

**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-120-05-43

**RULE TITLE:** Part 43 - General Permits for Smaller-Scale Electric Generation Facilities

**REASON FOR RULEMAKING:**

The purpose of Part 43 is to create an alternative permitting process (general permit) for certain emergency generators, CHP projects and DG projects. The regulation is being amended to make the definition of “emergency” consistent with the current Environmental Protection Agency (EPA) definition of “emergency” as applied to smaller-scale electric generating units. Additionally, the regulation has been updated to current RI Code of Regulations (RICR) 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:** Comments were received from the USEPA.

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

**REGULATORY ANALYSIS:** 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:**