

2018 -- H 7794

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LC004914
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO FISH AND WILDLIFE - SHELLFISH GROUNDS

Introduced By: Representatives McEntee, Craven, Handy, and Knight

Date Introduced: February 28, 2018

Referred To: House Environment and Natural Resources

(Department of Environmental Management)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 20-8.1-4 of the General Laws in Chapter 20-8.1 entitled "Shellfish
2 Grounds" is hereby amended to read as follows:

3 **20-8.1-4. Factors considered in determining polluted areas.**

4 In making a determination that an area is polluted, the director shall ~~take into~~
5 ~~consideration~~ ensure consistency with the requirements of the National Shellfish Sanitation
6 Program ~~one or more of the following matters as they apply: the volume of sewage that may~~
7 ~~affect the area; the dilution of that sewage by clean water; the distance of the area from sources of~~
8 ~~pollution; the "most probable number" of fecal coliform bacteria found upon examining the water~~
9 ~~from the area, in accordance with the National Shellfish Sanitation Programs Manual of~~
10 ~~Operations exceeds 14 per one hundred milliliters (100 ml) of water, for a three tube (3) decimal~~
11 ~~dilution test, or exceeds 49 per 100 ml of water for a three tube (3) decimal dilution test for more~~
12 ~~than ten percent (10%) of the samples.~~ When necessary, for consistency with National Shellfish
13 Sanitation Program requirements ~~The~~ the director may declare an area to be polluted in the
14 absence of ~~a "most probable number" of fecal coliforms~~ monitoring data if the director has
15 evidence that ~~significant volumes of raw sewage or inadequately purified sewage may reach the~~
16 ~~area~~ the area may become polluted. A review of the status of all the areas in the state shall be
17 made by the director on at least an annual basis.

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 FISH AND WILDLIFE - SHELLFISH GROUNDS

- 1 This act would ensure compliance with the National Shellfish Sanitation Program.
- 2 This act would take effect upon passage.

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