** was for a dam safety violation, **32** were for freshwater wetland violations, **43** were for hazardous waste violations, **82** were for septic system violations, **45** were for solid waste violations, **56** were for UST/LUST violations, and **15** 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.

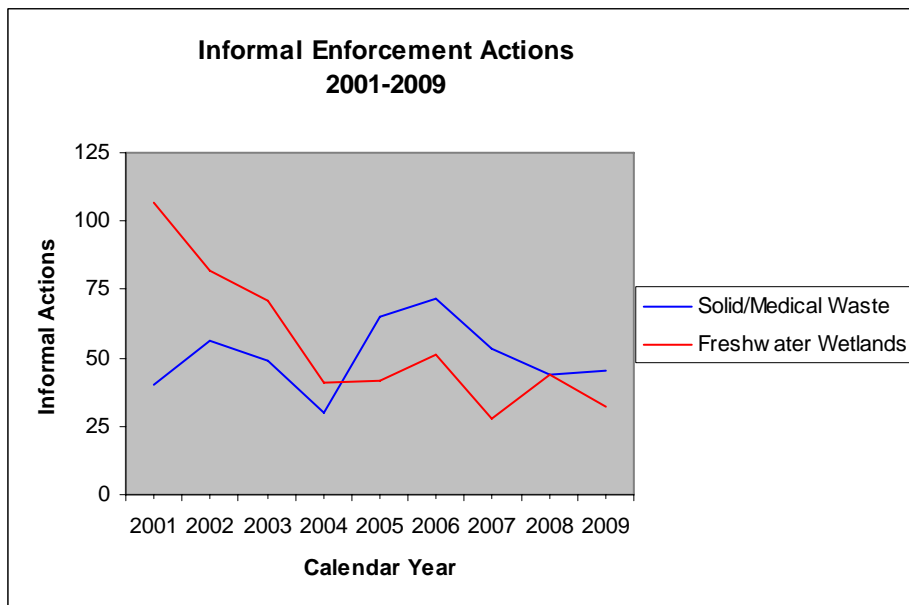
The informal enforcement actions issued by each program in 2009 (by number and percentage) are illustrated in the chart below.

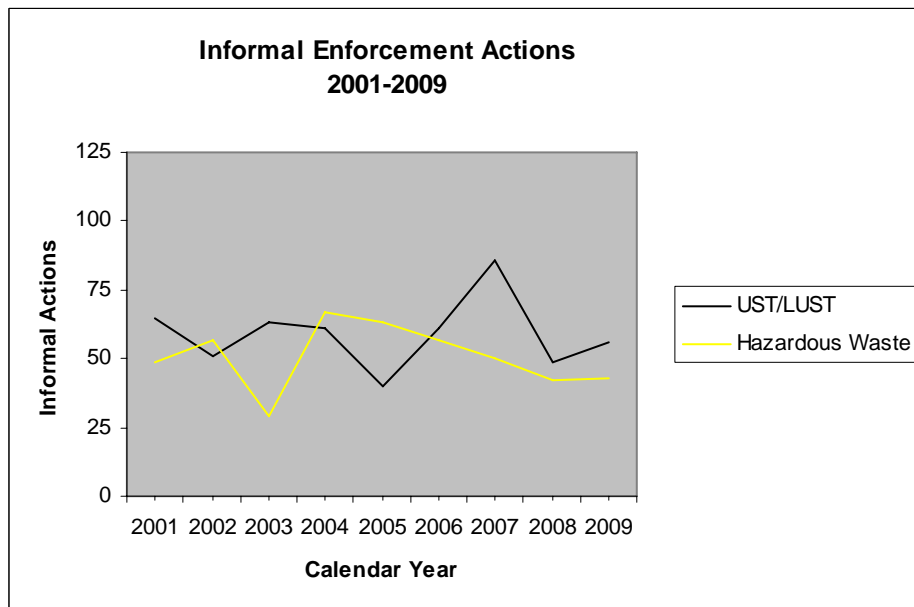
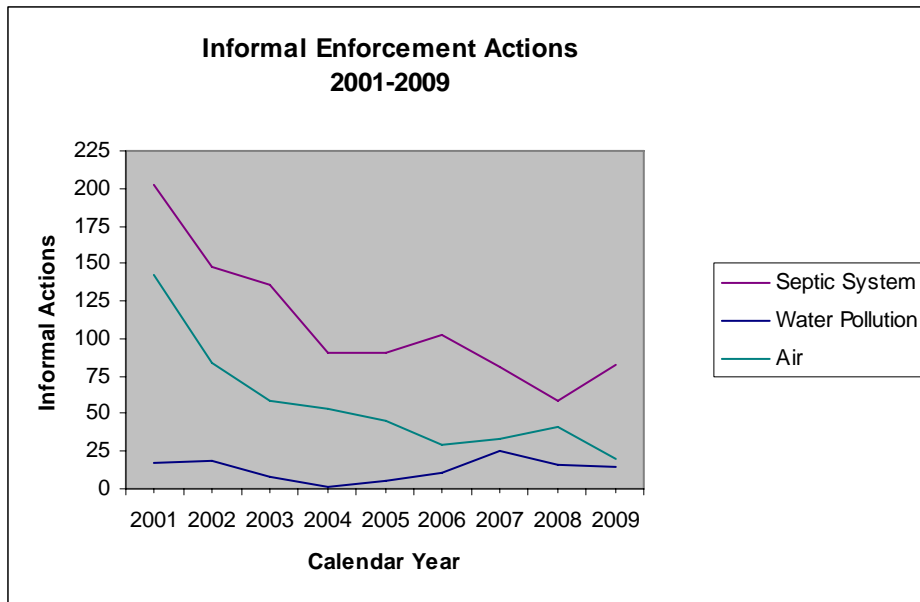


The **294** informal enforcement actions is essentially unchanged from the **296** informal enforcement actions issued in 2008. The number of informal enforcement actions issued since 2004 has been relatively consistent, as illustrated by the graph below.



The number of informal enforcement actions issued from 2001 to 2009 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 below.





OC&I obtains varied success with informal enforcement actions depending upon the program and the ability to issue formal enforcement actions. Overall, **219** informal enforcement actions were resolved in 2009 without formal enforcement.

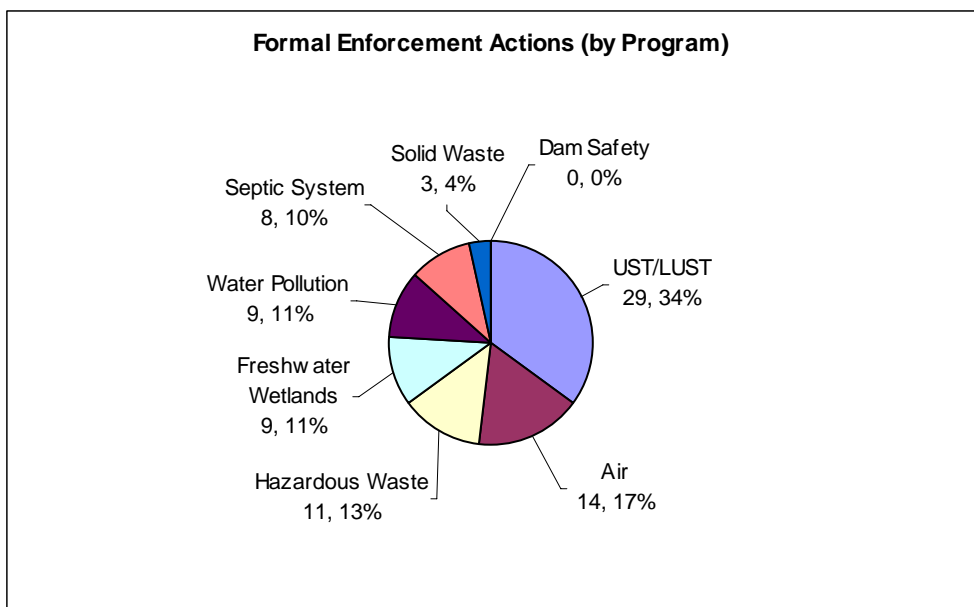
Formal Enforcement

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 the RIDEM *Rules and Regulations for the Assessment of Administrative*

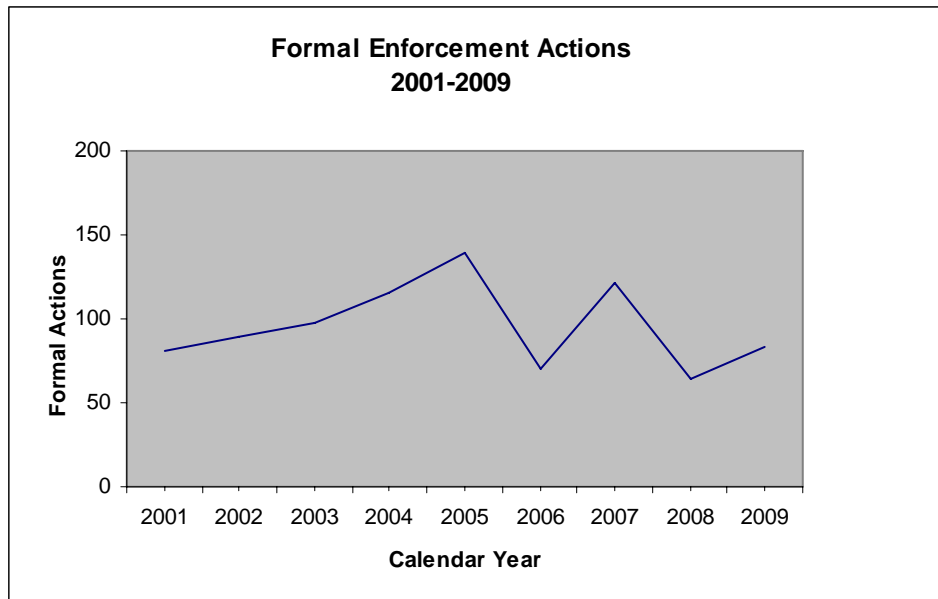
Penalties, and the NOV includes worksheets providing information on how the penalty was determined. The maximum penalty for violations is derived from the legislative statute providing RIDEM with the authority to assess a penalty for civil (non-criminal) violations of laws or regulations. Since formal enforcement actions contain enforceable orders and assessments of penalties, such actions are subject to appeal with the RIDEM's Administrative Adjudication Division (AAD). Respondents have **20** days to appeal the NOV to the AAD. OC&I and the respondent may finalize a settlement of the outstanding enforcement action prior to, or even after a hearing commences. Upon completion of a hearing, a recommended decision is forwarded to RIDEM's Director for a Final Decision and Order. Respondents 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 2009, OC&I issued **83** formal enforcement actions. Each formal enforcement action can involve more than one program. Of the actions issued, **1** involved violations in more than one program. Of the actions issued, **14** were for air violations, **0** were for dam safety violations, **9** were for freshwater wetland violations, **11** 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, **29** were for UST violations, and **9** were for water pollution violations (which includes residential oil pollution violations).

The formal enforcement actions issued by each program in 2009 (by number and percentage) are illustrated in the chart below.



The **83** formal enforcement actions is an improvement over the **64** formal enforcement actions issued in 2008, as illustrated by the graph below. It is important to note, however, that the formal enforcement actions issued in 2009 included a number of cases generated as a result of 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 **23** formal enforcement actions in 2009 as a result of the owners/operators failure to submit the self certification forms by the June 30, 2007 deadline. Excluding those formal enforcement actions, the number of formal enforcement actions issued in 2009 is slightly lower than 2008.

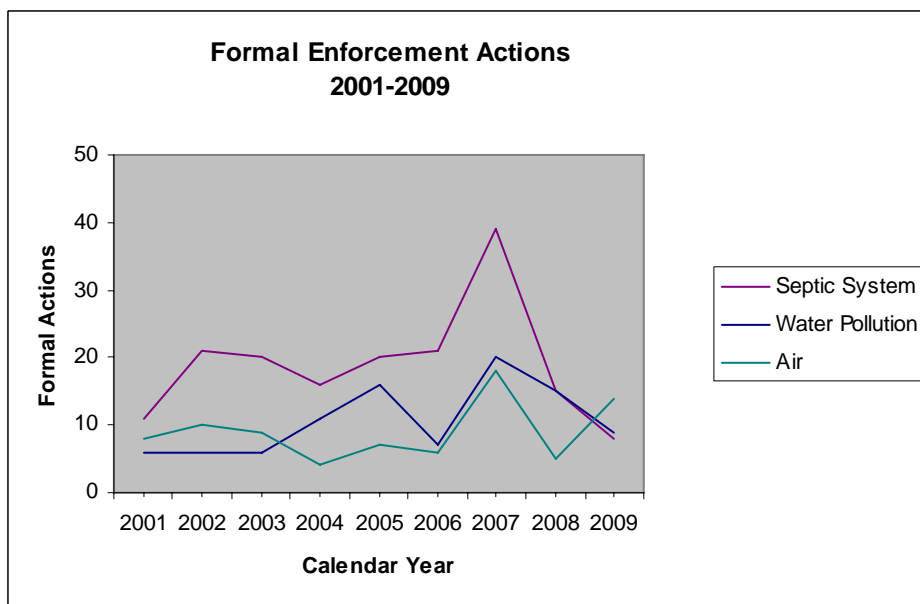
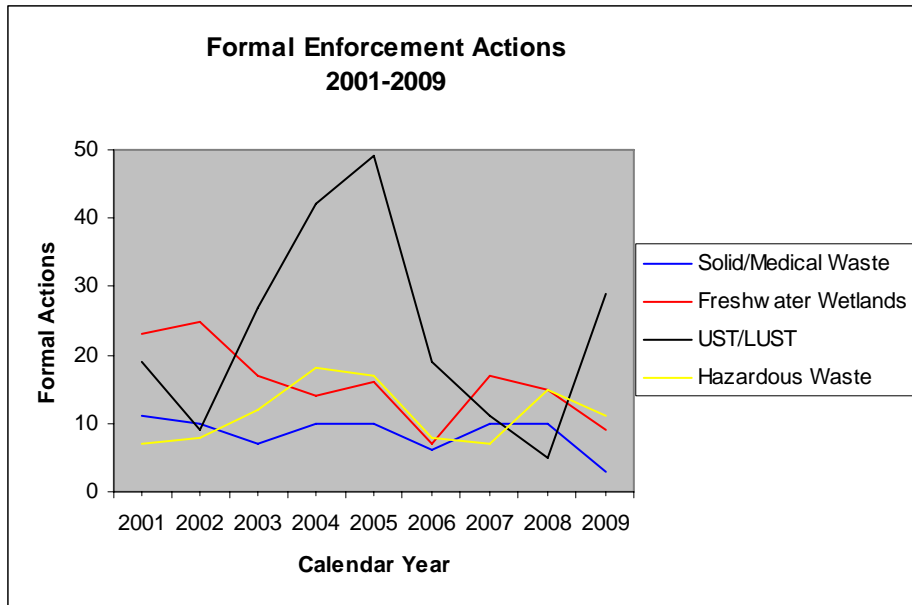


As the graph shows, sharp reductions occurred from 2005 to 2006 and from 2007 to 2008.

A review of the data reveals that 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 (see charts below). 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 data also shows that 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 (see charts below). 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.

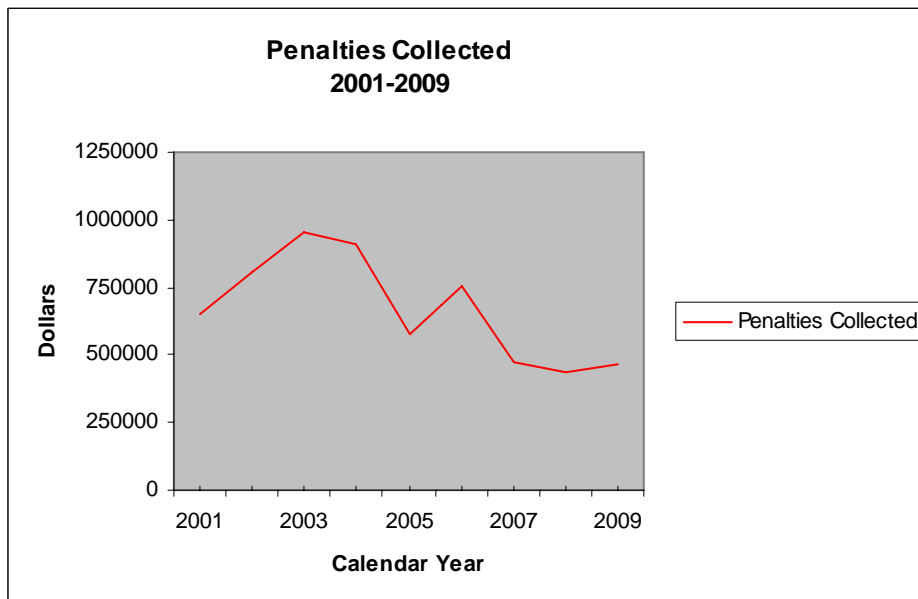
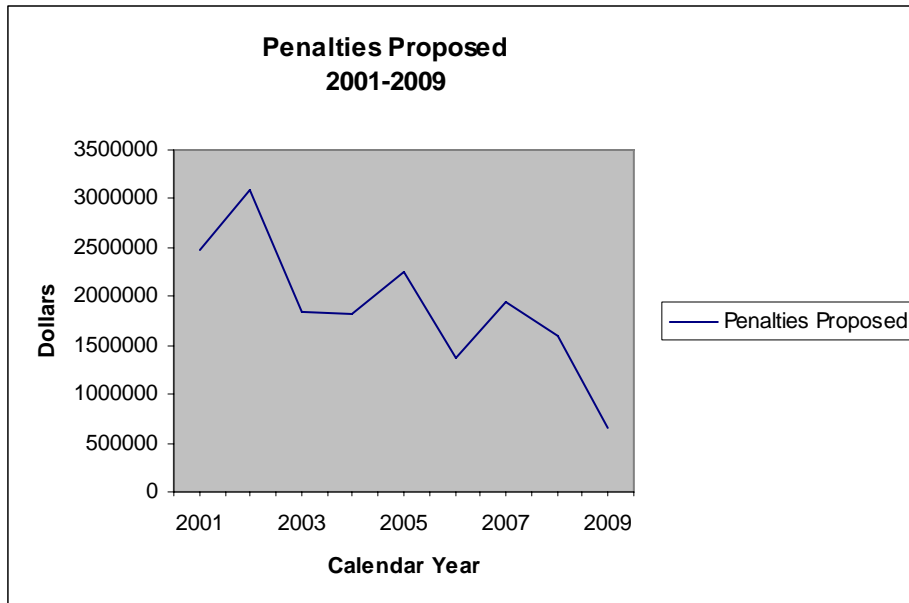
The number of formal enforcement actions issued from 2001 to 2009 for the air pollution, freshwater wetlands, septic system, water pollution, solid waste/medical waste, UST/LUST and hazardous waste programs is illustrated on the graphs below.



Administrative Penalties

As part of the **83** formal enforcement actions issued in 2009, OC&I proposed total penalties of **\$662,985.00**. As a result of efforts to settle or to resolve formal enforcement actions issued over the last year or in previous years, respondents agreed to pay **\$401,823.88** in penalties in the form of cash and OC&I collected **\$522,557.40**.

The following graphs show the penalties proposed and collected from 2001 through 2009. Overall, there has been a downward trend in penalties proposed and collected since 2002.



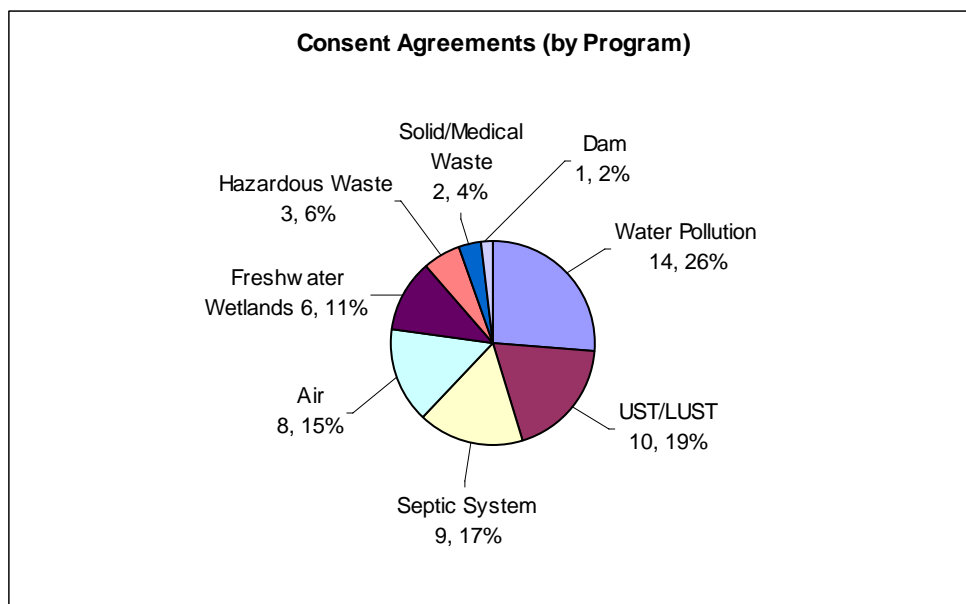
OC&I also agreed to settle **6** enforcement cases by having the respondent conduct a **Supplemental Environmental Project (SEP)**. SEPs are environmentally beneficial projects that a respondent proposes to undertake in settlement of an enforcement action but is not otherwise legally required to perform. SEPs agreed to in 2009 had an estimated value of **\$278,464.00**. 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 SEPs agreed to in 2009 are described in Appendix D.

Consent Agreements

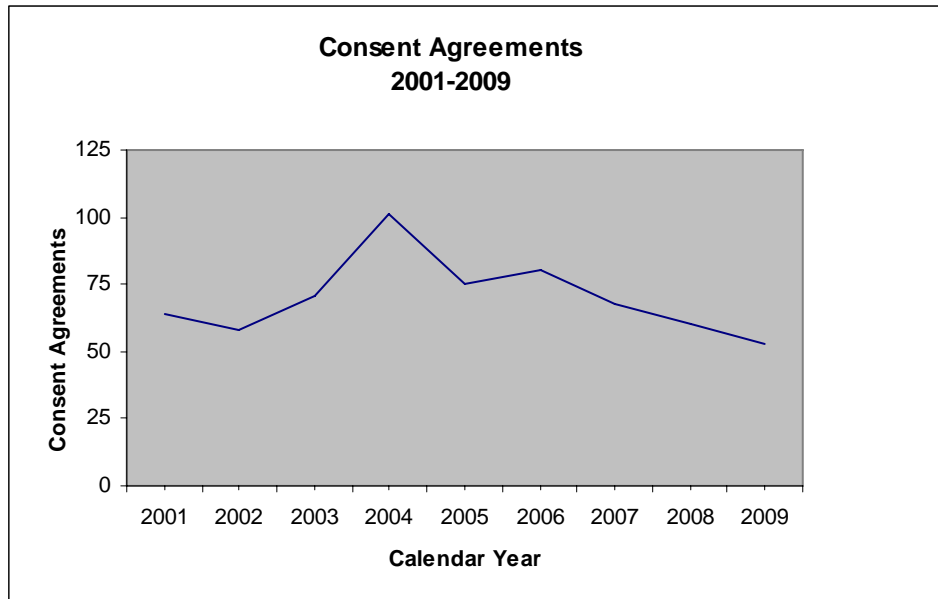
To resolve formal enforcement actions, OC&I often executes consent agreements with respondents. The purpose of such agreements is to have a document that is legally enforceable in court that sets forth how the formal enforcement action was resolved. Such documents identify what performance is required 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 2009, OC&I executed **54** consent agreements to resolve formal enforcement actions. Of the agreements executed, **7** were for air violations, **1** was for dam safety violations, **6** were for freshwater wetland violations, **3** were for hazardous waste violations (which includes site remediation and commercial oil pollution violations), **10** were for septic system violations, **2** were for solid waste violations, **10** were for UST violations, and **15** were for water pollution violations (which includes residential oil pollution violations).

The consent agreements executed by each program in 2009 (by number and percentage) are illustrated in the chart below.



The **54** consent agreements executed is a reduction from the **60** consent agreements executed in 2008 and is the lowest number of consent agreements executed since 2001, as illustrated by the graph below.



Part of the reason for the reduction in the number of consent agreements executed in 2009 was the reduction of administrative hearing officers in the RIDEM Administrative Adjudication Division from 3 to 1 in 2008. The loss of the 2 hearing officers delayed proceedings on contested cases, so respondents were under no pressure to settle with OC&I. One hearing officer was hired in June 2009.

Superior Court

At the beginning of 2009 RIDEM had a backlog of approximately 140 cases that were pending court action. OC&I and the Office of Legal Services met to discuss the backlog and begin to prioritize cases for court action. Our initial focus was on septic system cases where sewage was documented overflowing onto the street or into nearby waterways. RIDEM filed **5** complaints in court in July and **3** complaints in September and worked to resolve those complaints throughout 2009. In addition, RIDEM and the Office of Attorney General worked to resolve **2** longstanding freshwater wetland violations that were in court, one of which was resolved in May.

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>.

Overall, **34** formal enforcement actions were resolved and closed in 2009.

Environmental Results

So, what environmental results did the Office of Compliance and Inspection achieve in 2009?

Air Pollution – The efforts of the program resulted in the correction of **20** air pollution violations (**13** exterior lead paint removal sites cleaned of lead paint chips and debris, **1** fugitive dust emission ceased, **3** pollutant threats eliminated, and **3** other violations corrected).

Dam Safety – A comprehensive report on the program accomplishments can be found at <http://www.dem.ri.gov/programs/benviron/compinsp/pdf/damrpt09.pdf>

Freshwater Wetlands – The efforts of the program resulted in the completion of **15** wetland restorations (**3.0** acres of wetland and **3.9** acres of regulated upland adjacent to freshwater 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.

Hazardous Waste Management – The efforts of the program resulted in **11** Large Quantity Generators of hazardous waste, **24** Small Quantity Generators of hazardous waste, and **6** other facilities that generate hazardous waste brought into compliance with the regulations.

On-Site Wastewater Treatment System (OWTS or Septic System) – The efforts of the program resulted in the correction of **47** septic system violations (**27** sewage overflows, **7** laundry discharges, **5** illegally installed septic systems, **4** improper maintenance, and **4** improper building renovations).

Solid Waste/Medical Waste – The efforts of the program resulted in the correction of **72** solid waste violations (approximately **19,112** cubic yards equivalent to **4** tons of solid waste was removed from the environment (from various sites) and disposed of properly).

Underground Storage Tanks (UST)/Leaking Underground Storage Tanks (LUST) – The efforts of the program resulted in **41** UST facilities (**90** individual USTs) brought into compliance with the regulations.

Water Pollution – The efforts of the program resulted in the correction of **17** water pollution violations (**6** discharges of soil/sediment, **5** sewage discharges, **2** oil discharges, and **4** other discharges).

Training

OC&I staff attended **10** separate training courses in 2009. The courses were provided by the Office of Training and Development, the Northeast Environmental Enforcement Project (NEEP), the Rhode Island Fire Academy, the Rhode Island Emergency Management Agency, the New England Interstate Water Pollution Control Commission (NEIWPC), and Eastern Technical Associates. A list of the courses and number of staff who attended each course is shown in Appendix E.

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: 401.222.4700 ext. 7400).

APPENDIX A: FACILITIES/LOCATION INSPECTED FOR COMPLIANCE - AIR PROGRAM

Facility/Location	Address	City/Town	Fully Compliant at the Time of Inspection?
Sowams Nursery	82 Sowams Road	Barrington	Yes
45 Fletcher Street	45 Fletcher Street	Central Falls	Yes
Kenyon Industries	36 Sherman Avenue	Charlestown	Yes
Kenyon Industries	36 Sherman Avenue	Charlestown	Yes
100 Sefton Drive	100 Sefton Drive	Cranston	Yes
370 Montgomery Avenue	370 Montgomery Avenue	Cranston	Yes
46 Forest Avenue	46 Forest Avenue	Cranston	Yes
PJ Keating	875 Phenix Avenue	Cranston	Yes
PJ Keating	875 Phenix Avenue	Cranston	Yes
City of Cranston WWTF	140 Pettaconsett Avenue	Cranston	Yes
City of Cranston WWTF	140 Pettaconsett Avenue	Cranston	Yes
City of Cranston WWTF	140 Pettaconsett Avenue	Cranston	Yes
American Mobile Mix Concrete	508 Hopkins Hill Road	Coventry	Yes
Coventry Asphalt	75 Airport Road	Coventry	Yes
DiGregorio, Inc.	180 Colvintown Road	Coventry	Yes
T. Miozzi	75 Airport Road	Coventry	Yes
T. Miozzi	75 Airport Road	Coventry	Yes
T. Miozzi	75 Airport Road	Coventry	Yes
Centre of New England	Area of Arnold Road and Lydia Road	Coventry	No
292 Marlborough Street	292 Marlborough Street	East Greenwich	Yes
Bernado Manufacturing	54 Taylor Drive	East Providence	Yes
Inferno Pellets	275 Ferris Avenue	East Providence	Yes
Pond View Recycling	1 Dexter Road	East Providence	Yes
Area of Central Landfill	Bishop Hill Road	Johnston	Yes
Area of Killingly Street and Route 6		Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Central Landfill	65 Shun Pike	Johnston	Yes
Ocean State Peeled Potato	1587 Plainfield Pike	Johnston	Yes

Facility/Location	Address	City/Town	Fully Compliant at the Time of Inspection?
Ocean State Peeled Potato	1587 Plainfield Pike	Johnston	Yes
Parrillo, GA Construction	14 Priscilla Lane	Johnston	Yes
Parrillo, GA Construction	14 Priscilla Lane	Johnston	Yes
Parrillo, GA Construction	14 Priscilla Lane	Johnston	Yes
Parrillo, GA Construction	14 Priscilla Lane	Johnston	Yes
JAM Construction	990 Aquidneck Avenue	Middletown	Yes
Newport WWTF	250 J.T. Connell Road	Newport	Yes
Senesco	10 McNaught Street	North Kingstown	Yes
31 West Main Road	31 West Main Road	North Kingstown	Yes
Town of North Kingstown Transfer Station	Devils Foot Road	North Kingstown	Yes
Area of 1828 Mineral Spring Avenue	Lowes Fill Site	North Providence	Yes
Lowes Construction Site	1730 Mineral Spring Avenue	North Providence	Yes
Lowes Construction Site	1730 Mineral Spring Avenue	North Providence	Yes
Lowes Construction Site	1730 Mineral Spring Avenue	North Providence	Yes
Lowes Construction Site	1730 Mineral Spring Avenue	North Providence	Yes
74 Cleveland Street	74 Cleveland Street	Pawtucket	Yes
1 Richmond Square	Pitman Street	Providence	Yes
11-13 Geneva Street	11-13 Geneva Street	Providence	Yes
116 Eighth Street	116 Eighth Street	Providence	Yes
117 Sandringham Avenue	117 Sandringham Avenue	Providence	No
117 Sandringham Avenue	117 Sandringham Avenue	Providence	No
117 Sandringham Avenue	117 Sandringham Avenue	Providence	No
117 Sandringham Avenue	117 Sandringham Avenue	Providence	No
117 Sandringham Avenue	117 Sandringham Avenue	Providence	No
117 Sandringham Avenue	117 Sandringham Avenue	Providence	Yes
117 Sandringham Avenue	117 Sandringham Avenue	Providence	No
117 Sandringham Avenue	117 Sandringham Avenue	Providence	No
155-157 Cypress Drive	155-157 Cypress Drive	Providence	Yes
158-160 Bridgham Street	158-160 Bridgham Street	Providence	Yes
165 Brown Street	165 Brown Street	Providence	No
165 Brown Street	165 Brown Street	Providence	Yes
19 Armington Avenue	19 Armington Avenue	Providence	Yes
202 Lippitt Street	202 Lippitt Street	Providence	Yes
207 Gentian Avenue	207 Gentian Avenue	Providence	Yes
219 Lexington Avenue	219 Lexington Avenue	Providence	Yes
31-33 Tanner Street	31-33 Tanner Street	Providence	Yes
32-34 Tecumseh Street	32-34 Tecumseh Street	Providence	Yes
32-34 Tecumseh Street	32-34 Tecumseh Street	Providence	Yes
412 Prairie Avenue	412 Prairie Avenue	Providence	Yes
412 Prairie Avenue	412 Prairie Avenue	Providence	Yes
430 Lloyd Avenue	430 Lloyd Avenue	Providence	No

Facility/Location	Address	City/Town	Fully Compliant at the Time of Inspection?
430 Lloyd Avenue	430 Lloyd Avenue	Providence	Yes
7 Hidden Street	7 Hidden Street	Providence	No
7 Hidden Street	7 Hidden Street	Providence	Yes
863 Manton Avenue	863 Manton Avenue	Providence	No
863 Manton Avenue	863 Manton Avenue	Providence	No
863 Manton Avenue	863 Manton Avenue	Providence	Yes
Area of Governor Street		Providence	Yes
Area of Governor Street		Providence	Yes
CAPCO Steel	33 Acorn Street	Providence	Yes
CAPCO Steel	33 Acorn Street	Providence	Yes
CAPCO Steel	33 Acorn Street	Providence	Yes
Freeman's Food Service	10 Rosario Drive	Providence	Yes
Freeman's Food Service	10 Rosario Drive	Providence	Yes
Narragansett Improvement	223 Allens Avenue	Providence	Yes
Narragansett Improvement	223 Allens Avenue	Providence	Yes
Narragansett Improvement	223 Allens Avenue	Providence	Yes
Promet Marine Services	242 Allens Avenue	Providence	Yes
Charbert Manufacturing	299 Church Street	Richmond	Yes
Charbert Manufacturing	299 Church Street	Richmond	Yes
Smithfield Peat	295 George Washington Highway	Smithfield	Yes
Area of Amtrak Station	Jefferson Boulevard	Warwick	Yes
439 Alogonquin Drive	439 Alogonquin Drive	Warwick	Yes
44 Urban Avenue	44 Urban Avenue	Warwick	Yes
Hollywood Landscaping	2944 Post Road	Warwick	Yes
Pease & Curren	75 Pennsylvania Avenue	Warwick	Yes
TF Green Airport	Buckeye Brook	Warwick	Yes
Bradford Dyeing Association	460 Bradford Road	Westerly	Yes
Bradford Dyeing Association	460 Bradford Road	Westerly	Yes
41 East Street	41 East Street	West Warwick	No
41 East Street	41 East Street	West Warwick	Yes
Riverpoint Lace	825 Main Street	West Warwick	Yes
Ducharme Auto Body	115 Valley Street	Woonsocket	Yes

APPENDIX B: FACILITIES/LOCATION INSPECTED FOR COMPLIANCE- HW PROGRAM

Facility/Location	Address	City/Town	Fully Compliant at the Time of Inspection?³
Reed Rico	3 Minturn Farm Road	Bristol	Yes
AGT	54 Algonquin Lane	Burrillville	Yes
Supreme Mid-Atlantic Corp	135 Douglas Pike	Burrillville	Yes
Clariant Corporation	500A Washington Street	Coventry	Yes
Ralph Shuster, Inc.	12 Walter Street	Cranston	No
ETM Green	117 Pettaconsett Avenue	Cranston	No
BMCO Ind. Inc.	159 Frances St.	Cranston	No
Alga Plastics Co.	21 Amflex Drive	Cranston	No
Mass Electric Construction Co.	1473 Elmwood Avenue	Cranston	Yes
Apollo Auto Sales	620 Broad Street	Cumberland	No
Collegium Pharmaceutical	400B Highland Corporate Dr.	Cumberland	No
Hope Webbing Company	50 Martin Street	Cumberland	No
Herrick & White, Ltd	3 Flat Street	Cumberland	No
Tedor Pharma, Inc.	400 Highland Corporate Drive	Cumberland	No
Tiffany & Co. (Forest Hill)	300 Maple Ridge Drive	Cumberland	No
Stanley Fastening Systems, LP	1 Briggs Drive	East Greenwich	No
Interplex Metals RI Corp.	231 Ferris Avenue	East Providence	No
Exxon/Mobil Oil Corp.	1001 Wampanoag Trail	East Providence	No
Cockcroft Company	333 Waterman Avenue	East Providence	No
JJ Gregory & Son Inc.	77 Highland Avenue	East Providence	No
C&S Machine Company	33 Metacomet Avenue	East Providence	Yes
NERL Diagnostics	14 Almedia Avenue	East Providence	No
Crafford-LaserStar Technologies Corp.	1 Industrial Court Street	East Providence	Yes
Anthony's Auto Body, Inc	21 Oakdale Avenue	Johnston	No
Gem Cleaners	1478 Atwood Avenue	Johnston	Yes
Casale's Auto Body	2741 Hartford Avenue	Johnston	No
A & H Manufacturing Co.	1 Carding Lane	Johnston	No
Unique Plating Co. Inc.	66 Mill Street	Johnston	Yes
Tanuary, G., Plating Co.	100 Railroad Avenue	Johnston	No
A. T. Cross	1 Albion Road	Lincoln	Yes
EFD, Inc.	14 Blackstone Valley Place	Lincoln	Yes
Polo Cleaners	700 Aquidneck Avenue	Middletown	No
DeWal	15 Trainer Dr.	Narragansett	No
Anvil International	160 Frenchtown Road	North Kingstown	No
Ultra Scientific	250 Smith Street	North Kingstown	No
Our Lady of Fatima Hospital	200 High Service Avenue	North Providence	No
New Riders Auto Sales & Service	925 Charles St.	North Providence	Yes
North American Auto Sales Annex	915 Charles Street	North Providence	No
ATP Manufacturing LLC	761 Great Road	North Smithfield	Yes
National Marker Company	100 Providence Pike	North Smithfield	No
Bliss Manufacturing Company	50 Bacon Street	Pawtucket	Yes
Hord Crystal Corp	45 York Avenue	Pawtucket	Yes
Cornerstone Prototype Development	660 School Street	Pawtucket	Yes
Mr. USA 1 Hour Cleaners	224 East Avenue	Pawtucket	No
Teknor Apex Co.	505 Central Avenue	Pawtucket	Yes
Paramount Cards, Inc.	400 Pine Street	Pawtucket	Yes
Capco Steel Corp.	33 Acorn Street	Providence	No

Facility/Location	Address	City/Town	Fully Compliant at the Time of Inspection? ³
Armbrust International	735 Allens Avenue	Providence	No
Specialty Cleaners Co.	1241 Smith Street	Providence	No
Spencer Plating Company	350 Dexter Street	Providence	No
Rhode Island Hospital	593 Eddy Street	Providence	Yes
Rhode Island School of Design	Two College Street	Providence	No
Umicore Indium Products	50 Sims Avenue	Providence	No
International Chromium Plating Co.	2 Addison Place	Providence	Yes
Healty Trac	203 Concord Street	Providence	Yes
Mirror Image	190 Exchange St.	Providence	Yes
Electrolizing, Inc.	10-20 Houghton Street	Providence	Yes
Victory Finishing Technologies, Inc.	145 Globe Street	Providence	No
Capco Auto Body	30 Acorn Street	Providence	No
Crotty Auto Body	4049 South County Trail	South Kingstown	Yes
Pier Cleaners, Inc.	50 High St.	South Kingstown	No
Oracle Lens Manufacturing	35 Onset Street	Warwick	No
Honda Suzuki World	250 Oakland Beach Ave	Warwick	No
Bassett Boat Co.	1 Masthead Drive	Warwick	No
Shatz, Frank & Co., Inc.	71 Dewey Avenue	Warwick	Yes
ETCO Inc. Cord Set Division	25 Bellows Street	Warwick	No
Immunex Rhode Island Corporation	40 Technology Way	West Greenwich	Yes
Droitcor	33 Graystone Avenue	West Warwick	No
Droitcor	28 Graystone Avenue	West Warwick	No
Simon Chevrolet Buick, Ltd.	11 Fortin Drive	Woonsocket	No
Cycle Performance	208 Bernon Street	Woonsocket	No

³ Fully compliant includes facilities where minor violations were identified that were corrected prior to the completion of the inspection.

APPENDIX C: FACILITIES INSPECTED FOR COMPLIANCE MONITORING-UST PROGRAM

Facility Name and Address	City/Town	Facility ID No.	Fully Compliant at the Time of the Inspection
Reservoir Road Pump Station Reservoir Road	Burrillville	19159	Yes
Mapleville Pump Station Mapleville Main Street	Burrillville	3289	No
Oakland Pump Station Victory Highway	Burrillville	3288	No
Charlestown Municipal Facility 4540 South County Trail	Charlestown	2920	Yes
J & J Brothers, Inc. 585 Tiogue Avenue	Coventry	75	No
Cumberland Farms #3862 659 Reservoir Avenue	Cranston	1069	No
Pontiac Citgo 480 Pontiac Avenue	Cranston	1138	No
Mobil #12003 975 Oaklawn Avenue	Cranston	1510	No
Cumberland Farms #3833 921 Cranston Street	Cranston	763	Yes
Atwood Xtra Mart 280 Atwood Avenue	Cranston	583	No
Park Avenue Cement Block Co 30 Budlong Road	Cranston	3585	Yes
New Penn Motor Express 2110 Plainfield Pike	Cranston	3219	No
Greylawn Foods 2032 Plainfield Pike	Cranston	1184	No
Oaklawn Village Service Station 908 Oaklawn Avenue	Cranston	788	No
Con-Way Central Express 15 Southern Industrial Drive	Cranston	18926	No
Hess #39205 305 Phenix Avenue	Cranston	294	Yes
Alliance Energy #204 1200 Pontiac Avenue	Cranston	1264	Yes
Speedy Gas 95 Warwick Avenue	Cranston	1909	No
Pepsi Bottling Group 1400 Pontiac Avenue	Cranston	1247	No
General Oil Company 208 Gansett Avenue	Cranston	851	Yes
Ocean State Mobil 1282 Elmwood Avenue	Cranston	1139	Yes
American Performance Petroleum 964 Cranston Street	Cranston	3127	No

Facility Name and Address	City/Town	Facility ID No.	Fully Compliant at the Time of the Inspection
AAA Gas 717 Park Avenue	Cranston	3016	No
Mobil #12003 975 Oaklawn Avenue	Cranston	1510	No
Cumberland Farms #3833 921 Cranston Street	Cranston	763	Yes
Waste Management of RI 1684 Pontiac Avenue	Cranston	3133	Yes
Pontiac Avenue Fueling Depot (State) 1375 Pontiac Avenue	Cranston	18399	Yes
Verizon 56 Phenix Avenue	Cranston	1208	Yes
Public America 1754 Mendon Road	Cumberland	18886	No
Nouria Energy #203 4120 Mendon Road	Cumberland	19279	Yes
Verizon 6 Angell Road	Cumberland	1212	Yes
Verizon 59 Church Street	East Greenwich	1194	Yes
Hassell's Garage 269 Wampanoag Trail	East Providence	664	No
Verizon 60 Somerset Avenue	East Providence	1193	Yes
A.B. Munroe Dairy, Inc. 151 North Brow Street	East Providence	1043	No
Cesar's Auto Service 635 Bullocks Point Avenue	East Providence	674	No
Mobil #10745 900 Wampanoag Trail	East Providence	1013	Yes
Echo Gas 3393 Pawtucket Avenue	East Providence	2989	No
Brothers Gas 317 North Broadway	East Providence	2171	No
Mobil #14831 2336 Pawtucket Avenue	East Providence	478	Yes
BDPS, LLC 100 Water Street	East Providence	3277	No
Agawam Hunt 15 Roger Williams Avenue	East Providence	2406	Yes
Wannamoissett Country Club 96 Hoyt Avenue	East Providence	1576	Yes
Petro Plus Service Station 2851 Pawtucket Avenue	East Providence	3254	No

Facility Name and Address	City/Town	Facility ID No.	Fully Compliant at the Time of the Inspection
NES Rentals 73 Commercial Way	East Providence	3213	Yes
Homestead Baking Co. 145 North Broadway	East Providence	3425	No
Orchard View Manor 135 Tripps Lane	East Providence	2276	Yes
East Providence Central Garage 60 Commercial Way	East Providence	1450	No
Alliance Energy #SK268 69 Taunton Avenue	East Providence	1266	Yes
Contractor's Supply 3340 Pawtucket Avenue	East Providence	2256	Yes
JJ Gregory & Son 77 Highland Avenue	East Providence	1760	No
Carl's Auto Service & Fuels 517 Warren Avenue	East Providence	1327	No
Rumford Irving 411 North Broadway	East Providence	3223	No
East Providence Water Pollution Control Facility 1 Crest Avenue	East Providence	1445	Yes
Ponaganset High/Middle Schools 91 & 137 Anan Wade Road	Glocester	1713	No
Cumberland Farms #3861 2643 Hartford Avenue	Johnston	2774	Yes
Cumberland Farms #3804 94 George Waterman Road	Johnston	738	No
Shell 1680 Hartford Avenue	Johnston	799	No
INA Petroleum 2862 Hartford Avenue	Johnston	3176	No
Mancini's Service Station 1191 Hartford Avenue	Johnston	1754	No
Hawk Enterprises 119 Greenville Avenue	Johnston	625	No
Hess #39202 1783 Plainfield Pike	Johnston	19236	Yes
Bud Mullins Service Station 1341 Plainfield Street	Johnston	1324	No
Shell 1396 Hartford Avenue	Johnston	1525	Yes
RI DOT Garage 317 Cherry Hill Road	Johnston	1289	No
Cumberland Farms #3808 823 Smithfield Avenue	Lincoln	742	Yes

Facility Name and Address	City/Town	Facility ID No.	Fully Compliant at the Time of the Inspection
Sunoco #0374-3952 634 George Washington Highway	Lincoln	19018	Yes
Ernie's Auto Repair 90 Winter Street	Lincoln	319	No
UPS Ground Freight, Inc. 617 George Washington Highway	Lincoln	479	No
Shell 1783 Louisquisset Pike	Lincoln	428	Yes
RI DOT Garage 680 George Washington Highway	Lincoln	1288	No
Twin River 100 Twin River Road	Lincoln	3034	No
RI DOT Garage 439 Tower Hill Road	North Kingstown	1283	No
PJ Holton Purification Plant 61 North Road	Scituate	1699	No
Apple Valley Car Wash 6 Cedar Swamp Road	Smithfield	2122	No
Smithfield Department of Public Works 3 Spragueville Road	Smithfield	827	No
Chester's Service Station 351 Douglas Pike	Smithfield	1916	No
Smithfield Convenience Ctr. 285 George Washington Highway	Smithfield	2247	No
Mobil #12004 364 Putnam Pike	Smithfield	1014	Yes
Sunoco 101 Pleasant View Avenue	Smithfield	636	No
North Bay Manor 171 Pleasant View Avenue	Smithfield	18606	No
Shell 370 Putnam Pike	Smithfield	18581	Yes
Smithfield Sewer Authority 20 Esmond Mill Drive	Smithfield	2483	Yes
Bryant University 1150 Douglas Pike	Smithfield	1623	No
Fuel Depot 644 Putnam Pike	Smithfield	879	No
Cumberland Farms #3814 278 Cowesett Avenue	West Warwick	747	Yes
Sam's Food Store 119 East Main Street	West Warwick	744	No
Cumberland Farms #3860 244 Washington Street	West Warwick	3121	No

Facility Name and Address	City/Town	Facility ID No.	Fully Compliant at the Time of the Inspection
Begos Brothers 1780 Main Street	West Warwick	311	Yes
Verizon 1103 Main Street	West Warwick	1216	Yes
Clyde Pump Station 970 Main Street	West Warwick	3294	Yes
West Warwick Regional Wastewater Treatment Facility 1 Pontiac Avenue	West Warwick	3159	Yes
Cowesett Sunoco 128 Cowesett Avenue	West Warwick	641	No
Clyde Sunoco 888 Main Street	West Warwick	579	Yes
Woonsocket Water Treatment Plant 1500 Manville Road	Woonsocket	1082	No
Woonsocket Department of Public Works 943 River Street	Woonsocket	18604	No
Verizon 199 Clinton Street	Woonsocket	1217	Yes

APPENDIX D: SEPs AGREED TO IN CALENDAR YEAR 2009

SEP #1 –Rhode Island Department of Transportation and Cardi Corporation

The SEP pertains to restoration of a historically disturbed portion of a 200-foot riverbank wetland along Fry Brook near State Route 403 in the town of North Kingstown. The riverbank wetland in this area is part of a remnant gravel pit located immediately adjacent to Fry Brook. The respondents agreed to transport and mix compost material into the sandy soil and apply hydroseed throughout the riverbank wetland to restore 100,000 square feet (approximately 2.3 acres) of riverbank wetland. The total cost of the SEP was estimated at \$31,000.00.

SEP #2 – Picerne Investment Pool LLC and Bayside Associates

The SEP pertains to an apartment complex located at 212 Sandy Lane in the city of Warwick. The apartment complex includes six (6) separate buildings that are served by onsite wastewater treatment systems. The respondents agreed to connect the sanitary sewerage system for one of the buildings to the city sewerage system and properly abandon the onsite wastewater treatment system in accordance with RIDEM regulations. The total cost of the SEP was estimated at \$12,000.00.

SEP #3 – Town of Lincoln

The SEP pertains to a highway garage located at 94 Old River Road in the town of Lincoln. The garage has a 275 gallon above ground waste oil tank located on the rear wall of the garage. The town agreed to remove and dispose of the waste oil tank and replace it with a 275 gallon double walled steel above ground storage tank and a 5 foot x 8 foot x .5 foot thick concrete pad with four 4 inch concrete filled bollards. The total cost of the SEP was estimated at \$14,960.00.

SEP #4 – Greenwich Bay Enterprises, Inc.

The SEP pertains to two private vessels (a 60 foot LCM and a 26 foot LCM) owned and operated by Clean the Bay, a nonprofit organization that uses the vessels to remove large debris from the shoreline of Narragansett Bay. The respondent agreed to remove, collect and dispose of all solid and hazardous waste found in the bilges of the vessels, launch the vessels and provide temporary dockage, labor and equipment, and provide hauling, washing and blocking services and winter storage for the 2009/2010 season for the vessels. The total cost of the SEP was estimated at \$7,414.00.

SEP #5 – Rhode Island Resource Recovery Corporation

The SEP pertains to the cleanup of contaminated soil excavated from the Bay Street area in the town of Tiverton. The contaminated soil contains cyanide disposed of many years ago by a coal gasification plant located in the city of Fall River. The contaminated soil has restricted the property owners' use of their yards by prohibiting any excavation of the soil. The respondent owns and operates a solid waste landfill in the town of Johnston. The respondent agreed to accept, without charge or fee, up to a maximum of 8,000 tons of contaminated soil provided that the material meets the respondent's specifications for alternative daily cover for the landfill. The total cost of the SEP was estimated at \$120,000.00.

SEP #6 – Rhode Island Resource Recovery Corporation

The SEP pertains to storm water runoff from Shun Pike and Green Hill Road in the town of Johnston. The roads are owned by the town of Johnston and are the source of sediment into Simmons Reservoir during rain storms. The respondent agreed to construct, for the town of Johnston, a water quality basin that is designed to remove sediment from the runoff prior to its discharge into Simmons Reservoir. The total cost of the SEP was estimated at \$45,000.00.

Appendix E: Training Completed by Staff in 2009

Month	Course Title	Number of Staff Attended	Trainer
February	Microsoft Powerpoint	1	Office of Training and Development
April	Visible Emission Evaluator	2	Eastern Technical Associates (ETA)
August	Land Navigation	1	RI EMA
September	Sampling & Science Awareness	1	Northeast Environmental Enforcement Project
	All in a Day's Work	1	Office of Training and Development
	Hazwoper 8-hr Refresher	10	RI Fire Academy
October	Psychology in the Workplace	1	Office of Training and Development
	Visible Emission Evaluator	2	Eastern Technical Associates (ETA)
December	Communications Skills	7	Northeast Environmental Enforcement Project
	UST Operator Training	1	NEIWPC

APPENDIX F: Enforcement Activity in 2009

COMPLAINTS	AIR	DAM	WETLANDS	HW/SR	OWTS	SW/MW	UST/LUST	WATER	TOTAL
Received	408	3	326	40	197	93	5	121	1193
Investigations Conducted*	390	3	200	39	178	96	2	92	1000
Unable to Investigate	18	0	0	10	33	6	0	0	67
Unfounded	360	0	77	14	61	70	0	61	643
No Action	4	3	31	2	3	7	1	2	53
Inspections	281	0	369	33	217	203	3	123	1229
Referred**	10	0	0	3	0	22	1	1	37
COMPLIANCE MONITORING									
Inspections	113	21	0	103	0	0	118	0	355
ENFORCEMENT ACTIONS									
Informals - issued	20	1	32	43	82	45	56	15	294
Informals - resolved	15	0	11	40	36	71	38	8	219
Formals - issued***	14	0	9	11	8	3	29	9	83
Formals - closed	5	0	4	1	11	1	3	9	34
Consent Agreements Executed	7	1	6	3	10	2	10	15	54
Penalties Proposed (Formal Actions)	\$118,449.00	\$0.00	\$39,000.00	\$253,179.00	\$12,200.00	\$53,250.00	\$110,907.00	\$76,000.00	\$662,985.00
Penalties Assessed (Consent Agreements)	\$33,455.00	\$500.00	\$19,000.00	\$30,000.00	\$7,000.00	\$3,700.00	\$10,262.00	\$297,906.88	\$401,823.88
Penalties Collected (Cash Received)	\$45,210.00	\$500.00	\$48,300.00	\$41,561.74	\$21,534.19	\$29,900.00	\$24,721.00	\$310,830.47	\$522,557.40
Cost Recovery (Outstanding)	----	---	----	----	---	----	----	----	---
Cost Recovery (Collected)	----	---	----	----	----	---	----	----	---
SEP Agreed To	0	0	1	0	1	0	2	2	6
SEP Monetary Value	---	---	\$31,000.00	---	\$8,000.00	---	\$22,464.00	\$217,000.00	\$278,464.00
Mediation Cases	0	0	0	0	0	0	0	0	0
AAD Hearings Held	0	0	3	0	1	0	0	0	4
Superior Court Complaints Filed	0	0	0	0	8	0	0	0	8
Crim Inv Assist Cases	0	0	0	0	0	0	0	0	0
*Complaint Investigations are counted only once even though one Investigation may address multiple complaints received									
**Referred to other program, department or agency									
***Multi-media NOV's issued = 1, these are included in the program counts									