

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, Section § 42-35-2.6 of the General Laws of Rhode Island, following is a concise explanatory statement:

AGENCY: Department of Environmental Management

DIVISION: Water Resources

RULE IDENTIFIER: 250-RICR-150-05-3

RULE TITLE: GROUNDWATER QUALITY RULES

REASON FOR RULEMAKING:

The purpose of these rules is to protect and restore the quality of RI's groundwater resources for use as drinking water and other beneficial uses, and to assure protection of the public health and welfare and the environment. The purpose of these amendments is to recodify the Groundwater Quality Rules into the Rhode Island Code of Regulations format as required by amendments to the Administrative Procedures Act (§ 42-35-5). This recodification must follow a standard format used for all state regulations. In addition, proposed changes include, but are not limited to, 1) changes to improve clarity of the Rules, 2) changes to the groundwater classification and wellhead protection area maps, 3) procedure for setting a groundwater quality standard when no EPA maximum contaminant level has been established, and 4) abandonment procedures for private drinking water wells are included similar to requirements for other subsurface borings. A separate document has been prepared with a more detailed explanation of the proposed changes.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE:

(if any)

TESTIMONY, COMMENTS AND OBJECTIONS: Two comments received. See separate document on Response to Comments

CHANGE TO TEXT OF THE RULE: Changes made to the public noticed version of the Rules:

- Variance section retained as in original version of the Rules.
- Citations to the EPA National Primary Drinking Water Regulations corrected.

REGULATORY ANALYSIS: See separate document “Societal Cost Benefit Analysis in Support of Amended Groundwater Quality Rules.” The range of estimated societal benefits exceeds the range of estimated societal costs for implementation of the changes in the Rules.

DATE THE FINAL RULE WAS SIGNED BY THE AGENCY HEAD: