

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-429)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1207, L.D. 1540, Bill,
"AN ACT to Enable Delegation of the Prevention of Significant
Deterioration of Air Quality Program."

Amend the bill by striking out all of section 1 and in-
serting in its place the following:

'Sec. 1. 38 MRSA §582, sub-5-B is enacted to read:

5-B. Baseline concentration. "Baseline concentration"
means the time from which additional sources of air pollution
will be counted against the available increment. It shall mean
the actual ambient air quality in an area as of August 7, 1977
except that:

A. Contributions for any major emitting source subject to
review for the prevention of significant deterioration
between January 6, 1975 and August 7, 1977 and operating on
August 7, 1977 shall be subtracted from actual air quality on
that date to establish baseline concentration, and shall be
counted against the increment; and

B. Contributions for any major emitting source not subject
to review for the prevention of significant deterioration
and receiving approval to construct before January 6, 1975,
but not in operation by August 7, 1977 shall be added to
actual August 7, 1977 ambient air quality to establish the
baseline concentration, and not counted against the increment.

Contributions for all air contaminants sources beginning
operation after August 7, 1977 shall be counted against the

increment except as provided in this paragraph.'

Further amend the bill in section 6 in that part designated sub "§583-B." by striking out in/section 5 all of paragraph B and inserting in its place the following:

'B. Other areas may be redesignated as follows:

(1) The board may recommend to the Legislature the re-designation of any air quality region in whole or in part, to Class I, II or III. Prior to this recommendation, a public hearing shall be conducted in each area proposed to be redesignated. Prior to the public hearing, a report shall be made available with a description and an analysis of health, environmental, economic, social and energy impacts with the proposed redesignation. Should the area proposed for redesignation include or be deemed to affect federally owned lands, the board shall consult with the appropriate federal land manager prior to the redesignation. All proposed redesignations shall be submitted to the Legislature for enactment.'

Further amend the bill in section 14 by adding in the first sentence before the ^{underlined} word "major" the following: ^{underlined words} 'new or modified'

Statement of Fact

Because the redesignation of areas in the State to Class I could have the effect of restricting economic growth, this amendment would not permit such redesignation to become effective until approved by the Legislature.

This amendment also states the conditions under which the emissions from a source will not or will be counted as part of the baseline concentration and when it will or when it will not

be counted against the allowable increment. It also restricts certain review power to new or modified large sources.

Reported by the Committee on Energy and Natural Resources
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