

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

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**Title of Rule:** Solid Waste Regulations No. 2 Solid Waste Landfills (250-RICR-140-05-2)

**Rule Identifier:** 250-RICR-140-05-2

**Rulemaking Action:** Proposed Amendment

**Important Dates:**

Date of Public Notice: 09/25/2020

Hearing Date: 10/13/2020

End of Public Comment: 10/25/2020

**Authority for this Rulemaking:**

R.I. Gen. Laws Chapters Chapter 23-18.9 and 23-19

R.I. Gen. Laws Chapter 42-35

**Summary of Rulemaking Action:**

There are several objectives to these proposed changes:

1. To include statutory changes to definitions of solid waste and Construction and Demolition Debris Separation Facilities and other changes to solid waste statutes.
2. To reinstate some fees, previously in the regulations were inadvertently omitted when the regulations were re-codified in 2018.
3. To allow landfills to reduce air monitoring frequency under certain conditions.
4. To allow solar panel systems to be placement on landfill caps as part of a final cover system approved by the Office of Land Revitalization and Sustainable Materials Management without requiring separate wetlands and stormwater permit applications

To incorporate statutory changes to siting requirements as they relate to local zoning approval

**Additional Information and Comments:**

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until October 25, 2020 by contacting the appropriate party at the address listed below:

Mark M. Dennen

Department of Environmental Management  
Office of Land Revitalization and Sustainable Materials Management  
235 Promenade Street  
Providence, RI 02908  
mark.dennen@dem.ri.gov

**Public Hearing:**

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.8, to consider the proposed amendment shall be held on October 13, 2020 at 1:30 pm at Zoom Virtual Meeting, [https://zoom.us/j/97934871309?](https://zoom.us/j/97934871309?pwd=NnVXWHBzdTRTMzBuRDRHd0NnM3)

pwd=NnVXWHBzdTRTMzBuRDRHd0NnM3, Meeting ID: 979 3487 1309, Passcode 541531 , 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 401-222-5300 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:**

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.