

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

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Control of VOC Emissions from Fiberglass Boat Manufacturing

Rule Identifier: 250-RICR-120-05-51

Rulemaking Action: Proposed Adoption

Important Dates:

Date of Public Notice: 01/31/2019

Hearing Date: 03/25/2019

End of Public Comment: 04/01/2019

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:

The purpose of this regulation is to limit emissions of volatile organic compounds from fiberglass boat manufacturing operations. The Department is proposing to add a new air pollution control regulation, Part 51, to meet the requirements contained in the EPA Control Technique Guideline Document, *"Control Techniques Guidelines for Fiberglass Boat Manufacturing Materials."*

The proposed regulation will apply to any facility that manufactures fiberglass boat hulls or decks or related parts, builds molds to make fiberglass boat hulls or decks or related parts, or makes polyester resin putties for assembling fiberglass boats, whose total actual VOC emissions, before controls, are greater than or equal to fifteen (15) pounds per day. The rule will not apply to facilities that solely manufacture parts of boats, such as hatches, seats, or lockers, or boat trailers, and do not manufacture hulls or decks of boats from fiberglass or build molds to make fiberglass boat hulls or decks. Affected sources will be subject to emission limitations, work practice standards, and recordkeeping and reporting requirements.

Although R.I. Gen. Laws § 42-35-2.8, require that an oral hearing be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members, an oral hearing will be granted if requested by one (1) or more persons during the public comment period.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed adoption until April 1, 2019 by contacting the appropriate party at the address listed below:

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

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.8, to consider the proposed adoption shall be held on March 25, 2019 at 10:00 am at Office of Air Resources, 235 Promenade Street, 3rd Floor, Providence, RI 02908 at which time and place all persons interested therein will be heard. The seating capacity of the room will be enforced and therefore the number of persons participating in the hearing may be limited at any given time by the hearing officer, in order to comply with safety and fire codes.

The place of the public hearing is accessible to individuals who are handicapped. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-222-5300 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting.

Regulatory Analysis Summary and Supporting Documentation:

On March 6, 2017, EPA issued a finding of failure to submit to Rhode Island for failure to submit required State Implementation Plan (SIP) components to address Clean Air Act requirements for the 2008 Ozone National Ambient Air Quality Standard. The finding establishes deadlines by which states either must submit complete SIP revisions or become subject to sanctions. The offset sanction is currently in place.

Specifically, 40 CFR § 51.1116 required RI to submit a SIP revision that meets the requirements of Section 184(b) of the Clean Air Act. Section 184(b) requires states in the ozone transport region to implement or update reasonably available control technology (RACT) controls on all major VOC and NOx emission sources and on source categories covered by a Control Technique Guideline (CTG) document. In 2008, EPA published a CTG recommending VOC controls for fiberglass boat manufacturing operations. The Department is proposing to incorporate this CTG into Part 51, "Control of VOC Emissions from Fiberglass Boat Manufacturing," which will be submitted to the U.S. Environmental Protection Agency for approval in Rhode Island's State Implementation Plan. RI must make a complete SIP submission by March 6, 2019, or further sanctions may be imposed.

The proposed regulation, a full cost benefit analysis of the proposed regulation and a fact sheet that more fully describes the proposed regulation are available under Proposed Regulations on the Department's website (<http://www.dem.ri.gov/documents/regulations/>).

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