

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

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Air Pollution Control Regulation No. 33, 'Control of VOC from Architectural Coatings and Industrial Maintenance Coatings'

Rule Identifier: 250-RICR-120-05-33

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 10/31/2019

End of Public Comment: 12/02/2019

Authority for this Rulemaking:

R.I. Gen. Laws § 42-17.1-2(19)

R.I. Gen. Laws Chapter 23-23

R.I. Gen. Laws Chapter 42-35

Summary of Rulemaking Action:

Part 33 limits volatile organic compound emissions from the architectural and industrial maintenance (AIM) coatings. The Department of Environmental Management, Office of Air Resources is proposing to add a volatile organic compound (VOC) standard for fire-resistive coatings.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until December 2, 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
karen.slattery@dem.ri.gov

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:

Rhode Island is a member state of the Ozone Transport Commission (OTC), an organization set up by Congress under the Clean Air Act (CAA) which is composed of 13 entities in the Northeast and mid-Atlantic regions. The OTC develops model rules for the member states to use to reduce the emissions of ground-level ozone precursors. Adoption of OTC Model Rules by all member States ensures regulatory consistency throughout the region to address these pollutants. OTC AIM Coatings Model Rules are based on California Air Resources Board (CARB) rules as well. In updating the OTC model rule the VOC content limit for fire-resistive coatings was inadvertently left out of the model rule Part 33 is based on. At the request of the American Coatings Association (ACA) the model rule has been updated to include an emissions limit for fire-resistive coatings. The ACA requested that RI update Part 33 to include this limit.. The Office of Air Resources has determined that implementation of the amendments to Part 33 would not have a significant adverse economic impact on small businesses or cities and towns in the State.

A fact sheet that more fully describes the proposed revision to the regulation as well as copies of the proposed, revised regulation is available under Proposed Regulations on the Department's website.

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