



## **FACT SHEET**

### **In re: Proposed revisions to Air Pollution Control Regulation No. 33 “Control of Volatile Organic Compounds from Architectural and Industrial Maintenance”**

#### **Introduction**

The Department of Environmental Management (DEM), Office of Air Resources, is proposing to amend one of its air pollution control regulations, 250-RICR-120-05-33 “Control of Volatile Organic Compounds from Architectural Coatings and Industrial Maintenance Coatings” (Part 33). Part 33 limits volatile organic compound emissions from the architectural and industrial maintenance (AIM) coatings.

#### **Description of Proposed Amendments**

The proposed amendments 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 11 AIM coating 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 (RICR) format which required the addition of an incorporated materials section.

#### **Demonstration of Need**

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. OTC AIM Coatings Model Rules are based on California Air Resources Board (CARB) rules as well. The rule is being amended to reflect the most current OTC model rule limits.

Additionally, in 2016, the state revised the Administrative Procedures Act to require that every state regulation be rewritten into the new RICR format by December 31, 2018 or it will no longer be enforceable. In order to meet this requirement Part 33 is being revised to the required RICR format which included the addition of an incorporated materials section.

#### **Alternative Approaches Considered**

No alternative approaches were considered.

**Identification of Overlapped or Duplicated State Regulations**

The Office of Air Resources has identified no state regulations that overlap or duplicate the proposed amendments.

**Determination of Significant Adverse Economic Impact on Small Business or Any City or Town**

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. These emissions limits have been effective in other states for several years and products that meet those limits are readily available.

**For more information or copies of the proposed amendments contact:**

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Or, visit the Proposed Regulations section of the DEM website at:  
<http://www.dem.ri.gov/documents/regulations/>