

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)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1461

H.P. 1050

House of Representatives, May 3, 1989

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative HOLT of Bath.

Cosponsored by Senator TITCOMB of Cumberland, Representative CARTER of Winslow and Senator BERUBE of Androscoggin.

STATE OF MAINE

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

An Act to Ensure that Radioactive Air Emission Standards Are
Adequate to Protect the Public Health and Safety.



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

3 **Sec. 1. 7 MRSA §2903**, as amended by PL 1985, c. 32, is
5 further amended by adding at the end a new paragraph to read:

7 No person may sell any milk, as defined in section 2901,
9 which contains more than one picocurie per liter of radioactive
11 iodine. The Bureau of Health shall monitor milk, offered for
13 sale in the State, for radioactive iodine.

15 **Sec. 2. 38 MRSA §585-D** is enacted to read:

17 **§585-D. Radioactive pollutants**

19 1. Technical assessment. No more than one year after the
21 effective date of this section, and after notice and opportunity
23 for public hearing, the Division of Health Engineering within the
25 Bureau of Health shall, in consultation with the Department of
27 Environmental Protection, review all available and relevant
29 information and determine whether current federal air emission
31 standards established for radioactive pollutants emitted from
33 nuclear power plants in the State are adequate to protect public
35 health and safety. The bureau shall report its findings to the
37 Commissioner of Human Services.

39 2. Promulgation of emission standards. If the bureau finds
41 that applicable federal air emission standards are not adequate
43 to protect public health and safety, the Commissioner of Human
45 Services shall establish standards governing air emission of
47 radioactive pollutants from nuclear power plants which are
49 requisite for protection of public health and safety and allow
51 for an adequate margin of safety.

53 3. Procedure. The Commissioner of Human Services shall
55 adopt any standards and rules issued under this section in
57 conformance with the Maine Administrative Procedure Act, Title 5,
59 chapter 375.

61 4. Relation to ambient standards. The commissioner may
63 control radioactive air pollutants without establishing ambient
65 air standards for those pollutants.

67 **STATEMENT OF FACT**

69 This bill takes 2 important steps to reduce the risk
71 airborne nuclear pollutants pose to the people of the State.

73 Section 1 of the bill deals with health risks associated
75 with milk contaminated by radioactive iodine.

1 The Federal Government's Protective Action Guidelines for
2 radioactive iodine in milk are 15,000 picocuries per liter; yet
3 there is no known safe level of this isotope. Therefore, to
4 protect fetuses and young children who are especially sensitive
5 to radioactive iodine, this bill bans the sale in Maine of milk
6 with more than one picocurie of this isotope per liter.

7
8 Section 2 of the bill requires the Bureau of Health,
9 Division of Health Engineering, in consultation with the
10 Department of Environmental Protection, to study and determine
11 whether federal standards for maximum permissible levels of
12 airborne radioactive emissions from nuclear power plants are
13 adequate to protect public health and safety. If the bureau
14 finds they are not, the commissioner, exercising the State's
15 authority under the Clean Air Act, United States Code, Title 42,
16 Section 7416, shall establish standards requisite to protect
17 public health and safety.