

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

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Odors (250-RICR-120-05-17)

Rule Identifier: 250-RICR-120-05-17

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: August 18, 2026

End of Public Comment: September 18, 2026

Rulemaking Authority:

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

Summary of Rulemaking Action:

The proposed amendments will strengthen the Departments ability to enforce this odor prohibition. As currently written a violation of the regulation occurs when an inspector determines an objectionable odor is present beyond a facilities property line. Objectionable odors are often very difficult and subjective to determine, and as a result, the regulation was difficult to understand and enforce. To correct this Part 17 is being amended to clearly define odors and prohibit the emissions of any air contaminants that create or contribute to an odor that constitutes a nuisance beyond a facilities property line. As proposed an odor will be considered to constitute a nuisance beyond a facilities property line if one or more representatives of the Department determine that an odor exists with such intensity, characteristics, frequency, and duration that it is, or can reasonably be expected to interfere with a reasonable person's enjoyment of life and/or property. The proposed amendments will allow the Department to respond to community complaints and evaluate the odors on a more consistent and accurate basis.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until September 18, 2026 by contacting the appropriate party at the address listed below:

Brianna Giglietti
Department of Environmental Management
235 Promenade Street
Office of Air Resources
Providence, RI 02908-5767
DEM.AirRegComments@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 a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

Regulatory Analysis Summary and Supporting Documentation:

A Benefit Cost Analysis provides all alternatives considered and can be found under additional documentation in the rulemaking documents for Part 17.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.