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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO WATERS AND NAVIGATION - THE NARRAGANSETT BAY  
COMMISSION LATERAL SYSTEMS RESPONSIBILITY FEASIBILITY STUDY

Introduced By: Representatives Petrarca, Ucci, Corvese, O'Neill, and Blazejewski

Date Introduced: May 02, 2012

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 46 of the General Laws entitled "Waters and Navigation" is hereby  
2 amended by adding thereto the following chapter:

3 CHAPTER 25.3

4 NARRAGANSETT BAY COMMISSION LATERAL SYSTEMS RESPONSIBILITY

5 FEASIBILITY STUDY

6 **46-25.3-1. Legislative findings. -- It is hereby found and declared that:**

7 (1) Prior to the existence of the Narragansett Bay Commission there existed water quality  
8 problems generated from within the district which resulted in the discharge of pollutants,  
9 conventional and unconventional, into Narragansett Bay.

10 (2) The Narragansett Bay Commission was statutorily created by the Rhode Island  
11 general assembly in 1980 for the purposes of acquiring, planning, constructing, extending,  
12 improving, and operating and maintaining publicly owned sewage treatment facilities in the  
13 district.

14 (3) The district includes the city of Providence and the towns of Johnston, North  
15 Providence, and a portion of the town of Lincoln formerly served by the city of Providence's  
16 sewage treatment system and now known as the Field's Point Wastewater Treatment Facility.  
17 Also, the cities of Pawtucket, Central Falls, and that portion of the city of East Providence known  
18 as Rumford and the towns of Lincoln and Cumberland and that portion of the town of Smithfield

1 lying northeast of the Douglas Pike, also called state route no. 7 formerly served by the  
2 Blackstone Valley District Commission and now known as the Bucklin Point Wastewater  
3 Treatment Facility.

4 (4) Today the Narragansett Bay Commission is a nationally recognized leader in  
5 wastewater treatment, specifically acknowledged for its operational excellence and fiscal  
6 prudence.

7 (5) There currently exists in Providence and the surrounding cities and towns within the  
8 district aging local lateral sewer systems in serious need of repair and maintenance. Limited  
9 resources, in both expertise and funding, have made it difficult for Providence and the  
10 surrounding cities and towns within the district to identify problems and effectuate repairs in  
11 these systems.

12 (6) The environmental protection agency and the Rhode Island department of  
13 environmental management have recently implemented programs and enforcement tools to ensure  
14 that sewer systems of all sizes, municipal and regional, are properly operated and maintained.  
15 Failure to properly operate and maintain local lateral sewer systems in Providence and the  
16 surrounding cities and towns within the district ultimately impacts the Narragansett Bay  
17 Commission's sewer interceptor systems and treatment facilities which in turn can have negative  
18 consequences for Narragansett Bay and may subject the Narragansett Bay Commission and  
19 municipalities to fines and penalties.

20 (7) Economy and efficiency suggest an overall plan would be beneficial for dealing with  
21 the operation and maintenance of local lateral sewer systems in Providence and the surrounding  
22 cities and towns within the district.

23 **46-25.3-2. – Lateral Systems Responsibility Feasibility Study - The Narragansett Bay**  
24 Commission is hereby directed to study and analyze the feasibility of the Narragansett Bay  
25 Commission acquiring and accepting responsibility for the operation and maintenance of local  
26 lateral sewer systems within the district, specifically including, but not limited to, the city of  
27 Providence. Any municipality within the district shall, upon request, furnish such advice and  
28 information, documentary or otherwise, to the Narragansett Bay Commission and its agents, as is  
29 deemed necessary or desirable by the Narragansett Bay Commission to facilitate the purposes of  
30 this section. Said study is to be undertaken, performed and paid for by the Narragansett Bay  
31 Commission with a report and recommendation on the feasibility of such acquisitions to be  
32 submitted to due to the general assembly on or before June 1, 2013.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO WATERS AND NAVIGATION - THE NARRAGANSETT BAY  
COMMISSION LATERAL SYSTEMS RESPONSIBILITY FEASIBILITY STUDY

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1           This act would establish a lateral systems responsibility feasibility study to determine the  
2 feasibility of the Narragansett Bay Commission acquiring, operating and maintaining local lateral  
3 sewer systems in Providence and the surrounding cities and towns within its district.

4           This act would take effect upon passage.

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