

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: Office of Compliance and Inspection

RULE IDENTIFIER: 250-RICR-130-05-1

RULE TITLE: RULES AND REGULATIONS FOR DAM SAFETY

REASON FOR RULEMAKING:

The Department of Environmental Management, Office of Compliance and Inspection (RIDEM) has proposed an amendment to this regulation in order to add a definition for Control Structure, which is already used elsewhere in the regulations, and to clarify when a control structure is considered to be unsafe. A summary of substantive changes between current and proposed regulation by part is as follows:

- Part 1.5(A) add 1.5(A)(2) to provide a definition of Control Structure; and
- Part 1.5(A)(30) add the word inoperable to clarify the definition of an unsafe dam.

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

(if any)

TESTIMONY, COMMENTS AND OBJECTIONS: The Department received no comments related to the proposed amendment.

CHANGE TO TEXT OF THE RULE: No changes were made to the rule that was sent out to public notice.

REGULATORY ANALYSIS:

DATE THE FINAL RULE WAS SIGNED BY THE AGENCY HEAD: