

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

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**Title of Rule:** Air Pollution Control Regulation No. 49, "Transportation Conformity"

**Rule Identifier:** 250-RICR-120-05-49

**Rulemaking Action:** Proposed Amendment

**Important Dates:**

Date of Public Notice: 10/12/2018

End of Public Comment: 11/12/2018

**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:**

The federal transportation conformity rule sets forth policy, criteria and procedures for demonstrating and assuring conformity of transportation activities. Part 49 formally incorporates procedures to be followed in RI to complete this process. The Department of Environmental Management (DEM), Office of Air Resources, is proposing to amend air pollution control regulation, 250-RICR-120-05-49 "Transportation Conformity" (Part 49). The regulation has been updated to current RI Code of Regulations (RICR) format which required the addition of an incorporated materials section.

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 amendment until November 12, 2018 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

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:**

The proposed revisions are necessary to update the regulation to current RI Code of Regulations format and do not impose any new requirements on regulated entities including any small businesses or any city or town, therefore there is no adverse economic impact.

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 (<http://www.dem.ri.gov/documents/regulations/>).

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