

US EPA ARCHIVE DOCUMENT



State Innovation Grant Program: Rhode Island

An Environmental Results Program (ERP) for Construction Site Runoff Control
(2007 Competition)

The State Innovation Grant Program

In 2002 EPA introduced the State Innovation Grant Program to support efforts led by state environmental agencies to test innovative approaches for achieving better environmental results and improved efficiency in permitting programs. Between 2002 and 2007, the State Innovation Grant program competition awarded over six million dollars to support 35 state projects that test permitting innovation for a variety of regulated entities including several small business sectors. A summary of the awards by year appears in the table below.

State Innovation Grant Program Statistics, 2002-2007			
Competition Year	Proposals Submitted	Proposals Selected	Total Program Funding (\$)
2002/2003	29	6	\$618,000
2004	33	9	\$1.425 Million
2005	26	7	\$1.479 Million
2006	25	6	\$1.243 Million
2007	17	7	\$1.611 Million
Cumulative Total	130	35	\$6.376 Million

"Innovation in Permitting" has been the theme of the State Innovation Grant competition since its inception. In the last three competition cycles states received awards for projects in the following three categories:

- **The Environmental Results Program (ERP)** is an innovative approach to improving environmental performance based on a system of the interlocking tools of compliance assistance, self-certification (sometimes, where permissible, in lieu of permitting), and statistically-based measurement to gauge the performance of an entire business sector. The program utilizes a multimedia approach to encourage small sources to achieve environmental compliance and pollution prevention. (See: <http://www.epa.gov/permits/erp/>)
- **Environmental Management System (EMS)** is a system involving a continual cycle of planning, implementing, reviewing and improving the processes and actions that an organization undertakes to meet its business and environmental goals. EMSs provide organizations of all types with a structured system and approach for managing environmental and regulatory responsibilities to improve overall environmental performance and stewardship. (See: www.epa.gov/ems/info/index.htm)
- **Performance Track** is a partnership that recognizes top environmental performance among participating US facilities of all types, sizes, and complexity, both public and private. (See: <http://www.epa.gov/performance/track/>)

NCEI has provided awards also for projects testing watershed-based permitting, and for permit process streamlining in past competitions. For more information on the history of the programs, including information on solicitations, state proposals, and project awards, please see the EPA State Innovation Grants website at <http://www.epa.gov/innovation/stategrants>

Project Background:

The Rhode Island Department of Environmental Management (RIDEM) is charged with enforcement of Construction Site Runoff Control under the stormwater management provisions of the Clean Water Act. Under the Phase II Stormwater Rule, operators of small municipal separate storm sewer systems (MS4) must include "Minimum Control Measures" in their stormwater management programs. To satisfy this minimum control measure, the operator of a regulated small MS4 needs to conduct public education or equivalent outreach activities and determine the appropriate best management practices (BMPs) and measurable goals. An MS4 must meet all of the requirements of its Rhode Island Pollutant Discharge Elimination System (RIPDES) permit, which requires an operator of a regulated small MS4 to develop, implement, and enforce a program to reduce pollutants in stormwater runoff to their MS4 from construction activities that result in a land disturbance of an acre or more. RIDEM and most other state environmental agencies lack the resources to inspect every regulated construction site for compliance with State Stormwater Pollution Prevention Plans (SWPPPs) required under the RIPDES General Permit. The RIDEM ERP is being implemented to provide an innovative, "non-traditional" strategy to help ensure that MS4 operators meet Phase II requirements.

The RIDEM, in an effort to gain federal assistance with this effort, applied for and received an EPA State Innovation Grant in the 2007.

Project Description

RIDEM, working with the University of Rhode Island Center for Pollution Prevention and Environmental Health, is developing an ERP approach to control erosion and sediment run off from MS4 construction



sites greater than one acre. All applicants for a RIPDES permit, as well as RIDEM's stormwater Coordinators, will receive a compliance checklist to facilitate a program that includes compliance assistance and instruction, self-certification, and a statistically-based auditing of compliance. The check list requirements will focus on the implementation and maintenance of BMPs, as referenced in the State of Rhode Island Stormwater Manual, to control sediment and erosion from the regulated construction sites. RIDEM is also developing a training program for the applicants and inspectors on how to use the check list. Environmental Business Practice Indicators (EBPIs), based on measurable goals developed by EPA and other performance criteria will be selected and measured to evaluate the program's success.

The ERP approach allows the RIDEM Stormwater Coordinators, and the MS4 operators to work together to ensure compliance with state regulations. A tandem approach of self-certification and statistically-based auditing by RIDEM will be used to meet this requirement. Additional benefits of this project include: improved compliance targeting; more efficient response to public concerns; and improved reporting on compliance. This strategic innovation will enable a more efficient use of limited resources and produce measurable environmental results.

The project began with the award of the grant on October 1, 2007 and will take four years to complete.

Connection to EPA's Goals:

This ERP is directly aligned with EPA's Strategic Plan Goal 2 – Clean and Safe Water. This project's general focus is the prevention and reduction of water pollution caused from stormwater runoff at construction sites, as required by the Clean Water Act - Phase II Stormwater Final Rule. The project also assists EPA in meeting its Strategic Objective 2.2, Protect Water Quality, by providing an innovative approach to continuing implementation of a core national water program (NPDES).

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