

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF THE DIRECTOR
RECISION OF
EMERGENCY REGULATIONS**

Pursuant to the authority vested in the RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT by Title 20 of the General Laws of the State of Rhode Island, I, JAN H. REITSMA, in my capacity as Director, of the Rhode Island Department of Environmental Management (the "DEM"), hereby rescind the emergency regulations captioned, "REGULATIONS ESTABLISHING AN OIL SPILL EMERGENCY CLOSURE ZONE," which were adopted on 22nd of February, 2002 and are attached hereto and designated as Attachment 1.

Pursuant to R.I. General Laws §§ 42-35-3(b) and 42-35-4(b)(2), I find that the imminent peril to the public health and welfare which required adoption of these emergency regulations without prior notice or hearing no longer exists. Specifically, on Monday, February 25, 2001, the Department of Environmental Management surveyed the area and determined that the vessel Forager no longer presented an environmental threat. It is, therefore, no longer necessary nor appropriate to prohibit the possession of any marine organism because it was located in the oil spill emergency closure zone. This filing eliminates the Oil Spill Closure Zone as described in Attachment 1.

WHEREFORE, this regulation becomes effective on filing.

DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT

DATE

JAN H. REITSMA, DIRECTOR

ATTACHMENT 1

**OFFICE OF THE DIRECTOR
EMERGENCY REGULATIONS**

**~~PROHIBITION ON THE POSSESSION OF ANY MARINE ORGANISMS TAKEN IN THE EMERGENCY
OIL SPILL ZONE~~**

~~1.0 — Prohibition on the taking, marketing, or possession of any marine organisms in
the emergency oil spill zone — It shall be unlawful to possess any marine
organisms and haul any fishing gear, which were located within the emergency oil
spill zone from February 22, 2002 up to and including the date that the Director of
the Department of Environmental Management (DEM) provides notice that the
zone is terminated. Any vessel transiting the area must close its circulating
seawater system if it possesses any marine species. —~~

~~The emergency oil spill zone is depicted in Exhibit 1, attached hereto and defined
as follows: The closure zone is enclosed by the following lines, beginning at the
waters within of the Harbor of Refuge including Point Judith Pond south of a
_____ line running between High Point (north of Snug Harbor) and Strawberry
_____ Hill (Great Island). The closure will be west of the Great Island Bridge,
_____ leading to Great Island, and east of the Succotash Road bridge, in East
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_____ Matunuck. All waters within this boundary, up to the high water mark
are closed to the taking of all marine organisms. All other shellfish closures shall
be observed as referenced in the May 2000 — May 2001 shellfish closure map. The
designated zone may be modified from time to time and upon notice to the public.~~

~~This regulation becomes effective upon filing with the Secretary of State.~~

Department of Environmental Management

Date: ____/____/____

Jan H. Reitsma

Director