

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1992

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Legislative Document

No. 2016

S.P. 817

In Senate, January 8, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.  
Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator VOSE of Washington  
Cosponsored by Representative ANDERSON of Woodland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-TWO

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**An Act Concerning Continuous Emission Monitoring Devices.**

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2 Because preventive maintenance, calibration and audit are  
3 required by the Department of Environmental Protection, this bill  
4 provides that CEMs are considered in use during periods of  
5 nonoperation provided the services are being conducted in  
6 accordance with a quality assurance plan submitted to the  
7 department.

8 This bill also provides that nonoperation of a CEM due to  
9 equipment malfunction does not subject a person to penalties if  
10 the period of nonoperation does not exceed 10% of source  
11 operating time. Under the bill, periods of noncompliance due to  
12 unavoidable malfunctions in excess of 10% of source operating  
13 time may be exempt from penalty at the discretion of the  
14 department.

15 This bill also requires that the department respond to  
16 licensees who have submitted requests for exemptions from penalty  
17 due to equipment malfunctions.  
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