

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

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Control of Volatile Organic Compounds from Surface Coating Operations (250-RICR-120-05-19)

Rule Identifier: 250-RICR-120-05-19

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 05/14/2019

End of Public Comment: 06/14/2019

Authority for this Rulemaking:

R.I. Gen. Laws § 42-17.1-2(19) and R.I. Gen. Laws Chapter 23-23

R.I. Gen. Laws § 23-23

Summary of Rulemaking Action:

The purpose of this regulation is to limit emissions of volatile organic compounds from coating operations. The Department is proposing to amend 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 proposed 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 proposed meet and do not exceed current EPA requirements.

The proposed compliance date for the proposed emissions limitations is July 1, 2020. The applicability threshold is proposed to be changed from the existing threshold of VOC emissions greater than or equal to 15 pounds per day in any one day from surface coating operations to the equivalent twelve month applicability threshold of VOC emissions greater than or equal to 2.7 tons per rolling 12-month period for new and existing categories, except the paper, film and foil coating category which is proposed to have an applicability threshold of the potential to emit 25 tons VOC per year from an individual coating line.

Work practice standards for surface coating and cleaning operations have been added to the rule to minimize VOC emissions. Additionally, definitions have been added and portions of the regulation that no longer apply have been eliminated. 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 June 14, 2019 by contacting the appropriate party at the address listed below:

Karen Slattery
Department of Environmental Management
Office of Air Resources
235 Promenade St
Providence, RI 02908
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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:

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 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 proposing to incorporate these CTG's into Part 19, "Control of Emissions from Surface Coating 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, including incorporation of the requirements in the above CTG's to remove the offset sanction. A fact sheet that more fully describes the proposed revision to the regulation as well as a full cost benefit analysis can be found in the additional documentation.

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