

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR RESOURCES**

**AIR POLLUTION CONTROL REGULATION NO. 7**

**EMISSION OF AIR CONTAMINANTS DETRIMENTAL  
TO PERSON OR PROPERTY**



*Effective: 2 August 1967*

*Last Amended: 19 July 2007*

**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.

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**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) compliance with the applicable requirements of section 22.3 of Air Pollution Control Regulation No. 22 regarding the emission of listed toxic air contaminants.
- (c) compliance with a calculated ambient air level as required by paragraphs 9.3.3(a)(2), 9.4.2(g) and 9.5.2(e) of Air Pollution Control Regulation No. 9.

- (d) compliance with the applicable procedures and criteria of the Guidelines for Assessing Health Risks From Proposed Air Pollution Sources.

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 Application

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

### 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ 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.

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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**