

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR RESOURCES
AIR POLLUTION CONTROL REGULATION NO. 7**

EMISSION OF AIR CONTAMINANTS DETRIMENTAL TO PERSON OR PROPERTY

7.1 Definitions

Unless otherwise expressly defined in this section, the terms used in this regulation shall be defined by reference to the Rhode Island Air Pollution Control General Definitions Regulation.

7.2 Standard

No person shall emit any contaminant which either alone or in connection with other emissions, by reason of their concentration or duration, may be injurious to human, plant or animal life, or cause damage to property or which unreasonably interferes with the enjoyment of life and property.

7.3 Existing Sources

The operation of existing sources shall comply with the standard in Section 7.2.

7.4 New Sources or Modifications

7.4.1 In the issuance of any approval under Air Pollution Control Regulation No. 9 the sole criteria for determination of compliance with the standard in Section 7.2 with regard to human health shall be:

- (a) compliance with all primary and secondary national ambient air quality standards.
- (b) ***
- (c) ***
- (d) ***

7.4.2 In the issuance of any approval under Air Pollution Control Regulation No. 9 the sole criteria for compliance with the standard in Section 7.2 with regard to animal life shall be:

- (a) compliance with all secondary national ambient air quality standards.
- (b) compliance with the applicable provisions of section 9.5.2(d).

7.4.3 In the issuance of any approval under Air Pollution Control Regulation No. 9 the sole criteria for compliance with the standard in Section 7.2 with regard to plant life and vegetation shall be:

- (a) compliance with all secondary national ambient air quality standards.
- (b) compliance with the applicable provisions of section 9.5.2(d).

7.4.4 In the issuance of any approval under Air Pollution Control Regulation No. 9 the sole criterion for compliance with the standard in Section 7.2 with regard to damage to property shall be compliance with all secondary national ambient air quality standards.

7.4.5 In the issuance of any approval under Air Pollution Control Regulation No. 9, the sole criteria for compliance with the standard in section 7.2 with regard to interference with the enjoyment of life and property shall be compliance with the applicable provisions of sections 7.4.1, 7.4.2, 7.4.3 and 7.4.4.

7.5 General Provisions

7.5.1 Purpose

The purpose of this regulation is to prohibit the emission of air contaminants which may be injurious to human, plant or animal life, or cause property damage.

7.5.2 Authority

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

7.5.3 ***

7.5.4 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.

7.5.5 Effective Date

The foregoing regulation, "Emission of Air Contaminants Detrimental to Person or Property", as amended, after due notice, is hereby adopted and filed with the Secretary of State this 29th day of June, 2007 to become effective twenty (20) days thereafter, in accordance with the provisions of Chapters 23-23, 42-35, 42-17.1, 42-17.6, of the General Laws of Rhode Island of 1956, as amended.

W. Michael Sullivan, PhD., Director
Department of Environmental Management

Notice Given on: *February 21, 2007*

Public Hearing held: *March 23, 2007*

Filing Date: *June 29, 2007*

Effective Date: *July 19, 2007*