

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

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2445

H.P. 1778

House of Representatives, March 23, 1990

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

EDWIN H. PERT, Clerk

Presented by Representative ANDERSON of Woodland.

Cosponsored by Representative MICHAUD of East Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Establish an Air Quality Increment Standard for Nitrogen Oxides.



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

2
4 **Sec. 1. 38 MRSA §584-B, first ¶**, as enacted by PL 1979, c. 381,
§7, is amended to read:

6 In addition to the ambient air quality standards set forth
8 in section 584-A, any Class I region or part thereof within the
State, including those federal lands designated by the Federal
10 Clean Air Act Amendments of 1977, shall ~~be~~ is subject to a
12 maximum allowable increase in concentration of sulfur dioxide
and, particulate matter and nitrogen oxides over the baseline
14 concentration of that pollutant, ~~which~~. An increase shall not be
exceeded more than once annually for any period other than an
annual period. The maximum allowable increase shall ~~consist~~
consists of:

16 **Sec. 2. 38 MRSA §584-B, sub-§3** is enacted to read:

18 **3. Nitrogen oxides.** In regards to nitrogen oxides:

20 A. An increase in the annual arithmetic mean at any
22 location not to exceed 2.5 micrograms per cubic meter to be
expressed as nitrogen dioxide.

24 **Sec. 3. 38 MRSA §584-C, first ¶**, as enacted by PL 1979, c. 381,
26 §7, is amended to read:

28 In addition to the ambient air quality standards set forth
30 in section 584-A, any Class II region or part thereof within the
State shall ~~be~~ is subject to a maximum allowable increase in
32 concentration of particulate matter and, sulfur dioxide and
nitrogen oxides over the baseline concentration of that
34 pollutant, ~~which~~. An increase shall not be exceeded more than
once annually for any period other than an annual period. The
maximum allowable increase shall ~~consist~~ consists of:

36 **Sec. 4. 38 MRSA §584-C, sub-§3** is enacted to read:

38 **3. Nitrogen oxides.** In regards to nitrogen oxides:

40 A. An increase in the annual arithmetic mean at any
42 location not to exceed 25.0 micrograms per cubic meter to be
expressed as nitrogen dioxide.

44 **Sec. 5. 38 MRSA §584-D, first ¶**, as enacted by PL 1979, c. 381,
46 §7, is amended to read:

48 In addition to the ambient air quality standards set forth
50 in section 584-A, any Class III region or part thereof within the
State shall ~~be~~ is subject to a maximum allowable increase in
52 concentration of particulate matter and, sulfur dioxide and
nitrogen oxide over the baseline concentration of that pollutant,

2 which. An increase shall not be exceeded more than once annually
for any period other than the annual period. The maximum
allowable increase shall ~~consist~~ consists of:

4 Sec. 6. 38 MRS §584-D, sub-§3 is enacted to read:

6 3. Nitrogen oxides. In regards to nitrogen oxides:

8 A. An increase in the annual arithmetic mean at any
10 location not to exceed 30.0 micrograms per cubic meter to be
12 expressed as nitrogen dioxide.

14 STATEMENT OF FACT

16 In 1977, as a part of the program for the prevention of
significant deterioration, the federal Environmental Protection
18 Agency promulgated limits to increases in air pollution in those
areas with air quality cleaner than allowable standards. The
20 limits are referred to as increment. Increment limits were set
for particulate matter and sulfur dioxide. Increment limits have
22 now been set for nitrogen oxides and federal law requires that
they be incorporated into the state implementation plan. In this
24 State ambient standards are set by the Legislature. This bill
incorporates the federal standards into the State's law.