

MAINE STATE LEGISLATURE

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MAJORITY
NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 459, L.D. 625, "Resolve, to Reduce the Economic Impacts of the Clean Air Act on Maine's Citizens and Businesses"

Amend the resolve by striking out everything after the emergency preamble and before the emergency clause and inserting in its place the following:

Sec. 1. Petition for removal from ozone transport region.

Resolved: That, not later than 30 days after the effective date of this resolve, the Department of Environmental Protection shall provide to the Governor a petition that requests the removal of areas of the State other than those listed in the Federal Register of November 6, 1991 as moderate or marginal ozone nonattainment areas from the ozone transport region established pursuant to the federal Clean Air Act, 42 United States Code, Section 7511c. The Governor shall submit the petition to the United States Environmental Protection Agency within 2 weeks of the receipt of the petition from the department; and be it further

Sec. 2. Request for redesignation as attainment areas. Resolved:

That the Department of Environmental Protection shall submit to the United States Environmental Protection Agency a request for the redesignation to attainment for ozone of all areas of the State that qualify for that designation under the federal Clean Air Act, including, but not limited to, Hancock, Kennebec and Androscoggin counties and those parts of Franklin, Oxford and Somerset counties designated as nonattainment and incomplete data areas. The department shall submit a report to

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2 the Joint Standing Committee on Natural Resources by October 1,
1995 describing the department's progress in preparing the
4 request. The department shall finalize and submit the
redesignation request to the United States Environmental
6 Protection Agency not later than January 1, 1996; and be it
further

8 **Sec. 3. Request for redesignation as rural transport areas.**

Resolved: That the Department of Environmental Protection shall
10 submit to the United States Environmental Protection Agency a
request, together with all necessary supporting documentation, to
12 redesignate to rural transport areas under 42 United States Code,
Section 7511a(h) all areas of the State that are currently
14 designated nonattainment for ozone, do not qualify for
redesignation to attainment and are eligible for designation as
16 rural transport areas. The department shall submit a report to
the Joint Standing Committee on Natural Resources by October 1,
18 1995 describing the department's progress in preparing the
request. The department shall finalize and submit the
20 redesignation request to the United States Environmental
Protection Agency not later than January 1, 1996.'

22
Further amend the resolve by inserting at the end before the
24 statement of fact the following:

26 **FISCAL NOTE**

28 The Department of Environmental Protection will incur some
minor additional costs to accomplish several responsibilities
30 pertaining to the Clean Air Act. These costs can be absorbed
within the department's existing budgeted resources.'

34 **STATEMENT OF FACT**

36 The amendment replaces the resolve. Instead of immediately
requesting removal of the entire State from the ozone transport
38 region, the amendment requires the Department of Environmental
Protection to prepare a petition to immediately remove portions
40 of the State that are currently classified as attainment or
unclassifiable areas.

42
It is the intent of the Legislature that the Department of
44 Environmental Protection also, as expeditiously as possible,
petition the Environmental Protection Agency to remove those
46 areas of Maine that are to be redesignated as attainment areas or
rural transport areas.

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The amendment also allows the Department of Environmental
50 Protection additional time to prepare documentation and gather
information to prepare requests to redesignate counties currently

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2 designated as moderate and marginal nonattainment as attainment
or rural transport areas, if those counties are eligible for
4 redesignation. The amendment requires the department to make a
progress report on redesignation requests by October 1, 1995 and
6 to submit the petitions by January 1, 1996.

The amendment also adds a fiscal note to the resolve.