

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**CONCISE EXPLANATORY STATEMENT**

**AGENCY:** Department of Environmental Management

**DIVISION:** Office of Air Resources

**RULE IDENTIFIER:** 250-RICR-120-05-10

**RULE TITLE:** Part 10 "Air Pollution Episodes"

**REASON FOR RULEMAKING:** The purpose of this regulation is to prevent to excessive buildup of air pollutants during air pollution episodes, thereby preventing the occurrence of an emergency due to the effects of the pollutants on the health of persons. The rule is being updated to reflect current RICR APA formatting requirements and to reflect current EPA limits for qualification of the episode. Sections 10.5(A)(2) through (5) have been amended to reflect the current EPA standards in 40 C.F.R. Appendix L to Part 51.

**ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE**

**EFFECTIVENESS OF THE RULE:** not applicable

**TESTIMONY AND COMMENTS:** The only comment made was by the US Environmental Protection Agency. The comments did not require changing any text in the proposed rule. The Decision addressing USEPA comments is attached.

**CHANGE TO TEXT OF THE RULE:** There were no changes to the rule as a result of comments received.

**REGULATORY ANALYSIS:** The revisions are required by federal regulations. No alternative approaches were considered. The Office of Air Resources has identified no state regulations that overlap or duplicate the proposed amendments. The proposed revisions do not impose any new requirements on regulated entities including any small businesses or any city or town, therefore there is no significant adverse economic impact.

**DATE THE FINAL RULE WAS SIGNED BY THE AGENCY HEAD:**