

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document No. 2211

H.P. 1672 House of Representatives, March 9, 1984

Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.

Referred to the Committee on Energy and Natural Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Jacques of Waterville.

Cosponsors: Representative Mitchell of Freeport and Representative Ridley of Shapleigh.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-FOUR

AN ACT to Repeal the Definition of
Air Pollution.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §582, sub-§3, as enacted by PL 1969, c. 474, §1, is repealed.

Sec. 2. 38 MRSA §584, first ¶, as amended by PL 1979, c. 541, Pt. A, §272, is further amended to read:

The board shall establish and may amend reasonable standards, in this chapter called "ambient air quality standards," within a reasonable air quality region regulating and limiting the amount and types of air contaminants which may exist in the ambient air of such region. Such standards shall be designed to preserve or enhance the quality of ambient air within such region and to prevent air pollution pro-

1 tect human plant or animal life and the enjoyment of
2 life and property within such region. An air contam-
3 inant source shall be allowed to have a reasonable
4 area in which to allow its emissions to disperse be-
5 fore they are required to meet the applicable ambient
6 air quality standard. The reasonable area allowed
7 for dispersion must be under the exclusive control of
8 the applicant, and must be an area to which the gen-
9 eral public does not have rights of access, and may
10 include passage easements, utility easements, private
11 roadways, private rights-of-way and railways. The
12 size of the dispersal area shall be no larger than
13 necessary to accommodate a reasonably engineered
14 source and shall not exceed an area with a diameter
15 of one kilometer.

16 Sec. 3. 38 MRSa §584, 3rd ¶, as amended by PL
17 1983, c. 566, §35, is further amended to read:

18 The board shall solicit and consider all availa-
19 ble information concerning the existing quality of
20 the ambient air within the region; the recreational,
21 industrial and residential uses of land within the
22 region; the effects of existing air contaminants and
23 ~~air pollution~~ upon the uses; the availability and ef-
24 fectiveness of air pollution control apparatus de-
25 signed to control and reduce the existing air contam-
26 inants and air pollution; the expense of purchasing
27 and installing the same, and such other evidence as
28 in the board's judgment will enable it to determine
29 and establish the standards of air quality necessary
30 to ~~prevent air pollution within the region~~ protect
31 human, plant or animal life and the enjoyment of life
32 and property within that region.

33 Sec. 4. 38 MRSa §585, first ¶, as amended by PL
34 1971, c. 618, §12, is further amended to read:

35 The board may establish and may amend standards,
36 herein called "emission standards", limiting and reg-
37 ulating in a just and equitable manner the amount and
38 type of air contaminants which may be emitted to the
39 ambient air within a region. Such emission standards
40 shall be designed to ~~prevent air pollution~~ protect
41 human, plant or animal life and the enjoyment of life
42 and property within that region and to achieve and
43 maintain the ambient air quality standards within the
44 region in which applicable.

