Chapter 114: CLASSIFICATION OF AIR QUALITY CONTROL REGIONS

SUMMARY: This regulation determines those areas that have been officially found to be exceeding the ambient air quality standards and are therefore nonattainment areas. It also designates which class of increment that will apply in each area.

1. For Prevention of Significant Deterioration purposes the Board hereby classifies Air Quality Control Regions as follows:

A. The Metropolitan Portland Air Quality Region, Portland Peninsula Air Quality Region, Central Maine Air Quality Region, Downeast Air Quality Region, Aroostook Air Quality Region, and Northwest Maine Air Quality Region shall be Class II Regions.

B. The Department shall have the authority to designate certain Regions or portions thereof as a nonattainment area according to the criteria and procedures set forth in the Federal Clean Air Act, as amended.

C. The Board hereby recognizes the classification and regulatory requirements of those federal lands which have been established as mandatory Class I areas by the Federal Clean Air Act: Acadia National Park located in the Downeast and Central Maine Air Quality Regions; Moosehorn Wilderness Area ~~National Wildlife Refuge~~ located in Moosehorn National Wildlife Refuge in the Downeast Air Quality Region; the Roosevelt Campobello International Park located in New Brunswick, Canada, and the Presidential Range Dry River Wilderness and Great Gulf Wilderness of the White Mountain National Forest in New Hampshire. Federal Class I areas may not be redesignated.

(1) The Board identifies the following Integral Vistas:

(a) ROOSEVELT CAMPOBELLO INTERNATIONAL PARK

Observation Point	View Angle	Key Features	Also viewed from
Roosevelt Cottage and Beach Area	244° - 56°	*Estes Head *Eastport *North Lubec *Cobscook Bay *Shackford Head *St. Andrews *Friar's Head *Treat's Island *Passamaquoddy Bay *Deer Island *Indian Island *Rouen Island *Cherry Island *Thrumcap Island *Owen House *Welshpool	*Portions viewed from Friar's Head

Friar's Head	154° - 94°	*Roosevelt Cottage *Campobello Island *Weir *Friar's Bay *Welshpool Wilson's Beach North Road *Head Harbour Passage Casco Island Green Island *Pope Island *Thrumcap Island *Cherry Island *Rouen Island *Indian Island *Deer Island *Passamaquoddy Bay *Old Sow Whirlpool St. Andrews *Eastport *Friar Roads *Estes Head *Perry *Shackford Head *Pembroke *Cobscook Bay *Treat's Island Major's Island *North Lubec *Passamaquoddy Dam (portion of) Roger's Island Dudley Island *Johnson's Bay Pope's Folly Cutler Naval Radio Station Lubec Mulholland Point Lighthouse FDR Memorial Bridge South Lubec Grand Manan Island	*Portions viewed from Roosevelt Cottage and Beach area.
Con Robinson's Point	308°-150°	Herring Cove Beach Provincial Park Eastern Head Herring Cove *Mainland New Brunswick	*Portions viewed from Liberty Point

		*Point LaPreau *Wolf Islands *Atlantic Ocean *Grand Manan Island	
Liberty Point	34°-236°	Ragged Point *Mainland New Brunswick *Atlantic Ocean *Wolf Islands *Grand Manan Island Sail Rock West Quoddy Head Lighthouse South Lubec	*Portions viewed from Con Robinson's Point

(b) ACADIA NATIONAL PARK

Observation Point	View Angle	Key Features
Cadillac Summit	320°-356°	Lamoine State Park Mt. Katahdin Frenchman Bay
	356°-32°	Lead Mountain Schoodic Mountain Gouldsboro Hills Calf Island
	32°-68°	Porcupine Islands Stave Island Jordan Island Ironbound Island Gouldsboro Bay
	68°-104°	Winter Harbor Turtle Island Egg Rock
	104°-140°	Atlantic Ocean (Gulf of Maine)
	140°-176°	Atlantic Ocean Otter Cove Baker Island
	176°-212°	Little Cranberry Island Duck Islands Greater Cranberry Island Seal Harbor

		Sutton Island Long Island
	212°-248°	Placentia Island
Sunset Point	192°-228°	Long Island Placentia Island Swan Island Great Gott Island Isle au Haut
	256°-300°	Camden Hills Bartlett Island Western Bay Blue Hill
	300°-336°	Thomas Island Frenchman Bay
	336°-12°	Lamoine State Park Hull's Cove (Acadia National Park Visitor Center) Mt. Katahdin
Duck Harbor Mountain	352°-5°	Blue Hill Caterpillar Mountain
	336°-352°	Penobscot Bay Duck Harbor Mt. Ephraim Mt. Waldo Eagle Island
	310°-336°	Islesboro Island Bald Rock Mountain Duck Trap Mountain
	285°-310°	Megunticook Mountain Bald Mountain Dodge Mountain Vinalhaven Island
	270°-285°	Brimstone Island Vinalhaven Island Lighthouse Rock
	245°-270°	Large Green Island

190°-245°	Matinicus Island Ragged Island Wooden Ball Island Seal Island Atlantic Ocean

D. Lands within the exterior boundaries of reservations of federally recognized Indian tribes may be redesignated only by the appropriate Indian governing body under the terms and procedures set forth in the Clean Air Act, 42 U.S.C.A. section 7474(e).

E. Prior ~~to the proposal of any redesignation~~ to proposing the redesignation of any area for Prevention of Significant Deterioration purposes, the Board shall hold a public hearing which shall be conducted in the area proposed to be redesignated. Prior to the public hearing a report shall be made available with a description and analysis of health, environmental, economic, social and energy impacts of the proposed redesignation. Should the area proposed for redesignation include or be deemed to affect federally owned lands, the Board shall consult with the appropriate federal land manager prior to such redesignation. For the purpose of redesignating any areas other than those recognized mandatory Class I areas identified in Section 1(C), the procedural requirements or 40 CFR 51.24 (g) shall be followed.

~~**2.** The Board classifies the following areas as nonattainment areas:~~

~~**A.** For Ozone (photochemical oxidants)~~

~~(1) All of the metropolitan Portland, Portland Peninsula, and Central Maine Air Quality Control Regions.~~

AUTHORITY:	38 M.R.S.A., Sections 583-B, 585-A
EFFECTIVE DATE:	May 7, 1979 Amended: February 10, 1981 Amended: June 27, 1983 Amended: December 18, 1985 Amended: August 9, 1988 Amended: October 25, 1989 Amended: May 9, 1994

BASIS STATEMENT

The basis of this regulation is to formally indicate where nonattainment areas are because air polluting sources located in them must take additional measures to reduce their emissions. This regulation also indicates where the different classes of increments apply in order to comply with federal PSD permitting requirements. Since it is possible to designate and redesignate the classification of areas, a means is necessary to inform the interested where the different classifications apply.

BASIS STATEMENT FOR AMENDMENT OF JANUARY 14, 1980

This regulation was amended to include the designation of the municipality of Lincoln as nonattainment for total suspended particulate.

BASIS STATEMENT FOR AMENDMENT OF MAY 11, 1983

This regulation was amended to redesignate the municipality of Millinocket as attainment for sulfur dioxide and the municipalities of Lewiston and Bangor as attainment for carbon monoxide.

BASIS STATEMENT FOR AMENDMENT OF DECEMBER 18, 1985:

This regulation was amended to reflect the redesignation of Thomaston as attainment for total suspended particulates.

BASIS STATEMENT FOR AMENDMENT OF JULY 13, 1988

This regulation has been amended to correct vistas for the Class I areas of Roosevelt Campobello International Park and adopt vistas for Acadia National Park.

BASIS STATEMENT FOR AMENDMENT OF SEPTEMBER 27, 1989

This regulation has been amended to correct vistas for the Class I areas of Roosevelt Campobello International Park and Acadia National Park. Consistent with the deletion of the Total Suspended Particulate (TSP) standard, the TSP nonattainment areas of Augusta, Bangor and Brewer, Baileyville, and Lincoln have been eliminated. No comments on the proposed changes were received by the Department.

BASIS STATEMENT FOR AMENDMENT OF APRIL 27, 1994

This regulation has been amended to redesignate Presque Isle to attainment for PM10 (fine particulate). In addition to the Basis Statement above, the Department has filed with the Secretary of State its response to comments received during the comment period.