



FACT SHEET

In re: Proposed revisions to 250-RICR-120-05-19 “Control of Volatile Organic Compounds from Coating Operations”

Introduction

The Department of Environmental Management (RIDEM), Office of Air Resources (OAR), is proposing to amend 250-RICR-120-05-19 “Control of Volatile Organic Compounds from Coating Operations” (Part 19). Part 19 limits volatile organic compound emissions from various surface coating operations.

Description of Proposed Amendments

Part 19 is being amended to add definitions for clarification and to make corrections to definitions that were unintentionally overlooked during the amendments to the rule in 2019.

Additionally, the General Requirements section of the rule is being amended for further clarification. Specifically, Section 19.14 has been added to remind the facility that they will be subject to Part 29 if they reach these thresholds and/or subject to 250-RICR-120-05-9 should they install air pollution control equipment **This is not a new requirement.**

In an effort to make the rule easier to understand for the user portions of the regulation that no longer apply are being eliminated from the regulation.

Demonstration of Need

In 2019 RIDEM OAR amended Part 19 to correct violations noted in a finding of failure to submit issued by EPA for Rhode Island’s failure to submit required State Implementation Plan (SIP) components addressing Clean Air Act requirements. 40 CFR §51.1116 required that RI submit a SIP revision to meet the requirements of §184(b) of the Clean Air Act. §184(b) requires states in the Ozone Transport Region (OTR), such as RI, implement or update Reasonably Available Control Technology (RACT) controls on all major VOC and NO_x emission sources and or source categories covered by a Control Technique Guideline (CTG) document.

In 2006 EPA published a CTG recommending VOC controls for flat wood paneling coating, “Control Techniques Guidelines for Flat Wood Paneling Coatings.” The Department incorporated the CTG into Part 19 with the 2019 amendments. When revising the rule RIDEM OAR unintentionally overlooked existing definitions for flat wood products that were no longer relevant for the revised flat wood paneling emissions limitation in the 2019 amendments. To correct this deficiency, we are amending the definition and extending the compliance date for the affected facilities. Additional wood product definitions have also been added for clarification consistent with the CTG.

250-RICR-120-05-19 “Control of Volatile Organic Compounds from Coating Operations,” will be submitted to the U.S. Environmental Protection Agency for approval in Rhode Island's State Implementation Plan when the amendments are finalized in Rhode Island. The proposed amendments will make Part 19 fully approvable by EPA for incorporation into the RI SIP, meeting all mandatory provisions of §184(b) of the Clean Air Act.

Alternative Approaches Considered

These changes to the emissions limitation in the regulation is a mandatory requirement under the Clean Air Act, so no alternative approach could be considered.

The only alternatives OAR could consider are the time the facility would need to come into compliance with the new emissions limitation. Since the regulation was changed five years ago, OAR considered immediate compliance, but determined that was too stringent and a facility may need additional time to reformulate coatings. Consistent with previous amendments to the regulation a one year compliance date was considered a reasonable amount of time for a source to come into compliance with the new emissions limitation.

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 19 would not have a significant adverse economic impact on small businesses or cities and towns in the State. Based on facility data OAR currently has on file we believe this change will only impact one coating used at one source in RI. The impact to that source will be minimal.

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