

**RHODE ISLAND GOVERNMENT REGISTER  
PUBLIC NOTICE OF PROPOSED RULEMAKING**

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**Title of Rule:** Rules and Regulations for the Wastewater Treatment Facility Resiliency Fund

**Rule Identifier:** 250-RICR-170-05-2

**Rulemaking Action:** Proposed Adoption

**Important Dates:**

Date of Public Notice: 09/23/2019

Hearing Date: 10/16/2019

End of Public Comment: 10/23/2019

**Authority for this Rulemaking:**

R.I. Gen. Laws Chapters 42-6.2 and 42-17.1

**Summary of Rulemaking Action:**

*The purpose of these regulations is to create a Wastewater Treatment Facility Resiliency Fund to receive, hold, and administer the use of the \$5,000,000 portion of the '2018 RI Green Economy and Clean Water Bond' allotted for wastewater treatment facility resiliency improvements for facilities vulnerable to increased flooding, major storm events, and environmental degradation, as well as any future bond allocations and State or Federal appropriations earmarked for similar and related purposes.*

**Additional Information and Comments:**

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed adoption until October 23, 2019 by contacting the appropriate party at the address listed below:

William Patenaude  
Department of Environmental Management  
Office of Water Resources  
235 Promenade Street, 2nd Floor  
Providence, RI 02908  
bill.patenaude@dem.ri.gov

**Public Hearing:**

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.8, to consider the proposed adoption shall be held on October 16, 2019 at 10:00 am at Department of Environmental Management, 235 Promenade Street, Room 300, Providence, RI 02908 at which time and place all persons interested therein will be heard. The

seating capacity of the room will be enforced and therefore the number of persons participating in the hearing may be limited at any given time by the hearing officer, in order to comply with safety and fire codes.

The place of the public hearing is accessible to individuals who are handicapped. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-423-1927 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting.

**Regulatory Analysis Summary and Supporting Documentation:**

This regulation authorizes the means of distribution of \$5 million of voter-approved funds to benefit local communities. These regulations do not impact small business, in accordance with the Regulatory Flexibility Analysis as required by R.I.G.L. § 42-35.1-4.

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation see agency contact person above.