

Performance Partnership Agreement for Federal Fiscal Years 2020 - 2023

Between the Rhode Island Department of Environmental Management

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<http://www.dem.ri.gov/>

and the

United States Environmental Protection Agency Region I - New England

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Prepared by:

Rhode Island Department of Environmental Management
and the
U.S. Environmental Protection Agency, Region I - New England

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EXECUTION OF THE AGREEMENT

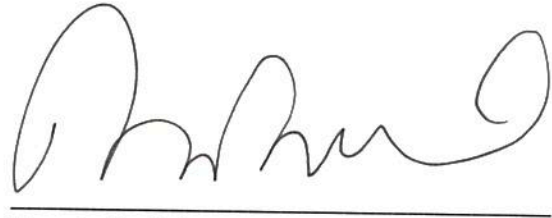
This Performance Partnership Agreement (Agreement or PPA) between the Rhode Island Department of Environmental Management (RIDEM) and the U.S. Environmental Protection Agency, Region I - New England (EPANE), covers the time period from October 1, 2019 to September 30, 2023. It is consistent with the principles embodied in the U.S. Environmental Protection Agency and the Environmental Council of the States joint agreement to develop an effective National Environmental Performance Partnership System (NEPPS).

By entering into this Agreement, both agencies commit to: 1) improving communications using agreed upon outcomes and environmental measures; 2) aligning and integrating both agency's goals objectives, and targets; 3) investing resources on the identified Areas for Collaboration; and 4) ensuring that limited staff and financial resources are used judiciously to address the most significant environmental and programmatic issues in the state and region.

The undersigned execute this Agreement between the Rhode Island Department of Environmental Management (RIDEM) and the EPANE for federal fiscal years 2020 - 2023. The Agreement, including the Areas for Collaboration, will be reviewed annually (as will the associated EPANE Priorities & Commitments Lists and RIDEM Comprehensive Work Plans), and modified as necessary to ensure that it remains relevant and up-to-date.



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Dennis Deziel
Regional Administrator
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This, the 12 day of February, 2020.

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II. OVERVIEW

A. Guiding Principles

This is the thirteenth Rhode Island Performance Partnership Agreement (PPA) between the Rhode Island Department of Environmental Management (RIDEM) and United States Environmental Protection Agency - Region 1 (EPANE) within the National Environmental Performance Partnership System (NEPPS). This PPA builds on previous PPA efforts to allocate resources to environmental priorities and to focus on producing environmental results. The PPA covers the FY 2020-2023 performance period.

This agreement covers a four-year period for federal fiscal years 2020, 2021, 2022 and 2023. Beginning in fiscal year 2017, the term of the Performance Partnership Grant (PPG) and the PPA have been synced and are now both on the same four-year cycle. In addition, the EPANE/RIDEM Priorities and Commitment List (P&C List), has been changed from renegotiating annually to renegotiating every two years with the opportunity to reopen during the second year for any necessary adjustments. The most recent P&C List for federal fiscal years (FFY) 2020 and 2021 is included in Appendix A.

B. Roles/Contributions of Each Agency

As in past agreements, the concept that strong environmental protection relies on effective State, Tribal and Local partnerships remains especially relevant today. Good government, as well as the reality of scarce resources, requires that DEM and EPA work in concert with local governments, and our sister state and federal agencies that constitute our country's environmental protection enterprise, to ensure the efficiency, efficacy, and coordination of our overlapping and complementary efforts. Work must be shared, roles must be refined, and stronger, more efficient and cost-effective partnerships must be built to ensure our continued joint success.

C. Strategic Investment/Disinvestment Process

In previous agreements, EPANE Senior Leadership and the Commissioners of the New England state environmental agencies periodically entered into specific negotiations around high-priority, major shifts (i.e., strategic investments and disinvestments) in commitments. To date, the strategic investment/disinvestment work has given state partners the flexibility to identify priority investments and disinvestments to support the most critical environmental and public health priorities— operationalizing NEPPS in a new way. In FY2016, all states elected not to have a separate process and that any necessary disinvestment will be addressed and documented in their respective two-year P&C Lists going forward, as well as any comprehensive work plans generated.

While the development of the FFY 2020-2023 PPA did not entail a separate strategic investment/disinvestment exercise, this general approach is well embedded in the process for identifying potential Areas for Collaboration (see Section V), as well as the process for negotiating the two-year P&C Lists and any comprehensive work plans generated.

III. RI DEM and EPANE - Strategic Priorities

In this section, summarized versions of the RIDEM and EPANE Strategic Priorities and Plans are provided. More detailed versions of the current RIDEM and EPANE Strategic Plans are presented in the Appendices to identify the current environmental goals of both agencies.

A. RIDEM Strategic Priorities

Goal 1: Take action to counter climate change and its effects, both locally and regionally.

Objective 1 - Reduce greenhouse gas emissions from human activities using strong local and regional partnerships.

Objective 2 - Promote resilience in both the natural and built environment in ways that preserve the health of our environment, strengthen our economy and ensure the safety of residents.

Objective 3 - Integrate climate change considerations into all levels of decision-making including policies, plans, regulations and strategies.

Objective 4 - Coordinate climate communication, outreach, and planning efforts across state and local partners to ensure effective implementation of the state's resilience and emissions reduction goals.

Objective 5 - Promote environmentally responsible siting of renewable energy resources – both land-based and marine – to help meet clean energy goals.

Goal 2: Protect and restore our environment to create greener, healthier communities.

Objective 1 - Advocate and enforce environmental compliance fairly and effectively.

Objective 2 - Promote clean air locally and regionally by supporting strong public policies and regional efforts.

Objective 3 - Ensure healthy lands through waste mitigation and brownfields reuse.

Objective 4 - Protect public and animal health, including coordinating our efforts with our partners to support public health policies and outreach.

Goal 3: Protect and improve water quality

Objective 1 - Improve management of stormwater by achieving better permit compliance, building state and local capacity to retrofit and properly maintain stormwater infrastructure and promoting green infrastructure.

Objective 2 - Improve water quality in freshwater rivers and lakes to support beneficial uses by identifying and advancing protection and restoration actions.

Objective 3 - Improve water quality in coastal waters, including Narragansett Bay, to support beneficial uses by identifying and advancing protection and restoration actions. Enhance monitoring capacity to support tracking changing conditions.

Objective 4 - Strengthen watershed management through improved statewide policy and regulation, including freshwater wetland buffer standards, and partnerships to promote water resource protection.

Goal 4: Conserve, promote, and steward our natural resources

Objectives 1 - Protect forests, farms and other open spaces in order to permanently insure the values of those lands.

Objective 2 - Improve understanding and appreciation of the stewardship of natural resources through education, outreach and training.

Objective 3 - Support healthy and sustainable fish and wildlife populations to ensure long term viability of the habitats for the species and systems.

Objective 4 - Support healthy and sustainable forests and trees to ensure long term viability of the habitats for the species and systems.

Objective 5 - Support healthy and sustainable fresh, estuarine and marine resources to ensure long term viability of the habitats for the species and systems.

Objective 6 – Support healthy and sustainable terrestrial landscapes (including wetlands, meadows, and more) to ensure long term viability of the habitats for the species and systems.

Goal 5: Promote and increase outdoor recreation in Rhode Island

Objective 1 - Invest in providing superior recreation opportunities on our waters and across our lands, maintaining Narragansett Bay and our green spaces as core to quality of life and place in Rhode Island.

Objective 2 - Ensure the public can enjoy our parks, beaches, and other recreational areas safely.

Objective 3 – Work with our partners and stakeholders to provide visitors with excellent experiences at our diverse network of parks, beaches, campgrounds, and other recreational areas.

Objective 4 - Showcase our state recreational facilities and programs and provide opportunity for people to connect with nature.

Objective 5 - Ensure and enhance public benefits from our State Park System by updating management and operations.

Goal 6: Promote and expand local food and agricultural industries

Objective 1 - Support a resilient marine fishing industry to supply fresh, locally caught marine seafood to Rhode Island and abroad by focusing on fishing port infrastructure and services, sustainability through application of fisheries science and management, and adapting to challenges.

Objective 2 - Support a strong and sustainable aquaculture industry in Rhode Island through planning initiatives with stakeholders and working with industry partners to foster restoration efforts.

Objective 3 - Develop an agricultural economy that is local, viable and sustainable by enhancing opportunities for next generation farmers, expanding markets, and assuring food safety and environmental wellbeing.

Objective 4 - Elevate state food system planning and development efforts, incorporating the RI Food Strategy, local food development initiatives, supporting programs to eliminate food insecurity, and reducing food waste.

Goal 7: Demonstrate statewide leadership in customer service and continuous improvement.

Objective 1 - Deliver an effective and transparent customer experience through outstanding responsiveness, clear, predictable and reliable decision making, and upholding environmental justice in all aspects of our work.

Objective 2 – Recruit high quality talent, encourage development, and retain employees by fostering engagement and offering a dynamic and supportive work environment.

Objective 3 – Fortify communication about DEM’s mission, programs, and goals in order to engage employees, key constituencies, and public which we serve.

Objective 4 – Demonstrate a culture of continuous improvement – engaging and empowering staff and working to modernize business practices to fully realize our mission.

B. EPANE's Strategic Priorities

EPA's Strategic Plan charts the course for advancing EPA's priorities and mission to protect human health and the environment. The FY 2018-2022 EPA Strategic Plan² ("EPA Plan") was developed in accordance with the Government Performance and Results Modernization Act of 2011, and identifies the measurable environmental and human health and outcomes the public can expect during the period from 2018-2022 along with describing how EPA intends to achieve those results. The EPA Plan represents a commitment to core values of science, transparency, accountability and the rule of law in managing environmental programs.

The EPA Strategic Plan identifies three strategic goals to guide EPA's work, along with supporting Objectives under each of the key goals:

- Goal 1: A Cleaner, Healthier Environment: Deliver a cleaner, safer, and healthier environment for all Americans and future generations by carrying out the Agency's core mission.
 - Objective 1.1 – Improve Air Quality
 - Objective 1.2 – Provide for Clean and Safe Water
 - Objective 1.3 – Revitalize Land and Prevent Contamination
 - Objective 1.4 – Ensure Safety of Chemicals in the Marketplace
- Goal 2: More Effective Partnerships: Provide certainty to states, localities, tribal nations, and the regulated community in carrying out shared responsibilities and communicating results to all Americans.
 - Objective 2.1 – Enhance Shared Accountability
 - Objective 2.2 – Increase Transparency and Public Participation
- Goal 3: Greater Certainty, Compliance, and Effectiveness: Increase certainty, compliance, and effectiveness by applying the rule of law to achieve more efficient and effective agency operations, service delivery, and regulatory relief.
 - Objective 3.1 – Compliance with the Law
 - Objective 3.2 – Create Consistency and Certainty
 - Objective 3.3 – Prioritize Robust Science
 - Objective 3.4 – Streamline and Modernize
 - Objective 3.5 – Improve Efficiency and Effectiveness

The EPA Strategic Plan prioritizes environmental justice, continuing to focus on urban, rural, and economically disadvantaged communities, to ensure that everyone, regardless of age, race, economic status, or ethnicity, has access to clean water, clean air, and the opportunity to live, work, and play in healthy communities. In addition, the Plan also includes EPA's Agency Priority Goals (APG), a component of the Administration's performance management framework which supports improvement in near-term outcomes related to the Strategic Plan. More information on the Agency's APGs is available at <https://www.performance.gov/>. EPA's FY2018 – 2019 Agency Priority Goals include the following:

- APG-1: Improve air quality by implementing pollution control measures to reduce the number of nonattainment areas;
- APG-2: Empower communities to leverage EPA water infrastructure investments;
- APG-3: Accelerate the pace of cleanups and return sites to beneficial use in their communities;
- APG-4: Meet new statutory requirements to improve the safety of chemicals in commerce;
- APG-5: Increase environmental law compliance rate;
- APG-6: Accelerate permitting-related decisions.

C. Cross-Walk Between USEPA's and RIDEM Strategic Plan:

State Goals	Goal 1: Climate Change	Goal 2: Healthy Communities	Goal 3: Clean Water	Goal 4: Conserve Natural Resources	Goal 5: Outdoor Recreation	Goal 6: Expand Local Food & Ag	Goal 7: Customer Service & Imprvmt
US EPA Goals							
Goal 1: A Cleaner, Healthier Environment		X APG-1 APG-2 APG-3 APG-4 AFC-2 AFC-3 AFC-4	X AFC-2 AFC-4				X APG-6 AFC-3 AFC-4
Goal 2: More Effective Partnerships		X AFC-1 AFC-3 AFC-4	X AFC-1 AFC-4				X AFC-1 AFC-4
Goal 3: Greater Certainty, Compliance, and Effectiveness		X APG-5 AFC-2 AFC-3	X APG-5 AFC-2				X AFC-2

* Agency Priority Goals (APG), Areas for Collaboration (AFC)

IV. Grants Management

A. Budget Narrative

This Performance Partnership Agreement (PPA) covers federal fiscal years 2020 – 2023 (October 1, 2019 to September 30, 2023). The PPA, together with work plans (as represented by the associated P&C Lists and the related comprehensive Rhode Island Department of Environmental Management (RIDEM) work plans), set forth the goals, sub-goals, objectives, programs, activities, deliverables, and measures of progress to address the full range of cooperative federal-state environmental programs under the Department's jurisdiction. The Performance Partnership Grant (PPG) is a key vehicle for implementing the Agreement, in combination with other federal and state funding sources. The PPG currently combines the following federally-funded programs:

- Air Pollution Control- Clean Air Act, Section 105
- Hazardous Waste Program- Resource Conservation and Recovery Act, Section 3011

- Underground Storage Tank Program- Solid Waste Disposal Act, Section 9010
- Underground Injection Control Program, Safe Drinking Water Act, Section 1443(b)
- Water Pollution Control- Clean Water Act, Section 106
- Wetlands Development Grants Program – Clean Water Act, Section 104(b)(3)
- Nonpoint Source Management- Clean Water Act, Section 319
- Pesticides Cooperative Enforcement – FIFRA Sec.23(a)(1)
- Pesticide Applicator Certification and Training – FIFRA Sec. 23(a)(2)
- Pesticide Program Implementation – FIFRA Sec. 23(a)(1)
- MultiPurpose Grant Program- Consolidated Appropriations Act (P.L. 115-141) and (P.L. 116-6)

The Agreement and the associated work plans also include additional non-PPG funded work that is necessary to accomplish the environmental and public health goals set forth in the Department's and EPANE's Strategic Plans. RIDEM and EPANE will continue to explore opportunities for grant efficiencies, and measurement of environmental results.

Consistent with ***GPI 12-06, Timely Obligation, Award, and Expenditure of USEPA Grant Funds***, for multi-year awards, RIDEM should apply for the total amount of funds expected for the period covered by the award and include any required match in the application. The work plan should also cover the same time period. USEPA will fund the application incrementally as funds become available.

To be allowable under Federal awards, costs must meet the following general criteria, found in 2 CFR Part 200 (Subpart E), *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Award*:

- Be necessary and reasonable for proper and efficient performance and administration of Federal awards.
- Be allocable to Federal awards under the provisions of this Circular.
- Be authorized or not prohibited under State or local laws or regulations.
- Conform to any limitations or exclusions set forth in these principles, Federal laws, terms and conditions of the Federal award, or other governing regulations as to types or amounts of cost items.
- Be consistent with policies, regulations, and procedures that apply uniformly to both Federal awards and other activities of the governmental unit.
- Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
- Except as otherwise provided for in this Circular, be determined in accordance with generally accepted accounting principles.
- Not be included as a cost or used to meet cost sharing or matching requirements of any other Federal award in either the current or a prior period, except as specifically provided by Federal law or regulation See also § 200.306 Cost sharing or matching paragraph (b).
- Be the net of all applicable credits.
- Be adequately documented. See also 2 CFR §§ 200.300, *Statutory and national policy requirements* through §200.309, *Period of performance of this part*.

B. Federal Regulations and Key Policies

All categorical environmental state grants, including PPGs, are governed by [40 CFR Part 35](#), State and Local Assistance, Subpart A, Environmental Program Grants (commonly referred to as Part 35); and all state grants are subject to 40 CFR Part 31, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments; all grants and agreements are also subject to 2 CFR Part 200 and 2 CFR Part 1500, Subpart E, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. PPGs and PPAs do not supersede any laws, regulations, or delegation agreements.

Some environmental program grants are awarded through a competitive process. An applicant and the Regional Administrator may agree to add funds available for a competitive grant to a Performance Partnership Grant. If this is done, the work plan commitments that would have been included in the competitive grant must be included in the Performance Partnership Grant work plan. After the funds have been added to the Performance Partnership Grant, the recipient does not need to account for these funds in accordance with the funds' original environmental program source, but remains accountable for delivering on work plan commitments.

Programmatic requirements. In order to include funds from an environmental program grant listed in §35.101 of this subpart in a Performance Partnership Grant, applicants must meet the requirements for award of each of the environmental programs from which funds are combined in the agency's Performance Partnership Grant, except the requirements at §35.268(b) and (c), 35.272, and 35.298 (c), (d), (e), and (g). These requirements can be found in the CFR beginning at §35.140.

PPG work plans are subject to the same requirements as any other grant work plan. The requirements can be found at [40 CFR 35.107](#). An approvable work plan must specify the following:

- The work plan components to be funded under the grant;
- The estimated work years and the estimated funding amounts for each work plan component;
- The work plan commitments for each work plan component and a time frame for their accomplishment;
- A performance evaluation process and reporting schedule in accordance with 40 CFR 35.115; and
- The roles and responsibilities of the recipient and USEPA in carrying out the work plan commitments.

The work plan must also be consistent with applicable federal statutes, regulations, circulars, Executive Orders, and USEPA delegations, approvals, or authorizations. The PPA or portion thereof that serves as a grant work plan must meet the same work plan requirements as for any state program grant. The portion(s) of a PPA that serve as a work plan must be clearly identified and distinguished from the rest of the PPA. The regulation at [40 CFR 35.107\(c\)](#) states:

“An applicant may use a Performance Partnership Agreement or a portion of a Performance Partnership Agreement as the work plan for an environmental program grant if the portions of the Performance Partnership Agreement that serve as all or part of the grant work plan: (1) Are clearly identified and distinguished from other portions of the Performance Partnership Agreement; and (2) Meet the requirements in §35.107(b). A PPG work plan should be the product of joint planning, priority setting and mutual agreement between the state and USEPA. The PPG grant work plan is the result of

negotiations between USEPA and state program managers and staff. Successful PPG work plan negotiations rely on a predictable process that fosters prompt resolution of issues, including elevation of issues to senior management levels if necessary. In successful work plan negotiations USEPA and the state will reach a mutual understanding and agreement about what will be accomplished under the agreement.”

Opportunities for Grant Process Streamlining (GPI 12-06, Timely Obligation, Award, and Expenditure of USEPA Grant Funds):

- ***Estimating Budgets:*** Consistent with applicable National Program Managers (NPM) Guidance, USEPA should request States to develop and/or submit their work plans and applications based on the previous year’s award amount or the amount derived from the President’s budget, whichever is higher. If amounts based on the President’s budget are not known, negotiations should be based on the previous year’s award amount.
- ***Focus Negotiations on New Priorities:*** Assuming that the level of funding is not significantly different from the previous year’s grant amount, the primary focus of work plan negotiations should be on new priorities consistent with applicable NPM guidance. Less emphasis should be placed on negotiating recurring activities/commitments where there is a satisfactory record of grant performance.
- ***Multi-Year Grant Awards:*** For multi-year grant awards, applicants should apply for the total amount of funds expected for the period covered by the award and include any required match in the application. The work plan should also cover the same time period. USEPA will fund the application incrementally as funds become available.
- ***Pen and Ink Changes:*** If the final amount of funding is lower than the amount applied for, Regions will work with States to identify necessary changes. The State will not need to submit a revised work plan or new application. Regions will document and date through pen and ink changes/email correspondence, agreed-upon revisions to the work plan, budget narrative, and application forms.

Environmental Results (USEPA Order 5700.7, Environmental Results Under USEPA Assistance Grants)

USEPA Order 5700.7 directs program offices to ensure that the work plan contains well-defined outputs and outcomes. For state assistance agreements under 40 CFR 35, Subpart A, program offices may satisfy this requirement by ensuring compliance with 40 CFR 35.107 as stated above. Prior to approving an assistance agreement work plan, program offices must ensure that they can link the work plan to USEPA’s Strategic Plan architecture.

The term “output” in USEPA Order 5700.7 means an environmental activity, effort, and/or associated work product related to an environmental goal or objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period.

The term “outcome” means the result, effect or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or

objective. Outcomes may be environmental, behavioral, health-related or programmatic in nature, must be quantitative and may not necessarily be achievable within an assistance agreement funding period.

Note: These terms and their uses are similarly defined in 40 CFR 35.102.

C. Range of Activities

RIDEM will use the Performance Partnership Grant, subject to the requirements below, to fund any activity that is eligible for funding under at least one of the environmental programs from which funds are combined into the grant.

RIDEM will use the Performance Partnership Grant to fund multi-media activities that are eligible and have been agreed to by the Commissioner and the Regional Administrator. The range of activities vary as needed by program, but may include staff time for program design and implementation to achieve measurable environment and public health results. Examples of activities include multi-media permitting and enforcement; pollution prevention, sampling, analysis, ecosystem management, community-based environmental protection, and/or other innovative approaches and activities.

D. Work Plan Development Process

Starting with FFY 2016, USEPA released a two-year NPM Guidance planning process and encouraged the Regions and the States to move towards multi-year work plans. For FFY 2016 and FFY 2017, EPANE and the Region I States agreed to pilot an on-line (via a Microsoft SharePoint site), two-year P&C List process for documenting negotiated Performance Partnership Grant commitments for the time period FFY 2016 - 2017. Under this approach, there is an expectation that the negotiated work plan commitments will cover a two-year period absent changed circumstances, as defined below. The benefits of this approach include minimizing/eliminating the need for extensive work plan negotiations at the mid-point of a two-year cycle, with recurring commitments from year one typically carrying over into year two. This approach should also better align the priorities communicated through the NPM and individual programmatic grant guidances with the commitments and flexibilities negotiated in grant work plans.

Adjustments to year-two commitments will be necessary if there are changed circumstances such as changes in Administrator/NPM priorities, revisions required by USEPA's Annual Commitment process, a substantial reduction or increase in USEPA funding, and similar issues experienced at the state levels.

E. Reporting & Measures for Evaluating Performance

For this Agreement, the Department will continue to produce regular (at least annual) status reports for the elements outlined in the P&C Lists, and status reports for identified Areas for Collaboration. RIDEM and EPANE agree to meet as needed to discuss progress and address any areas of concern.

RIDEM and EPA may agree to changes in the work plan based on new priorities or challenges that were not evident when the PPA was signed. The deliverables and target dates in the work plan are based on current staffing levels and budgets. They may be revised if circumstances change. Agreed upon updates to the work plans will be completed by the end of September in each year covered by the Performance Partnership Agreement.

RIDEM annual assessments (also known as “End-of-Year” Progress Reports) will strive to summarize results, track progress on identified P&C List Commitments, and Areas for Collaboration, identify areas where progress met or exceeded expectations, as well as areas where there may have been difficulty in achieving projected outcomes.

RIDEM and EPANE agree to develop (and to continuously improve) a process for jointly evaluating and reporting progress and accomplishments that comply with 40 CFR Part 31.115.

V. Areas for Collaboration

A. Areas for Collaboration Development Process

The concept of including a small number of Areas for Collaboration (AFCs) in each multi-year PPA has been introduced. In order to maintain a high level of attention on the new AFCs, and to gain the greatest benefits of a cooperative, problem-solving approach, close communication between both agencies is necessary throughout the Agreement period. Appropriate staff from the two organizations will provide coordinated, narrative updates to senior leadership at least annually to ensure that desired progress is being made on the selected AFCs. At the end of each year, the Areas for Collaboration will be reviewed and amended, as necessary.

It should be emphasized that exclusion of a particular issue or program area from the “Areas for Collaboration” section does not indicate a low priority or that significant work is not being accomplished in that area. All core RIDEM and EPANE services are ongoing and remain essential to protecting the environment and public health in Rhode Island and in New England.

B. Description of Areas for Collaboration (AFC)

1. Expanded dialog with the communities of Washington Park and South Providence to discuss environmental issues of concern in and around the Port of Providence

Description of Issue/Challenge:

EPA Region I and RIDEM have been working together with the City of Providence to convene meetings with a broad group of interested parties to discuss issues around the Port of Providence and the Providence waterfront along Allens Avenue. EPA has effectively facilitated and supported the process.

Growing out of that effort, the Racial and Environmental Justice Coalition (REJC) has proposed a new, more focused dialog on environmental issues.

REJC representatives have indicated that there is not broad understanding in the community of government environmental programs, environmental compliances issues, and ongoing projects in the area. An expanded dialog is seen as an effective way to address that gap.

RIDEM/EPANE Technical and Senior Leadership Contacts:

RIDEM Technical Contacts: Terrence Gray, Elizabeth Stone-Clement

USEPA Technical Contacts: Abby Swaine, Gary Rennie, Marcus Holmes

Describe What a Successful Environmental, Public Health, or Efficiency Outcome Looks Like:

- A productive, dialog with the South Providence community;
- Greater conversational interactions between the community and the regulatory agencies;
- Community members identifying issues of concern and working with the agencies to understand and address them;
- Increased understanding in agency staff of issues related to racism and environmental justice;
- Reduced frustration felt by members of the communities;
Improved environmental and public health outcomes.

Proposed Major Milestones/Action Steps:

- Establish a contract with an agency to provide fiscal support for the community dialog process;
- Design and implement, jointly with the City and the REJC, a public involvement process.
- Conduct regular meetings with community members and develop and distribute information resources
- Conduct annual coordination meetings to evaluate the effectiveness of the process and opportunities for improvement.
- Compile an annual summary report of results and status for presentation to senior managers and other affected parties.

Anticipated Resources Needed/Constraints & Barriers/Major Disinvestments:

- Investment of PPG funds in supporting the process
- Barrier: Staff time, conflicting demands, and funding constraints.
- Barrier: overcoming lack of trust in government by some members in the community.
- A key challenge will be managing expectations of the participants and effectively communicating the limitations of the agencies in addressing some issues.

2. Compliance assistance and/or technical support for Rhode Island food and beverage industries consistent with EPA's Smart Sectors initiative.**Description of Issue/Challenge:**

RIDEM has partnered with the Center for Ecotechnology (CET) to initiate dialogs with large generators of food residuals and organic wastes. The effort has been focused on educating the companies of the management issues for this material and connecting them with others in the industry to redirect usable materials and compost residuals. This includes connection with facilities in MA.

RI state law requires large generators of food wastes to send that material to compost facilities if such facilities have capacity. Compliance with the law has been limited.

RIDEM has also partnered with the RI Brewers Guild to provide environmental information and compliance assistance to the RI Craft Brewers industry.

A workshop was held in October 2019 to further this dialog, with EPA participation. Breweries have many challenges with wastewater management and have had compliance issues with municipal wastewater treatment system operators.

RIDEM/EPANE Technical and Senior Leadership Contacts:

RIDEM Technical Contacts: Terrence Gray, Ron Gagnon

USEPA Technical Contacts: Sean Dixon (ORA)

Describe What a Successful Environmental, Public Health, or Efficiency Outcome Looks Like:

- Increased diversion of usable residual food materials to parties that can use it;
- Increased diversion of food and organic wastes to anaerobic and compost facilities;
- Reduced wastewater treatment violations from the RI Craft Brewery industry;
- Increased awareness in both the food and craft brewery industries on the environmental issues and compliance obligations for their operations

Proposed Major Milestones/Action Steps:

- Establish a contract with CET to provide information and technical assistance to generators of usable food residuals and waste food;
- With CET, conduct site visits to generators of usable food residuals and waste food, collection agents and transporters, and compost and anaerobic digestion facilities.
- Conduct regular meetings with industry representatives from both the food and craft brewery industries
- To develop and distribute information resources, including written materials, on-line resources, and video materials for education, promotion, and training in these sectors.
- Conduct annual coordination meetings to evaluate the effectiveness of the process and opportunities for improvement.
- Compile an annual summary report of results and status for presentation to senior managers and other affected parties.

Anticipated Resources Needed/Constraints & Barriers/Major Disinvestments:

- Investment of PPG funds in supporting the process
- Barrier: Staff time, conflicting demands, and funding constraints.

3. *Jointly develop a program to explore the environmental issues related to abandoned and underutilized mill buildings and identify barriers to redevelopment*

Description of Issue/Challenge:

Despite years of success in the Brownfields programs administered by both agencies, there remain several mill buildings in Rhode Island that are vacant or underutilized. These sites include unresolved environmental threats, in many cases not fully investigated or defined. Their poor condition may also hinder other investment in the community.

RIDEM/EPANE Technical and Senior Leadership Contacts:

RIDEM Technical Contacts: Leo Hellested, Ron Gagnon

USEPA Technical Contacts: AmyJean McKeown

Describe What a Successful Environmental, Public Health, or Efficiency Outcome Looks Like:

- A productive, dialog with the cities of Pawtucket, Central Falls, and Providence to identify vacant and underutilized mill buildings and the challenges associated with those properties;
- Communication with the owners of those properties and look for ways to support investigation of the sites and resolution of environmental issues to support redevelopment;
- Positioning mill properties so that they are “ready for reuse” with information required in typical real estate transactions;
- Development of a “road map” for mill buildings that could be used by EPA, States, or municipalities to address these properties;

Proposed Major Milestones/Action Steps:

- Connect with the cities of Pawtucket, Central Falls, and Providence to identify vacant and underutilized mill buildings and the challenges associated with those properties;
- Reach out to the owners of those properties and look for ways to support investigation of the sites and resolution of environmental issues to support redevelopment;
- Identify one mill property per year and coordinate with the owner and the host community to make the site “ready for reuse”;
- Conduct regular team meetings to evaluate status of the effort and opportunities for improvement.
- Compile an annual summary report of results and status for presentation to senior managers and other affected parties.

Anticipated Resources Needed/Constraints & Barriers/Major Disinvestments:

- Investment of PPG funds in supporting the process
- Potential coordination of Brownfields resources and other financial tools to support the initiative;
- Barrier: Staff time, conflicting demands, and funding constraints.
- Barrier: potential limited interest and/or cooperation from municipalities or site owners

4. Promote solid waste capture, food waste minimization, and plastic pollution prevention at marinas, hospitality businesses, and other entities consistent with EPA’s Smart Sectors initiative, stormwater efforts, and marine debris programs.**Description of Issue/Challenge:**

Much of the litter and marine debris in RI, and throughout New England, is comprised of plastics. RIDEM has partnered with the Marine Trades Association (RIMTA) to develop a “plastics free clean marina” program that includes measures to minimize the use of single use plastics. Further, Governor Raimondo’s Task Force on Tackling Plastics recommended several measures for entities to “lead by example”. Excellent technical work has been done to support these programs through assistance resources and certification/recognition opportunities, but the adoption and effectiveness of the program has been low due to limited outreach and marketing.

RIDEM/EPANE Technical and Senior Leadership Contacts:

RIDEM Technical Contacts: Ron Gagnon, Ann Battersby

USEPA Technical Contacts: Sean Dixon (ORA), Ken Moraff (WD), Water Division Staff

Describe What a Successful Environmental, Public Health, or Efficiency Outcome Looks Like:

- Increased number of businesses committing to measures to eliminate single use plastics and participating in certification programs;
- Increased awareness in multiple industries of the environmental issues related to single use plastics

Proposed Major Milestones/Action Steps:

- Participate in work group meetings planned on the plastics;
- Conduct regular meetings with industry representatives
- To develop and distribute information resources, including written materials, on-line resources, and video materials for education, promotion, and training.
- Conduct annual coordination meetings to evaluate the effectiveness of the process and opportunities for improvement.
- Compile an annual summary report of results and status for presentation to senior managers and other affected parties.

Anticipated Resources Needed/Constraints & Barriers/Major Disinvestments:

- Investment of PPG funds in supporting the process
- Barrier: Staff time, conflicting demands, and funding constraints.

VI. Environmental Justice

The Rhode Island Department of Environmental Management (RIDEM), through the Fiscal Year (FY) 2020 - 2023 Performance Partnership Agreement (PPA), continues to ensure that environmental justice (EJ) is an integral consideration in the development and implementation of all of its programs.

RIDEM is committed to the fair treatment of all of its residents and believes that Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, English language proficiency, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

RIDEM addresses inequities by providing historically disenfranchised communities with a fair and effective process for future involvement in site remediation projects. RIDEM believes that environmental justice will be achieved when everyone enjoys a fair share of environmental benefits and the same degree of protection from environmental and health hazards, as well as equal access to the decision-making process to help ensure a healthy environment in which to live, learn, and work.

There is a growing body of evidence that suggests that, in certain instances around the country, minority and lower income citizens or neighborhoods or communities have faced an inequitable share of the risks associated with environmental hazards. The core issue is the fairness in siting, monitoring, and/or clean-up of facilities and the regulation of activities that represent environmental hazards. The documentation on this issue suggests that for a variety of reasons, minority and lower income populations have borne a disproportionate share of the risks from activities which cause air, water, or soil pollution.

APPENDICES