

Rule-Making Fact Sheet

(5 MRSA §8057-A)

AGENCY: Department of Environmental Protection

NAME, ADDRESS, PHONE NUMBER, E-MAIL OF AGENCY CONTACT PERSON:

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CHAPTER NUMBER AND RULE TITLE:

Chapter 100: Definitions Regulation

STATUTORY AUTHORITY:

38 M.R.S. § 585-A

DATE, TIME AND PLACE OF PUBLIC HEARING:

TBD

COMMENT DEADLINE:

TBD

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: [*see* §8057-A(1)(A)&(C)]

The proposed amendments will clarify the geographic extent of the Ozone Transport Region within the State of Maine.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? ___YES XNO [§8056(1)(B)]

ANALYSIS AND EXPECTED OPERATION OF THE RULE: [*see* §8057-A(1)(B)&(D)]

On February 6, 2020, the Maine Board of Environmental Protection voted to authorize the submission on behalf of the Governor of a petition to the Environmental Protection Agency (EPA) Administrator, under Section 176A of the Clean Air Act (CAA), to remove certain portions of Maine from the Ozone Transport Region (OTR).

EPA recently notified the Department that amending the definition of “Ozone Transport Region” in the Department’s Chapter 100 Definitions Regulation is necessary to facilitate processing of the Department’s petition because the current State Implementation Plan-approved definition includes the entire state of Maine.

Since approval of the Department’s Section 176A Petition will reduce the geographic extent of the OTR in Maine, the Department is proposing to revise this definition to exclude those parts of the state to be removed from the OTR by the EPA Administrator pursuant to CAA Section 176A.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon) [see §§8057-A(1)(E) & 8063-B]

This change is required by EPA in order to ensure consistency between the definition and the modified OTR in Maine.

ESTIMATED FISCAL IMPACT OF THE RULE: [see §8057-A(1)(C)]

None

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:
[see §8057-A(2)(A)]

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED AND HOW THEY WILL BE AFFECTED: [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

Note: If necessary, additional pages may be used.