

# MAINE STATE LEGISLATURE

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L.D. 317

(Filing No. H- 274)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
112TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "*B*" to H.P. 263, L.D. 317,  
Bill, "AN ACT to Control Acid Rain."

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 §603-B is enacted to read:

§603-B. Acid deposition control

1. Legislative findings and intent. The Legis-  
lature finds that acid deposition, commonly referred  
to as "acid rain," resulting from commercial, indus-  
trial or other emissions of sulfur dioxide and nitro-  
gen oxides, is occurring in this State. The Legisla-  
ture also finds that acid deposition poses a present  
and severe threat to the State's natural resources,  
including its fish and wildlife, agriculture and wa-  
ter resources, as well as to the State's economy and  
public health. Increasing evidence suggests that ac-  
id deposition also affects the State's economy by re-  
ducing the growth productivity of the State's forest  
resources.

The Legislature finds that there is a direct correla-  
tion between emissions of sulfur dioxide and nitrogen  
oxides and increases in acid deposition and that the  
acidification is cumulative. Failure to act promptly  
and decisively to mitigate or eliminate this danger  
may soon result in economic loss and irreparable dam-  
age to the fish, forest, wildlife, agricultural, wa-  
ter and recreational resources of this State.

The Legislature finds that although the major sources  
of acid deposition are located in the midwestern

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1 United States, emissions from sources within the  
2 State contribute to acid deposition in the State. It  
3 is therefore necessary that the people of this State  
4 take steps to reduce their share of the acid deposi-  
5 tion.

6 The Legislature declares that in the absence of fed-  
7 eral action requiring nationwide reductions in sulfur  
8 dioxide emissions, this State must act to protect its  
9 environment and economy from irreparable damage. It  
10 is the intent of the Legislature to establish an acid  
11 deposition control program which will reduce sulfur  
12 dioxide and nitrogen oxide emissions from within the  
13 State while at the same time encouraging passage of  
14 federal acid rain legislation by demonstrating the  
15 State's willingness to bear its fair share of the  
16 burden of any national acid rain control program.

17 It is the intent of the Legislature that any reduc-  
18 tions required by an emission reduction plan under  
19 this chapter shall be shared equitably among existing  
20 sources so as not to restrict industrial development  
21 in the State.

22 It is the intent of the Legislature that any reduc-  
23 tions in acid deposition made in the State pursuant  
24 to this chapter shall be fully credited against the  
25 State's share in any future federal acid deposition  
26 control program.

27 2. Sulfur dioxide emission limitation. No later  
28 than January 1, 1986, the board shall, after opportu-  
29 nity for public hearing, establish and amend reason-  
30 able standards and rules to effect by 1990 a 20% re-  
31 duction in the level of sulfur dioxide emissions from  
32 the average of the actual annual statewide sulfur di-  
33 oxide emissions for the years January 1, 1979 to De-  
34 cember 31, 1982. These standards and rules shall al-  
35 low the use of any or all reasonable sulfur emission  
36 control techniques, including, but not limited to,  
37 the substitution of lower sulfur content fossil fu-  
38 els, installation of desulfurization equipment,

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1 blending of various sulfur content fossil fuels and  
2 the implementation of conservation measures.

3 3. Nitrogen oxides emission inventory. The de-  
4 partment shall prepare an inventory of both current  
5 and potential nitrogen oxide emission sources in the  
6 State. The department shall evaluate the contribu-  
7 tion of nitrogen oxide emissions to acid deposition  
8 and other air pollution problems in the State. The  
9 inventory and evaluation shall be completed and sub-  
10 mitted to the Legislature by January 1, 1987.

11 4. Acid rain impact study. The department shall  
12 complete a study covering the following areas:

13 A. A resampling and measuring of the response of  
14 Maine lakes located in sensitive geologic areas;

15 B. An identification of sensitive receptor areas  
16 throughout the State based on, but not limited  
17 to, the following criteria: Geology; elevation;  
18 lake size; watershed area; and aquatic and ter-  
19 restrial flora;

20 C. An assessment of the impact of acid deposi-  
21 tion on the growth and productivity of the  
22 State's forest resources; and

23 D. A determination, through long-range modeling  
24 techniques, of the contribution of both in-state  
25 sources and out-of-state sources to acid rain  
26 deposition in the State.

27 In preparing this study, the department shall coordi-  
28 nate with and utilize as fully as possible the re-  
29 search being conducted at the University of Maine at  
30 Orono and research conducted by the United States En-  
31 vironmental Protection Agency regarding the acid rain  
32 problem. Results of this study shall be reported to  
33 the Legislature together with recommendations for  
34 further actions no later than January 1, 1987.



COMMITTEE AMENDMENT " $\beta$ " to H.P. 263, L.D. 317

1       ened by acid deposition.

2               Large amounts of sulfur dioxide and nitrogen  
3 oxides, the primary components of acid rain, are  
4 emitted from sources in this State. The Department  
5 of Environmental Protection estimates that over  
6 100,000 tons of sulfur dioxide were released into the  
7 State's atmosphere in 1980. The quantity of nitrogen  
8 oxide emitted in that year is not known although it  
9 is thought that nitrogen oxides emissions are on the  
10 increase. Much of this pollution falls to earth in  
11 this State in the form of acid rain.

12               It is important for this State to address its ac-  
13 id rain problem immediately for 2 reasons.

14               1. In order for a successful federal control  
15 program to pass, Maine and other northeast states  
16 must demonstrate their willingness to make real re-  
17 ductions in their contributions to the total problem.

18               2. Current evidence suggests that Maine is cre-  
19 ating a substantial fraction of its own acid rain;  
20 thus real reductions in Maine emissions are needed  
21 and will benefit the State.

22               This amendment has 2 primary actions.

23               1. It requires a reduction in sulfur dioxide  
24 emissions of 20% by 1990 from the baseline period of  
25 January 1, 1979, to December 31, 1982. The Depart-  
26 ment of Environmental Protection predicts that half  
27 of that reduction will occur without the implementa-  
28 tion of any control measures. The amendment allows  
29 the use of any reasonable control technique to accom-  
30 plish the remaining reduction.

31               2. The amendment also calls for an inventory of  
32 nitrogen oxide sources, the development of a control  
33 strategy for these sources which will be reviewed by  
34 the Legislature and further study of the impacts of  
35 acid rain on the State's forests and waters. An ap-

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1     propriation from the General Fund is suggested to  
2     support the study effort and the development of an  
3     equitable regulatory program.

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Reported by the Minority of the Committee on Energy and Natural  
Resources

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