

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Air Pollution Control Regulation No. 33, 'Control of VOC from Architectural Coatings and Industrial Maintenance Coatings'

Rule Identifier: 250-RICR-120-05-33

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 09/27/2018

End of Public Comment: 10/27/2018

Authority for this Rulemaking:

R.I. Gen. Laws § 42-17.1-2(19)

R.I. Gen. Laws Chapter 23-23

R.I. Gen. Laws Chapter 42-35

Summary of Rulemaking Action:

Part 33 limits volatile organic compound emissions from the architectural and industrial maintenance (AIM) coatings. The Department of Environmental Management, Office of Air Resources is proposing to establish volatile organic compound (VOC) standards for 11 new AIM coating categories, remove VOC standards for 17 AIM coating categories and strengthen VOC standards for 24 AIM coating categories, consistent with regional emissions limitations for such categories. Additionally, the proposed amendments incorporate new definitions and modify several existing definitions for clarity. The regulation has been updated to current RI Code of Regulations format which required the addition of an incorporated materials section.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until October 27, 2018 by contacting the appropriate party at the address listed below:

Karen Slattery
Department of Environmental Management
Office of Air Resources
235 Promenade Street
Providence, RI 02908
karen.slattery@dem.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

Regulatory Analysis Summary and Supporting Documentation:

Rhode Island is a member state of the Ozone Transport Commission (OTC), an organization set up by Congress under the Clean Air Act (CAA) which is composed of 13 entities in the Northeast and mid-Atlantic regions. The OTC develops model rules for the member states to use to reduce the emissions of ground-level ozone precursors. Adoption of OTC Model Rules by all member States ensures regulatory consistency throughout the region to address these pollutants. The rule is being amended to reflect the most current OTC model rule limits. The proposed revisions are necessary to update the regulation to meet current OTC emissions limits for AIM coating categories. These emissions limits have been effective in other states for several years and products that meet those limits are readily available. The Office of Air Resources has determined that implementation of the amendments to Part 33 would not have a significant adverse economic impact on small businesses or cities and towns in the State.

A fact sheet that more fully describes the proposed revision to the regulation as well as copies of the proposed, revised regulation is available under Proposed Regulations on the Department's website.

For full regulatory analysis or supporting documentation see agency contact person above.