



FACT SHEET

In re: Proposed revisions to Air Pollution Control Regulation No. 35 “Control of Volatile Organic Compounds and Volatile Hazardous Air Pollutants from Wood Product Manufacturing Operations

Introduction

The Department of Environmental Management (DEM), Office of Air Resources, is proposing to amend air pollution control regulation, 250-RICR-120-05-35 “Control of Volatile Organic Compounds and Volatile Hazardous Air Pollutants from Wood Product Manufacturing Operations” (Part 35). Part 35 limits emissions of volatile organic compounds and hazardous air pollutants from wood products manufacturing operations.

Description of Proposed Amendments

The Department is proposing to amend Part 35 to meet the requirements contained in the EPA Control Technique Guideline Document, “*Control of Volatile Organic Compound Emissions from Wood Furniture Manufacturing Operations*” and the requirements contained in the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for wood furniture manufacturing operations. Having the RI regulations consistent with EPA requirements assures that facilities are only subject to one set of rules for wood product manufacturing operations.

The amendments include new emissions limitations for coatings and limitations of the formaldehyde content in coatings and adhesives. Consistent with federal guidelines contained in the NESHAP, the use of conventional air spray guns will no longer be allowed at major sources unless the emissions are routed to control equipment.

Additionally, definitions have been added and portions of the regulation that no longer apply have been eliminated. 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

On March 6, 2017 EPA issued a finding of failure to submit to Rhode Island for failure to submit required State Implementation Plan (SIP) components to address Clean Air Act requirements for the 2008 Ozone National Ambient Air Quality Standard. The finding establishes deadlines by which states either must submit complete SIP revisions or become subject to sanctions. The offset sanction is currently in place.

Specifically, 40 CFR § 51.1116 required RI to submit a SIP revision that meets the requirements of Section 184(b) of the Clean Air Act. Section 184(b) requires states in the ozone transport region to implement or update reasonably available control technology (RACT) controls on all major VOC and NO_x emission sources and on source categories covered by a Control Technique Guideline (CTG) document. In 2006 EPA published a CTG recommending VOC controls for wood furniture manufacturing operations. The Department is proposing to incorporate this CTG into Part 35, “Control of Volatile Organic Compounds and Volatile Hazardous Air Pollutants from Wood Product Manufacturing Operations,” which will be submitted to the U.S. Environmental Protection Agency for approval in Rhode Island’s State Implementation Plan. RI must make a complete SIP submission by March 6, 2019 or further sanctions may be imposed.

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 35 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 35 would not have a significant adverse economic impact on small businesses or cities and towns in the State.

For more information or copies of the proposed amendments contact:

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