

250-RICR-120-05-1

## **TITLE 250 – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

### **CHAPTER 120 – OFFICE OF AIR RESOURCES**

#### **SUBCHAPTER 05 - AIR POLLUTION CONTROL**

##### **PART 1 – Visible Emissions**

### **1.1 Purpose**

The purpose of this regulation is to limit the opacity of visible emissions from sources of air contaminants.

### **1.2 Authority**

These regulations are authorized pursuant to R.I. Gen. Laws § 42-17.1-2(19) and Chapter 23-23, and have been promulgated pursuant to the procedures set forth in the Rhode Island Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.

### **1.3 Application**

The terms and provisions of this regulation shall be liberally construed to permit the Department to effectuate the purposes of state laws, goals and policies.

### **1.4 Severability**

If any provision of this regulation or the application thereof to any person or circumstance, is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulation shall not be affected thereby.

### **1.5 Definitions**

Unless otherwise expressly defined in this section, the terms used in this regulation shall be defined by reference to Part 0 of this Subchapter (General Definitions).

## **1.6 Limitations**

No person shall emit into the atmosphere from any source any air contaminant for a period or periods aggregating more than three minutes in any one hour which is greater than or equal to 20 percent opacity.

## **1.7 Test Procedures and Observer Qualifications**

- A. All tests must be performed as per the 40 C.F.R. § 60 (2000), Appendix A, Method 9.
- B. All observers must qualify as per the 40 C.F.R. § 60 (2000), Appendix A, Method 9.

## **1.8 Exemptions**

Where the presence of uncombined water is the only reason for failure to meet the requirements of § 1.6 of this Part, such failure shall not be a violation of this regulation.

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**CHAPTER 120 - AIR RESOURCES**

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**PART 1 - Visible Emissions (250-RICR-120-05-01)**

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