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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.