

**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-120-05-33

**RULE TITLE:** Part 33 -“Control of Volatile Organic Compounds from Architectural Coatings and Industrial Maintenance Coatings”

**REASON FOR RULEMAKING:** 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.

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

**EFFECTIVENESS OF THE RULE:** not applicable

**TESTIMONY AND COMMENTS:** Written comments were received from the American Coating Association (ACA) and the United States Environmental Protection Agency (USEPA).

**CHANGE TO TEXT OF THE RULE:** The compliance date for the rule was changed from January 1, 2019 to January 1, 2020. A Decision with a response to all comments received is attached.

**REGULATORY ANALYSIS:** 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.

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