

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-120-05-19 "Control of Volatile Organic Compounds from Coating Operations"

REASON FOR RULEMAKING: The purpose of this regulation is to limit emissions of volatile organic compounds from coating operations. The Department is amending Part 19 to meet the requirements contained in the several EPA Control Technique Guideline Documents, Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings, Control Techniques Guidelines for Flat Wood Paneling Coatings, Control Techniques Guidelines for Paper, Film, and Foil Coatings, Control Techniques Guidelines for Metal Furniture Coating, and Control Techniques Guidelines for Large Appliance Coating. The amendments include revised and new VOC content limitations for paper, film and foil coating, metal furniture coating, large appliance coating, miscellaneous metal and plastic parts coating, and flatwood paneling. The miscellaneous metal and plastic parts coating category contains new specific VOC content limitations for automotive/transportation, business machines, and pleasure craft coatings. The VOC content limitations meet and do not exceed current EPA requirements.

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 Coatings Association and the United States Environmental Protection Agency.

CHANGE TO TEXT OF THE RULE: As a result of comments received the coating limits for some categories of pleasure craft coatings were updated. A Decision with a response to all comments received is attached.

REGULATORY ANALYSIS: 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 NOx emission sources and on source categories covered by a Control Technique Guideline (CTG) document. In 2008 EPA published a CTG recommending VOC controls for miscellaneous metal and plastic parts coatings, "Control Techniques Guidelines for Miscellaneous Metal and Plastic

Parts Coatings." In 2006 EPA published a CTG recommending VOC controls for flatwood paneling coating, "Control Techniques Guidelines for Flat Wood Paneling Coatings." In 2007 EPA published CTG's recommending VOC controls for paper, film and foil coating "Control Techniques Guidelines for Paper, Film, and Foil Coatings," metal furniture coating, "Control Techniques Guidelines for Metal Furniture Coating," and large appliance coating, "Control Techniques Guidelines for Large Appliance Coating." The Department is amending Part 19 to incorporate these CTG's into the rule 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, including incorporation of the requirements in the above CTG's to remove the offset sanction. The Office of Air Resources has determined that implementation of the amendments to Part 19 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: