

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 453-End

AND AT THE

FIRST SPECIAL SESSION
September 6, 1983 to September 7, 1983
Chapters 583-588

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
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J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

	<u>1983-84</u>	<u>1984-85</u>
All Other	\$16,500	\$16,500

Effective September 23, 1983.

CHAPTER 535

H.P. 1080 - L.D. 1426

AN ACT to Control Hazardous Air Pollutants.

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

Sec. 1. 38 MRSA §582, sub-§7-G is enacted to read:

7-G. Hazardous air pollutant. "Hazardous air pollutant" means an air pollutant to which no ambient air standard is applicable and which in the judgment of the board causes, or contributes to, air pollution which may reasonably be anticipated to result in an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness.

Sec. 2. 38 MRSA §585-B is enacted to read:

§585-B. Hazardous air pollutant standards

1. Standards. The board may establish and amend reasonable emission standards for hazardous air pollutants, and regulations to implement these standards. If emission standards are not feasible, the board may adopt design, equipment, work practice or operational standards for activities emitting hazardous pollutants.

2. Procedure. All standards and regulations under this section shall be adopted in conformance with the Maine Administrative Procedure Act, Title 5, chapter 375, except as provided in this section. Prior to the establishment or amendment of these standards and regulations, the board shall conduct a public hearing to receive testimony on:

A. Any health risk assessment on the pollutants proposed to be controlled that has been conducted by the Department of Human Services;

B. The extent to which the public is exposed to the pollutant;

C. The availability, effectiveness and cost of any air pollution control apparatus designed to prevent or control the emissions of hazardous pollutants; and

D. Any other information that would assist the board in establishing standards adequate to protect the public health and safety.

3. Relation to ambient standards. The board may control hazardous air pollutants without establishing ambient air standards for those pollutants.

4. Legislative review. Standards and regulations adopted under this section shall remain in effect until 90 days after the date of adjournment of the next regular session of the Legislature, unless enacted by the Legislature.

Sec. 3. Study required. The Commissioner of Environmental Protection shall recommend to the Legislature a program to control hazardous air pollutants in this State. This recommendation shall be submitted within 30 days of the convening of the Second Regular Session of the 111th Legislature. This program shall be designed so as to consider the recommendations of the Department of Human Services.

Effective September 23, 1983.

CHAPTER 536

H.P. 1114 - L.D. 1472

AN ACT to Authorize the Department of Environmental Protection to Continue to Provide Technical Assistance to Municipalities and other Quasi-municipal Entities Regarding Solid Waste Management.

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

38 MRSA' §342, sub-§6, as enacted by PL 1981, c. 526, §1, is amended to read:

6. Technical services. The commissioner may provide technical assistance, advice and consultation at the request of any municipality or quasi-municipal entity on matters relating to solid waste management. Technical services may include, but not be limited to, technical advice regarding the operation of waste management facilities or services and employment of