

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-120-05-31

RULE TITLE: Part 31 "Control of Volatile Organic Compounds from Consumer Products"

REASON FOR RULEMAKING: The purpose of this regulation is to limit volatile organic compound emissions from consumer products. The Department of Environmental Management, Office of Air Resources is proposing to amend the regulation to clarify compliance dates, add a sell-through period, and ban the use of methylene chloride in consumer paint and coating removal products.

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 Coating Association (ACA), the Household Consumer Products Association (HCPA) and the United States Environmental Protection Agency (USEPA).

CHANGE TO TEXT OF THE RULE: No significant changes were made as a result of comments received. A Decision with a response to all comments received is attached.

REGULATORY ANALYSIS:

There is no demonstrated need to revise these regulations. The clarification of dates in the rule is a technical correction only. A sell-through period was added to minimize the generation of unnecessary waste from manufacturers disposing of noncompliant products. The ban of methylene chloride in consumer paint and coating removal products is consistent with federal guidelines and is proposed to be added to the rule so that state and federal standards are the same. The Office of Air Resources has determined that implementation of the amendments to Part 31 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: