

MAINE STATE LEGISLATURE

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L.D. 1833

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-605)
110TH LEGISLATURE
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 1836, L.D. 1833, Bill,
"AN ACT to Exempt Portions of the Central Maine Air Quality
Control Region from Petroleum Liquids Transfer Vapor Recovery
Requirements."

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

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'Sec. 1. 38 MRSA §610, sub-§1, ¶A, as amended by PL
1981, c. 441, is repealed and the following enacted in its
place:

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A. This section shall be applicable in the Metropolitan
Portland, Portland Peninsula and the Central Maine Air
Quality Control Regions of the State, except as provided in
subsection C.

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Sec. 2. 38 MRSA §610, sub-§1, ¶C, is enacted to read:

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C. Because the controls identified are not "reasonably
available control technology" for terminals in Searsport,
located in the Central Maine Air Quality Control Region,
this section shall not apply to Searsport.

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STATEMENT OF FACT

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At the First Regular Session of the 110th Legislature,
Title 38, section 610, was amended to give the Board of
Environmental Protection the authority to amend the compli-
ance schedule of section 610 in the Central Maine Air Qual-
ity Control Region "as the public interest requires to
afford equitable treatment to bulk gasoline terminals in the
Central Maine and Downeast Air Quality Control Regions."
Pursuant to that authority, the board adopted a rule change
which excludes bulk gasoline terminals in Searsport from the
requirements of section 610. The Environmental Protection
Agency has also recommended approval of this change.

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1 COMMITTEE AMENDMENT "A" to H.P. 1836, L.D. 1833

2 This rule change should now be adopted by the Legis-
3 lature because of the requirement that emission standards
4 set by the Board of Environmental Protection must be adopted
5 by the Legislature if they are to remain in effect. More-
6 over, since the Board of Environmental Protection has now
7 acted pursuant to the authority given to it by the Legis-
8 lature, that authorizing language may now be removed from
9 the statute. In its place, the rule change itself should be
10 inserted. The language of this amendment reflects the rule
11 change adopted by the board.

12 It is the intention of the Legislature that the appli-
13 cation of Title 38, section 610 to the Town of Searsport be
14 reevaluated by the Department of Environmental Protection if
15 the Downeast Air Quality Control Region is designated
16 nonattainment. The Legislature has received communications
17 indicating that the Department of Environmental Protection
18 has committed the State to this reevaluation, and that this
19 commitment has been endorsed by the United States Environ-
20 mental Protection Agency.

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Reported by the Majority of the Committee on Energy & Natural
Resources.
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of the House.

2/24/82

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