

MAINE STATE LEGISLATURE

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L.D. 258

DATE: 5/23/95

(Filing No. H-293)

MAJORITY
NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 199, L.D. 258, Bill, "An Act to Change the State's Air Quality Standard for Ozone to the Federal Standard"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 38 MRSA §584-A, sub-§4, as enacted by PL 1971, c. 570, is repealed.

Sec. 2. 38 MRSA §584-A, sub-§4-A is enacted to read:

4-A. Ozone. For purposes of statutory interpretation, rules, regulations, licensing determinations, policy guidance and all other actions by the department or the board relating to the control of ozone precursors for the purpose of controlling ozone or photochemical oxidant, any reference to an ambient air quality standard is interpreted to refer to the national ambient air quality standard for ozone established pursuant to Section 109 of the federal Clean Air Act as amended, 42 United States Code Section 7409.

Sec. 3. 38 MRSA §584-F is enacted to read:

§584-F. Ozone health warnings

1. Dissemination of warnings to media. Whenever monitored data demonstrates or the department predicts that ground-level

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2 ozone concentrations have exceeded or will exceed 81 parts per
3 billion, the department shall disseminate a health warning to the
4 mass media, including television, radio and print media, and
5 shall urge the media to issue the warning to the general public.
6 The department shall use best efforts to educate the media as to
7 the need to broadly disseminate health warnings to the public.

8 2. Telephone hot line. The department shall provide
9 information to the public on daily ground-level ozone
10 concentrations by a toll-free ozone information telephone hot
11 line.

12
13 **Sec. 4. Efforts regarding transported ozone.** The Department of
14 Environmental Protection shall use all best efforts to ensure
15 that the state implementation plans to be developed by other
16 states pursuant to the federal Clean Air Act contain ozone
17 precursor control programs designed to allow Maine to improve its
18 air quality.

19 **Sec. 5. Review of federal standard.** The Governor shall urge the
20 United States Environmental Protection Agency to complete its
21 review of the current national ambient air quality standard for
22 ozone expeditiously in compliance with the federal Clean Air Act.'

23
24
25 **STATEMENT OF FACT**

26
27
28 This amendment repeals the current Maine ambient air quality
29 standard for photochemical oxidant, primarily ozone. The
30 amendment does not replace the state standard, but references the
31 federal standard for purposes of statutory and regulatory
32 interpretation of existing Maine law. Although the State
33 recognizes the medical evidence that respiratory health effects
34 caused by ground-level ozone occur at levels below the current
35 national ambient air quality standard for ozone, this State has
36 no ability to enforce the state standard for ozone against other
37 states whose pollution makes a significant contribution to
38 violations of the state standards.

39
40 The amendment also requires the Department of Environmental
41 Protection to issue ozone health alert warnings to the media, to
42 be disseminated to the general public, when monitored data
43 indicates or the department predicts that an ozone concentration
44 of 81 parts per billion has been or will be exceeded. The
45 amendment also requires the department to disseminate this
46 information through a toll-free information telephone hot line.

47
48 The amendment directs the department to use all best efforts
49 to ensure that other states develop state implementation plans
50 for control of ozone precursors that would be designed to allow
Maine to improve its air quality.

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2 The amendment directs the Governor to urge the United States
4 Environmental Protection Agency to expeditiously complete its
 review of the current national ambient air quality standard for
 ozone.