

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

2003 REGULATORY AGENDA – Part I

Rules and Regulations Filed Since June 15, 2002

SUBJECT AREA	Purpose	Effect	Interested Parties	Contact
<p><u>AQUACULTURE/FISH DEALERS</u> <i>Legal Basis: §§ 42-17-7, 20-1-2, 20-1-4, 20-1-5, 20-6-24, 20-10-5, and 20-10-12</i> Filed: 6/21/02</p>	<p>Amend the existing regulations pertaining to aquaculture, shellfish, and dealers to establish new requirements and standards governing the harvest, possession, and sale of cultured shellfish crops.</p>	<p>Enable aquaculturists and dealers to possess and sell properly bagged and tagged cultured crops without being subject to restrictions governing wild shellfish stocks.</p>	<p>Licensed aquaculturists and dealers.</p>	<p>Mark Gibson, Division of Fish and Wildlife, 783-7753.</p>
<p><u>RI FALCONRY REGULATIONS FOR THE 2002-2003 SEASON</u> <i>Legal Basis: §§ 20-1-4, 20-1-12, 20-1-13, 42-17.1, 42-17.6, and 42-35 as amended.</i> Filed: 10/10/02</p>	<p>Annual filing to establish and requirements for falconry in Rhode Island.</p>	<p>Set the rules for falconry in Rhode Island.</p>	<p>Falconers.</p>	<p>Mike Lapisky, Division of Fish and Wildlife, 789-7083.</p>
<p><u>RI WATERFOWL REGULATIONS FOR THE 2002-2003 SEASON</u> <i>Legal Basis: §§ 20-1-4, 20-1-12, 20-1-13, 42-17.1, 42-17.6, and 42-35 as amended. 50 CFR – Waterfowl.</i> Filed: 10/10/02</p>	<p>Annual filing to establish requirements for hunting waterfowl.</p>	<p>Set the rules for RI hunted waterfowl.</p>	<p>Hunters.</p>	<p>Mike Lapisky, Division of Fish and Wildlife, 789-7083.</p>
<p><u>HUNTING REGULATIONS FOR 2002-2003 SEASON; FRESHWATER FISHING REGULATIONS FOR 2003-2004 SEASON</u> <i>Legal Basis: §§ 20-1-4; 20-1-12; 20-1-13; 42-17.1; 42-17.6; and 42-35</i> Filed: 8/15/02</p>	<p>Establish conditions and requirements for hunting or fishing species, bag limits, minimum size restrictions, seasons, etc. in accordance with federal guidelines and public comment.</p>	<p>Set the rules for all hunted and fished (freshwater) species in Rhode Island.</p>	<p>Recreational anglers and hunters.</p>	<p>Mike Lapisky, Division of 789-7083.</p>

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<p>MARINE FISHERIES <i>Legal Basis: §§ 20-1-2, 20-1-4; 20-3-1 through 20-3-6; 20-4 through 20-10; 42-17.1; 42-17.6; and 42-35</i> Filed: 12/11/02</p>	<p>Amend/regulate fisheries methods, possession limits, and seasons according to federal agency mandates and decisions by the Director in conjunction with the Rhode Island Marine Fisheries Council. Also, codify decision-making process involving the Council, its Advisory Panels, and DEM. Also, enact regulatory changes necessary to implement any statutory changes to commercial licensing enacted during the 2002 session.</p>	<p>Keep Rhode Island in compliance with federal mandates, established fisheries management rules and regulations, and the RI General Laws.</p>	<p>All commercial and recreational fishermen and fish processing businesses.</p>	<p>Mark Gibson, 423-1940</p>
<p>QUARANTINE ON CHANNIDAE, GENERA PARACHANNA, AND CHANNA FISH SPECIES (SNAKEHEAD FISH) <i>Legal Basis: §§ 4-18-9, 4-19-13, 20-1-2, 20-1-4, 20-1-5, 20-1-8, 20-17-9, and 42-17.1</i> Filed: 7/26/02</p>	<p>Enact quarantine via emergency regulations due to an imminent peril to the aquatic ecosystem, general environment, and public welfare.</p>	<p>Prohibits the importation, transfer, release, cultivation, and/or disposal of any snakehead fish species into and within the State of Rhode Island, or the release into the wild of any captive, cultivated, or wild fish of this species.</p>	<p>Aquarium owners, fish vendors.</p>	<p>Chris Hannafin, State Vet Division of Agriculture, 222-4700, ext. 4503.</p>
<p>IMPORTATION, FEEDING, AND BAITING OF CERVIDS IN RHODE ISLAND <i>Legal Basis: §§ 4-4-23 and 20-17-9, 4-18, 20-17, 42-17.1, 42-17.6 and 17.6 and 42-35 as amended.</i> Filed: 9/30/02</p>	<p>Prevent the introduction of chronic wasting disease (CWD) into the State of Rhode Island via emergency regulations.</p>	<p>Keep the wild cervid population free of CWD, giving deer hunters confidence that the herds are not a threat to public health.</p>	<p>Deer hunters.</p>	<p>Mike Lapisky, Division of Fish and Wildlife, 789-7083 and Gary Powers, Division of Fish and Wildlife, 782-4765.</p>
<p>FARM, FOREST, AND OPEN SPACE ACT <i>Legal Basis: § 44-27-7</i> Filed: 8/26/02</p>	<p>Update existing rules to address concerns of tax assessors, environmental groups, and private citizens.</p>	<p>Clarify operating procedures to ensure consistency of application of the law throughout the State of Rhode Island.</p>	<p>Cities, towns, citizens.</p>	<p>Tom Dupree, Division of Forest Environment, 647-3367 and Ken Ayars, Division of Agriculture, 222-2781 ext. 4500.</p>

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WASTEWATER TREATMENT FACILITY OPERATORS <i>Legal Basis: § 47-17.4</i> Filed: 9/26/02	Maintain consistency with state law, clarify and refine the program changes established in a 1998 amendment to the regulations, and adopt practical administrative procedures for efficient and effective implementation of the enabling statute.	Allow the Board of Certification of Operators of Wastewater treatment facilities to issue 3-year operator-in-training certificates (up one year from the current 2-year maximum) so the Board can better meet the needs of communities and individuals seeking licensure; also provide better regulatory linkage with statutory license revocation and hearing procedures.	Wastewater treatment facility operators, managers, municipal sewer authorities/public works officials, and contract operations firms.	Bill Patenaude, Office of Water Resources, 222-3961, ext. 7264.
CIVIL REGULATORY INSPECTIONS <i>Legal Basis: § 47-17.1-2(t)(2)(A)</i> Filed: 1/3/03	Standardize DEM's civil regulatory inspection procedures, pursuant to new statutory requirements enacted in 2002, in a manner consistent with both the US and State constitutions and case law interpretations provided by the courts.	Ensure consistent, defensible administrative inspections by DEM regulatory staff.	Owners of properties regulated by DEM and operators of business activities regulated by DEM.	David Chopy, Office of Compliance and Inspection, 222-4700 ext. 7257, or Dean Albro, Office of Compliance & Inspection, 222-4700 ext. 7431.
USED OIL RECYCLING <i>Legal Basis: §§ 23-19.1, 42-17.1, 46-12, 23-23, 23-18.9 and 42-35</i> Filed: 12/12/02	Establish management and handling standards for generators, transporters, and facilities dealing with used oil that facilitate the recycling of used oil rather than treating used oil as a hazardous waste.	Used oil will be handled and managed in a manner that is similar to the storage and handling of hazardous waste but less restrictively so as to facilitate recycling rather than disposal as a hazardous waste. The regulations will be protective of the environment and the public's safety while fostering the recycling of the resource.	Businesses, industry, municipalities, and state agencies that generate, transport, or deal with used oil.	Dean Albro, Office of Compliance & Inspection, 222-1360, ext. 7400 or Sean Carney, Office of Compliance & Inspection, 222-1360, ext. 7411.
UNDERGROUND STORAGE TANK REGISTRATION FEES <i>Legal Basis: : § 42-35</i> FILED: 6/11/02 and 10/12/02	In accordance with the Governor's 2003 state budget proposal, amend state regulations to increase the registration fee for underground storage tanks.	Stabilize funding for the underground storage tank program. Owners and operators of underground storage tanks will face an increased annual registration fee (from \$50/tank to \$75/tank).	Owners and operators of underground storage tanks.	Leo Hellested, Office of Waste Management, 222-2797.

Rules and Regulations
Proposed to be Filed Between January 15 and June 15, 2003

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<p><u>PURCHASE OF DEVELOPMENT RIGHTS TO FARMLAND</u> <i>Legal Basis: §§ 42-35 and 42-82</i></p>	<p>Update and revise the existing rules governing the operating procedures of the Agricultural Land Preservation Commission regarding administration of bond funds to purchase development rights to farmland to reflect current state objectives and the comprehensive planning statute.</p>	<p>Proposed amendments will update procedures and standards to reflect current state objectives and statutes, but will not significantly impact operation or outcomes of the program.</p>	<p>Farmers.</p>	<p>Jim Doris, Chairman, Agricultural Land Preservation Commission, 647-3513; and Ken Ayars, Division of Agriculture 222-2781 ext. 4500.</p>
<p><u>ALTERNATIVE FOREST USE CHALLENGE GRANTS</u> <i>Legal Basis: §§ 42-35, 2-5, 2-10, and 42-17.1</i></p>	<p>Establish criteria and process to evaluate grant proposals.</p>	<p>Clarify process used to issue challenge grants to forest landowners for establishing alternative forest-based businesses.</p>	<p>Forest landowners.</p>	<p>Gregg J. Cassidy, Sustainable Watersheds Office, 222-3434, ext. 4403.</p>
<p><u>PESTICIDE CONTROL</u> <i>Legal Basis: § 23-25</i></p>	<p>Implement Integrated Pest Management (IPM) in schools pursuant to new statutory requirements enacted in 2002.</p>	<p>Protect public health by establishing standards for IPM Programs in all schools.</p>	<p>Public and private secondary schools, daycare and childcare centers.</p>	<p>Elizabeth Lopes-Duguay, Division of Agriculture, 222-4700, ext. 4510.</p>
<p><u>IMPORTATION OF ANIMALS</u> <i>Legal Basis: § 4-19-1</i></p>	<p>Update and revise the regulations governing the importation of animals, particularly with regard to the required import permits, certificates of veterinary inspection, and disease-free certification.</p>	<p>Protect public health, animal health, wildlife, and related industries by ensuring that animals imported into the state are healthy and disease free.</p>	<p>General public, health professions, animal industry, animal welfare groups, veterinarians, agriculture, and animal wildlife groups.</p>	<p>Chris H. Hannafin, D.V.M., RI State Public Health Veterinarian, Division of Agriculture, 222-4700, ext. 4503.</p>
<p><u>IMPORTATION AND POSSESSION OF WILD AND EXOTIC ANIMALS</u> <i>Legal Basis: § 4-19-1</i></p>	<p>Update and revise the regulations concerning the importation of, possession of, and standards of care for exotic and wild animals.</p>	<p>Limits the possession of wild and exotic animals to qualified individuals participating in bonafide educational, research, and nonprofit usage.</p>	<p>Zoos, researchers, exhibitors, veterinarians, animal welfare groups.</p>	<p>Chris H. Hannafin, D.V.M., RI State Public Health Veterinarian, Division of Agriculture, 222-4700, ext. 4503.</p>

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<u>ANIMAL CARE REGULATIONS</u> <i>Legal Basis § 4-19-1</i>	Update and revise existing animal care regulations.	Protect the owners of dogs and cats from the sale or use of stolen pets; insure that all warm-blooded vertebrate animals, used in commerce, are provided humane care and treatment by regulating the transportation, sale, purchase, housing, care, handling, and treatment of these animals by persons or organizations engaged in transporting, buying, or selling them for commercial use; insure that animals confined in pet shops, kennels, animal shelters, auction markets, and pounds are provided humane care and treatment; release for sale, trade, or adoption only those animals which appear to be free of communicable disease or abnormalities, unless veterinary care subsequent to release is assured; and insure the spaying and neutering of dogs and cats which are adopted from a releasing agency.	Animal welfare groups, animal control agencies, pet shops, kennels, pounds, auction markets, and veterinarians.	Peter B. Belinsky, V.M.D. Rhode Island State Public Health Veterinarian, Division of Agriculture, 222-4700, ext. 4908.
<u>DESTRUCTION OF ANIMALS BY CARBON MONOXIDE POISONING</u> <i>Legal Basis § 4-19-1</i>	Establish standards for euthanizing animals at public and private facilities.	Ensure that practical and humane practices are employed by animal care facilities.	Animal control agencies, pounds.	Peter B. Belinsky, V.M.D. RI State Public Health Vet Division of Agriculture, 222-4700, ext. 4908.
<u>MARINE FISHERIES</u> <i>Legal Basis: §§ 20-1-2, 20-1-4; 20-3-1 through 20-3-6; 20-4 through 20-10; 42-17.1; 42-17.6; and 42-35</i>	Amend/regulate fisheries methods, possession limits, and seasons according to federal agency mandates and decisions by the Director in conjunction with the Rhode Island Marine Fisheries Council. Also, codify decision-making process involving the Council, its Advisory Panels, and DEM.	Keep Rhode Island in compliance with federal mandates, established fisheries management rules and regulations, and the RI General Laws.	All commercial and recreational fishermen and fish processing businesses.	Mark Gibson, Division of Fish and Wildlife 423-1940.

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<p>RI HUNTING REGULATIONS FOR THE 2003-2004 SEASON <i>Legal Basis: §§ 20-1-4, 20-1-12, 20-1-13, 42-17.1, 42-17.6, and 42-35 as amended.</i></p>	<p>Update rules for all hunted species in Rhode Island.</p>	<p>Annual filing to establish conditions and requirements for hunting, including, bag limits, seasons, etc. in accordance with state and federal guidelines and public comment.</p>	<p>Hunters</p>	<p>Mike Lapisky, Division of Fish and Wildlife, 789-7083.</p>
<p>RI FRESHWATER FISHING REGULATIONS FOR THE 2004-2005 SEASON <i>Legal Basis: §§ 20-1-4, 20-1-12, 20-1-13, 42-17.1, 42-17.6, and 42-35 as amended.</i></p>	<p>Update rules for all fished (freshwater) species in Rhode Island.</p>	<p>Annual filing to establish conditions and requirements for freshwater fishing species, seasons, etc. in accordance with state and federal guidelines and public comment.</p>	<p>Recreational anglers.</p>	<p>John O'Brien, Division of Fish and Wildlife, 789-4757.</p>
<p>RI WATERFOWL REGULATIONS FOR THE 2003-2004 SEASON <i>Legal Basis: §§ 20-1-4, 20-1-12, 20-1-13, 42-17.1, 42-17.6, and 42-35 as amended. 50 CFR – Waterfowl.</i></p>	<p>Update the rules for all waterfowl hunting in Rhode Island.</p>	<p>Annual filing to establish conditions and requirements for waterfowl hunting, including bag limits, seasons, etc. in accordance with state and federal guidelines and public comment.</p>	<p>Hunters</p>	<p>Mike Lapisky, Division of Fish and Wildlife, 789-7083.</p>
<p>RI FALCONRY REGULATIONS FOR THE 2003-2004 SEASON <i>Legal Basis: §§ 20-1-4, 20-1-12, 20-1-13, 42-17.1, 42-17.6, and 42-35 as amended.</i></p>	<p>Update the rules for falconry in Rhode Island.</p>	<p>Annual filing to establish conditions and requirements for falconry in accordance with state and federal guidelines and public comment.</p>	<p>Falconers</p>	<p>Mike Lapisky, Division of Fish and Wildlife, 789-7083.</p>
<p>IMPORTATION, FEEDING, AND BAITING OF CERVIDS IN RHODE ISLAND <i>Legal Basis: §§ 4-4-23, 20-17-9, 4-18, 20-17, 42-17.1, 42-17.6, 17.6 and 42-35, as amended.</i></p>	<p>Make permanent the emergency regulations that were filed 12/30/02 to prevent the introduction of chronic wasting disease (CWD) into the State of Rhode Island.</p>	<p>Keep the wild cervid population (i.e., deer) free of CWD, giving deer hunters confidence that the herds are not a threat to public health.</p>	<p>Deer hunters.</p>	<p>Mike Lapisky, Division of Fish and Wildlife, 789-7083 and Gary Powers, Division of Fish and Wildlife, 782-4765.</p>

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<u>WATER QUALITY REGULATIONS</u> <i>Legal Basis: § 46-12</i>	Update and revise regulations in response to DEM's triennial review of the water quality regulations as required by the federal Clean Water Act.	Establish consistency with recent changes to federal water quality criteria; streamline the public notice/comment/hearing processes for water quality certifications.	Wastewater treatment facilities, industries that discharge to surface waters, and applicants for water quality certifications.	Connie Carey, Office of Water Resources, 222-3961, ext. 7239.
<u>WATER POLLUTION ABATEMENT PROJECTS</u> <i>Legal Basis: §§ 42-35, 42-17.1, 46-12, and 46-12.2</i>	Revise Rules 5.6 and Appendix 1: "Project Rating Criteria" to reflect the continuing evolution of the program for construction of water pollution abatement projects, which creates a project priority list potentially fundable under the State Revolving Fund.	Revise project rating system to place greater emphasis on various watershed plans.	Municipalities, state entities, and quasi-state entities.	Jay Manning, Office of Water Resources, 222-3961, ext. 7254.
<u>FY2003 PROJECT PRIORITY LIST</u> <i>Legal Basis: §§ 42-17.1; 46-12, 46-12.2 and 42-35</i>	Publish the FY2003 Project Priority List as a technical amendment to establish the universe of projects that potentially could receive funding from the State Revolving Loan Fund (SRF) Program.	Establish eligibility for below-market rate interest loans for selected water pollution abatement projects.	Municipalities, quasi-state agencies and other local governmental units.	Jay Manning, Office of Water Resources, 222-4700 ext. 7254.
<u>UNDERGROUND INJECTION CONTROL</u> <i>Legal Basis: §§ 42-17.1 and 46-12</i>	Revise underground injection control rules in response to federal requirements for Class V subsurface discharges to allow Rhode Island to support an application to maintain federal delegation (primacy) for implementation of the UIC program in the state.	Significant changes will include a ban on large-capacity cesspools and motor vehicle waste disposal wells.	A small number of large-scale cesspool and motor vehicle related facility owners.	Terry Simpson, Office of Water Resources, 222-3961, ext. 7602.
<u>POLLUTION DISCHARGE ELIMINATION SYSTEM</u> <i>Legal Basis: § 46-12</i>	Revise the regulations in response to updated US Census data from 1990 to 2000.	Additional discharges of stormwater from municipal stormwater systems will be regulated.	Local, state, and federal municipal stormwater systems.	Eric Beck, Office of Water Resources, 222-3961, ext. 7202.

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<u>GROUNDWATER QUALITY</u> <i>Legal Basis: § 46-13-1</i>	Update and simplify the rules governing groundwater protection.	Update the statewide classification map and designation of wellhead protection areas; promote consistency with respect to site remediation activities; and clarify certain siting restrictions regarding Class V Underground Injection Control Sites.	Developers, as well as contractors involved in site remediation activities and parties interested in drinking water issues.	Ernest Panciera, Office of Water Resources, 222-3961, ext. 7603.
<u>FRESHWATER WETLANDS</u> <i>Legal Basis: §§ 42-35 and 2-1</i>	Develop regulations based on the recommendations of the Wetlands Task Force.	Phase 1 – Establish a simplified permit fee schedule; establish a reorganized, clearer rule format; remove barriers to pre-application meetings with wetlands program staff; and address dam reconstruction projects. Phase 2 – Introduce new tiers of applications with tailored requirements for low-impact projects, water quality, and wetland restoration projects for applicants who are near but outside DEM jurisdiction, and for those proposing other selected activities.	Developers, property owners, environmental community.	Carol Murphy, Office of Water Resources, 222-3961, ext. 7208.
<u>OPERATION AND MAINTENANCE OF WASTEWATER TREATMENT FACILITIES</u> <i>Legal Basis: §§ 46-12, 42-35</i>	Update regulations with regard to new statutory citations, technological advancements, and policy changes and additions.	Provide DEM with updated, defensible, regulatory language and provide clearer guidance to the regulated community on operations and maintenance requirements.	Wastewater treatment facility (WWTF) operators, municipalities, industries with surface water discharging WWTFs, and collection system owners (public and private).	Bill Patenaude, Office of Water Resources, 222-3961, ext. 7264.

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<p>DRINKING WELLS <i>Legal Basis: § 46-13.1</i></p>	<p>DEM has recommended that new legislation be approved in the 2003 legislative session to address duplication in state law regarding the construction of private wells and the regulation of well drilling and pump installation contractors. Passage of the legislation would prompt the repeal of a majority of the existing well drilling regulations first promulgated by DEM in 1989. New DEM regulatory amendments would be in response to new legislation to eliminate duplicative requirements.</p>	<p>The changes proposed are designed to assign the responsibility for regulating well drillers to a single, state agency and eliminate duplicative requirements.</p>	<p>DEM, DOH, DOA, RI Contractors Board and Building Codes Commission, Department of Labor, including Plumbers Board, Well Drilling Board, Well Drilling and Pump Installation Contractors, municipal building officials, general public in communities lacking public water service.</p>	<p>Susan Kiernan, Office of Water Resources, 222-3961, ext 7600.</p>
<p>DREDGING <i>Legal Basis: § 42-35</i></p>	<p>Establish a comprehensive regulatory framework to ensure that dredging and the management of dredged material is regulated in a manner that is protective of the environment, treats dredging and dredged material management as a distinct class of activities to be regulated on the basis of the nature and characteristics of the material, and encourages the beneficial reuse of dredged material for Brownfields redevelopment, beach nourishment, landscaping, habitat restoration and/or creation, construction projects, landfill cover and other such purposes.</p>	<p>Provides a single set of regulations governing the dredging process and the management and disposal of dredge material.</p>	<p>Marinas, boat owners, commercial and recreational users of Narragansett Bay, and the Coastal Resources Management Council.</p>	<p>Terrence Gray, Assistant Director for Air, Waste and Compliance, 222-4700 ext. 7100.</p>
<p>UNDERGROUND STORAGE TANKS <i>Legal Basis: § 42-35</i></p>	<p>Increase inspection frequency of underground storage tank (UST) systems in accordance with new statutory mandate. The Department intends to evaluate possible third party inspection options as part of a public stakeholder process this spring prior to final promulgation.</p>	<p>Increased inspections of UST systems throughout the state.</p>	<p>Underground storage tank owners, and environmental consultants</p>	<p>Leo Hellested, Office of Waste Management, 222-4700, ext. 7502; and Ron Gagnon, Office of Customer and Technical Assistance, 222-4700, ext. 7500.</p>

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<p><u>INSPECTIONS OF DAMS AND RESERVOIRS [DAM SAFETY]</u> <i>Legal Basis: § § 46-19, 42-17.1, and 42-35</i></p>	<p>Establish a regulatory framework for several of the major provisions of the state's current dam safety law. Rhode Island currently does not have any rules governing standards for dam inspections and repairs even though the Department, since its inception, has administered a dam safety program.</p>	<p>Identify minimum requirements for maintenance of a dam, registration of a dam, and responsibilities of the department and dam owners in inspecting and repairing dams; improve public information through adoption of a formal hazard classification for dams; improve regulatory oversight of dams.</p>	<p>Dam owners, cities and towns, property owners adjacent to and downstream of open water bodies created by a dam, and the general public that use open water bodies created by a dam for recreational purposes.</p>	<p>David Chopy, Office of Compliance and Inspection, 222-4700 extension 7257.</p>
<p><u>SOLID WASTE REGULATORY FEES</u> <i>Legal Basis: § 42-35</i></p>	<p>In accordance with the Governor's 2003 state budget proposal, amend state regulations to assess a fee on companies that manage solid waste.</p>	<p>Stabilize funding for the solid waste program.</p>	<p>Owners of solid waste management facilities, including construction and demolition debris processing facilities, landfills, large transfer stations, and petroleum processing facilities.</p>	<p>Leo Hellested, Office of Waste Management, 222-2797, ext. 7502.</p>
<p><u>ARSENIC</u> <i>Legal Basis: §§ 23-19.1-6 and 42-35</i></p>	<p>Amend state regulations to increase the Industrial/Commercial Direct Exposure Standard for Arsenic from 3.7 ppm to 7.0 ppm.</p>	<p>Recognize the statistical distribution of naturally occurring arsenic in Rhode Island, thereby facilitating site remediation projects.</p>	<p>Owners of properties found to have arsenic.</p>	<p>Leo Hellested, Office of Waste Management, 222-4700, ext. 7502.</p>
<p><u>MOTOR VEHICLE INSPECTION/ MAINTENANCE PROGRAM (APC REGULATION NO. 34)</u> <i>Legal Basis: § 31-47.1-7(g)</i></p>	<p>Amend APC Regulation No. 34, "Rhode Island Motor Vehicle Inspection/Maintenance Program," to include the testing of 1996 and newer vehicles' on-board diagnostic system in lieu of testing the tailpipe emissions, in accordance with new statutory provisions enacted in 2002.</p>	<p>Testing the OBD system will optimize the efficiency and cost effectiveness of the existing I/M Program, allow for improved repair diagnosis, and provide a transition to the next generation of vehicle inspection program.</p>	<p>Authorized Inspection and Repair Stations, environmental advocates, motorists.</p>	<p>Thomas Barry, Office of Air Resources, 222-2808, ext. 7021.</p>
<p><u>BURNING OF ALTERNATIVE FUELS (APC REGULATION NO. 20)</u></p>	<p>Amend regulation to be consistent with the proposed changes to DEM's used oil disposal regulations.</p>	<p>Limit air pollution that results from the burning of used oil.</p>	<p>Businesses, municipalities, and state agencies that burn used oil for energy recovery.</p>	<p>Douglas McVay, Office of Air Resources, 222-2808, ext. 7011.</p>

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<p>MERCURY-CONTAINING PRODUCTS <i>Legal Basis: §§ 23-19.1-6, 23-24.9, and 42-35</i></p>	<p>Establish a regulatory framework for several of the major provisions of the Mercury Education and Reduction Act, enacted in 2001, including establishing labeling requirements, and perhaps education elements, in response to statutory requirements take effect in 2004.</p>	<p>Establish regulatory provisions for the following provisions of the Mercury law: notification; restrictions on the sale of mercury fever thermometers; restrictions on the sale of mercury-added novelties; prohibitions on schools in Rhode Island using or purchasing bulk elemental or chemical mercury or mercury compounds; collection of mercury-added products; disclosure for mercury-added formulated products used in healthcare facilities; limitations on the use of elemental mercury; state procurement preferences for low- or non-mercury-added products; the first component of phase-out of mercury-added fabricated and mercury-added formulated products; and provide the public with information regarding mercury content in various products; facilitate proper disposal of mercury-containing products.</p>	<p>Electronic manufacturers or other manufacturers of mercury-added fabricated and mercury-added formulated products, schools, healthcare facilities, and environmental groups.</p>	<p>Beverly Migliore, Office of Technical and Customer Assistance, 222-4700 ext. 7503; Ron Gagnon, Office of Technical and Customer Assistance, 222-4700 ext. 7500.</p>