

# **RIAG ENVIRONMENTAL CRIMES TASK FORCE**

## **MINUTES OF MEETING**

**May 21, 2014**

### **OPEN SESSION**

**The open session of the Board for the RIAG Environmental Crimes Task Force was called to order at 10:10 a.m. on the above date in the 3rd Floor Conference Room, at the Department of Attorney General, 150 South Main Street, Providence, RI, pursuant to the applicable provisions of the Open Meeting Law, so called, and other applicable provisions of the General Laws of the State of Rhode Island, as amended. A quorum was established.**

### **TASK FORCE MEMBERS IN ATTENDANCE:**

**Corporal Simon Liu [Designee for Col. Steven G. O'Donnell], Rhode Island State Police**

**Captain William Jamieson [Designee for Capt. James Manni], Rhode Island State Police**

**Chief Elwood M. Johnson, Jr., RI Police Chief's Association**

**Laura Kelley Miguel, Coastal Resources Management Council**

**Detective Sheila Paquette [Designee of Lt. Edward Cabral], RIDEM Law Enforcement**

**Det. Capt. Jack McIlMail, RIDEM Law Enforcement**

**Larry Mouradjian, RIDEM, Associate Director, Bureau of Natural Resources**

**Tracey D'Amadio Tyrrell [Designee for David Chopy], RIDEM,  
Supervising Environmental Scientist, Office of Compliance and  
Inspection**

**Deputy Chief Kurt Blanchard, [Designee for Chief Steven Hall], RIDEM  
Law Enforcement**

**Mary Kay, Esq., RIDEM, Executive Legal Counsel**

**Kim Ahern [Designee for Stacey Veroni], RIAG Criminal Division,  
Chief**

**Christian Capizzo, RIAG, Special Assistant Attorney General**

**TASK FORCE MEMBERS ABSENT:**

**Steven Creavin, Environmental Protection Agency – CID**

**Chief Steven Hall, RIDEM Law Enforcement**

**Terrence Donnelly, Assistant U.S. Attorney, U.S. Attorney's Office,  
Rhode Island**

**Terrence Gray, RIDEM, Assistant Director, Air, Waste, and  
Compliance**

**Lt. Joseph Poccia, RIDEM Law Enforcement**

**INVITEES IN ATTENDANCE:**

**Dan Goulet, CRMC**

**Detective Eric Rodrigues, East Providence Police Dept**

**Timothy J. Mills, Newport Harbormaster**

**Stephen Land, Town of New Shoreham Harbormaster**

**Sgt. Stephen Burns, Portsmouth Harbormaster**

**Ed O'Donnell, United States Army Corps of Engineers**

**Kristy Juaire, United States Coast Guard, Marine Science Laboratory  
Chief Ed LeBlanc, United States Coast Guard, Chief, Waterways  
Management Division**

**Douglas J. Furman, United States Coast Guard, US Coastguardsman**

**Tom Kutcher, Save the Bay, Bay keeper**

**James Ball, RIDEM, Emergency Response Administrator**

**Detective Derek Carlino, Jamestown Police Department**

**Captain Chris Stewart, Warwick Police Department**

**Detective Patrick Martin, Little Compton Police Department**

**Detective Nick Arruda, Portsmouth Police Department**

**Detective Ken DeMarco, RISP**

**Det. Sgt. Gerry McKinney, RISP**

**Detective Amanda Bodette, North Kingstown Police Department**

**Gary Powers, RIDEM, Legal Counsel, Division of Legal Services**

**Detective Dino DeCrescenzo, Barrington Police Department**

**Attorney Capizzo began the meeting by reviewing the Agenda and having Members and Invitees introduce themselves. Then reviewed the Attorney General's Five Point Plan to protect the environment, the goals of the Task Force, and the referral sources for this meeting: RIDEM, Law Enforcements agencies, USCG, USACE, EPA, NOAA, FEMA, and civilian complaints directed to the Attorney General's office. He then outlined the environmental impact and criminal violations of derelict and abandoned vessels.**

**The meeting proceeded under RIGL§42-46 Open Meetings Act and**

**remained in Open Session.**

**Attorney Capizzo discussed different agencies and departments and the roles they take in dealing with derelict and abandoned vessels, under the RIGL §46-6-8 and discussed definitions of Abandoned and Derelict Vessels, under RIGL §46-6-8.1, and RIGL §46-6-10.**

**Attorney Capizzo also discussed the creation of the Derelict & Abandoned Vessel & Obstruction Removal Commission under 46-6-10.2, 46-6-10.3, 46-6-10.4, comprised of 5 members. In 2013 they developed the following rules and regs: Grants are available to reimburse removal expenses, Applications are considered 2 times/yr – 7/1 & 11/1, Commission reviews applications and applies criteria, commission recommends applications to Director of DEM, Director of DEM approves or denies w/in 30 days.**

**Guest speaker Kristy Juare from the USCG Marine Safety Lab next spoke about and the facility's services; to provide forensic oil analysis and expert testimony in support of the oil pollution law enforcement efforts for U.S. federal agencies, and state and local enforcement agencies. It is the only forensic lab used by the federal government for oil spill identification, located in New London, CT. The service is free for state and federal agencies.**

**Among case studies at the lab are: routine cases, OWS (oil/water separator) cases, known/unknown spills, natural disasters, land**

**based spill, and Law enforcement (no spill).**

**The lab can compare samples to each other, determine if oil is or is not present, and also prep samples for future use.**

**A discussion took place and it was determined that an agency can call the DEM (Emergency Response Unit) or USCG's 24hr enforcement number to aid in expertise and proper sample taking.**

**The next guest speaker was Chief Ed O'Donnell from the United States Army Corps of Engineers. He discussed wreck removal in the New England District, which is based on the Rivers and Harbors Act of 1899.**

**The vessel's owner is determined, if possible, and it is the owner's responsibility for its removal.**

**Chief O'Donnell explained the emergency removal of vessels, and EPA requests for disposal at sea. The vessel needs to be removed if it is for the protection of life or property, or determined a navigational hazard. The EPA requirements for a disposal at sea are 12 miles out to sea and a minimum of 300 ft depth. Coordinates are recorded and NOAA will record it as a wreck.**

**During the round table discussion members and attendees discussed issues presented by abandoned, derelict vessels and obstruction.**

- If a local/state agency finds an abandoned vessel involving oil and/or contaminants, they are to call DEM they will in turn respond, assess and determine what agency to give it to. If there is a navigational hazard, they contact the USCG. Attempts to find owner are made, the cost to decommission a vessel is high.
- Need solutions to obtain funding to adequately and timely remove vehicle.

**Meeting concluded at 12:35**

**Minutes taken and transcribed by:**

**Ann Brown, Department of Attorney General**