

RHODE ISLAND GOVERNMENT REGISTER
AMENDED 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

Hearing Date: September 10, 2026

End of Public Comment: October 14, 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 October 14, 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

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.5, to consider the proposed amendment shall be held at which time and place all persons interested therein will be heard. This hearing is subject to R.I. Gen. Laws Chapter 42-46, Open Meetings.

Public Hearing Information:

Date: September 10, 2026

Time: 3:30 P.M.

Location: Rhode Island Department of Environmental Management
Room 300 (3rd Floor)
235 Promenade Street
Providence, RI, 02908

The place of the public hearing is accessible to individuals with disabilities. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-537-4395 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting. For questions regarding available parking, please contact the agency staffperson listed above.

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.